



An  
Bord  
Pleanála

## Inspector's Report

### ABP-314258-22

#### Development

Construction of 54 residential units, a pumping station, ESB substation and all associated site works. The residential units will include 7 no. detached 4 bed houses, 24 no. semi-detached 3 bed houses, 17 no. terraced 3 bed houses, 4 no. terraced 2 bed houses and 2 no. detached 4/5 bed houses

#### Location

Ballinlough Road, Ballinlough,  
Knockbridge, Dundalk, Co. Louth

#### Planning Authority

Louth County Council

#### Planning Authority Reg. Ref.

22389

#### Applicant(s)

Cuchullainn Developments

#### Type of Application

Permission

#### Planning Authority Decision

Refuse permission

#### Type of Appeal

First Party

#### Appellant(s)

Cuchullainn Developments

#### Observer(s)

Ballinlough Residents

Declan Lynch

**Date of Site Inspection**

30<sup>th</sup> November 2023

**Inspector**

Emma Nevin

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## 1.0 Site Location and Description

- 1.1. The site is located to the east of Knockbridge village and encompasses a parcel of undeveloped lands with a stated area of 3.51 ha. The site adjoins the rear of the existing dwellings and car park (associated with the adjoining church) fronting the R171, to the north and northwest.
- 1.2. The site is accessed via an existing agricultural gate to the north, adjacent to the car park to the R171.
- 1.3. The sites north-eastern boundary is defined by mature trees and a dense hedgerow. The northern and western boundaries are comprising of hedging of native and non-native species. Fencing defines the boundaries to the rear of the adjoining dwellings to the south, southeast and southwest of the site.
- 1.4. The immediate area contains a mix of uses and properties, predominately residential in one to two-storey with a variety of forms including detached and semi-detached.

## 2.0 Proposed Development

- 2.1. The proposed development as submitted to Louth County Council on 20<sup>th</sup> June 2022 consists of the construction of 54 no. residential dwellings in a mix of detached, semi-detached and terraced dwellings comprising:
  - 7 no. detached four bed dwellings.
  - 24 no. semi-detached three bed dwellings.
  - 17 no. terraced three bed dwellings.
  - 4 no. terraced two bed dwellings.

- 2 no. detached 4-5 bed dwellings.

- 2.2. The proposed dwellings will be positioned to the south, southeast and southwest of the site, with a landscaped area to the north and east. The dwellings will be a mix of detached, semi-detached, and terraced dwellings with off street parking to the front and rear gardens. The proposed dwellings will range in floor area from 97.7 sq. m. to 255.6 sq. m.
- 2.3. A new vehicular entrance is proposed off the Ballinlough Road, with an internal estate road and footpaths pedestrian/cyclist access point off the R171 (Dundalk – Ardee Road). 108 car parking spaces are proposed to serve the residential development.
- 2.4. A surface water pumping station and ESB substation are proposed, including provision of a public park and sports field.
- 2.5. It is proposed to connect the proposed development to mains foul drainage with SUDS based surface water drainage.
- 2.6. Summary of Development details:

<b>Detail</b>	<b>Proposed</b>
Units	54
Site Area	3.51 hectares
Density	17 units per hectare
Height	Two storey
Childcare	Not proposed or required
Car parking	108 spaces

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On 7<sup>th</sup> July 2022, the Planning Authority issued a notification of their intention to REFUSE permission for the following reasons:

1. *“The site boundary includes, and the applicant has indicated that development works are proposed on lands zoned as ‘H1 Open Space’ where it is policy of the Louth County Development Plan 2021 – 2027 under Policy Objective SC 15 to encourage and facilitate the development of open spaces, and on lands outside the settlement boundary in Rural Policy Zone 2, where it is the policy of the Plan under Policy Objective HOU 14 that applicants demonstrate compliance with one of the qualifying criteria outlined within Table 3.5 of the Plan.*

*Based on the information submitted, it is considered that the proposed development has not taken due account of the zoning policy objectives of the H1 Open Space lands or the Rural Policy Zone 2 lands, where the type of development proposed is not identified as a permitted use or a use open for consideration. Accordingly, to permit the proposed development would materially contravene Policy Objectives SC 15 and HOU 41, would establish an undesirable future precedent for developments of this kind and would be contrary to the proper planning and sustainable development of the area.*

2. *It is an objective of national policy, as set out in the “Guidelines for Planning Authorities on Sustainable Development on Urban Areas”, issued by The Department of the Environment, Heritage and Local Government in May 2009, to ensure high quality in the design and layout of places and neighbourhoods and in individual residential units. In addition, Policy Objective CS 18 of the Louth County Development Plan 2021 – 2027 seeks “To ensure localised sustainable growth within the small towns and villages identified in the Settlement Strategy, is proportionate to the size of the settlement, prioritised on infill/brownfield sites and that economic related development is supported” and HOU 17 seeks to “To promote and facilitate a high quality built environment where there is a distinctive sense of place in attractive streets, spaces, and neighbourhoods that are accessible and safe places for all members of the community to meet and socialise”.*

*Having regard to the excessive number of units proposed, the incongruous and unsatisfactory layout of the proposed streetscapes and dwellings and the deficient open space on the A2 Residential Phase 1 zoned lands, it is considered that the proposal would result in over-development of the site and*

*is disproportionate to the size of the village. Therefore, the proposal would be contrary to Policy Objectives CS 18 and HOU 17, seriously injure the residential amenity of future residents of the proposed development and be contrary to the proper planning and sustainable development of the area.*

- 3. The applicant has failed to demonstrate that proposed surface water disposal arrangements on the site are in compliance with Policy Objective IU 19 of the Louth County Development Plan 2021 -2027, which requires that all development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run-off quality and impacts on habitat and water quality. In the absence of a suitably designed surface water proposal the Planning Authority cannot be certain that the proposed surface water discharge is capable of being managed on site and is in accordance with sustainable urban drainage systems principles and hence the development would be contrary to policy IU 19 and the proper planning and sustainable development of the area.*
- 4. The development is considered to be contrary to Policy Objective NBG 3 of the Louth County Development Plan 2021 – 2027 in that, on the basis of the inadequate information provided with the application in relation to surface water disposal, the potential for flooding within the site and in the absence of Appropriate Assessment Screening/ Natura Impact Statement (NIS) the Planning Authority cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Dundalk Bay SAC and Dundalk Bay SPA, or any other European site, in view of the site’s Conservation Objectives. In such circumstances, the Planning Authority is precluded from granting permission for the subject development.*
- 5. Policy Objective HOU 25 of the Louth County Development 2021 – 2027 seeks to ensure “All new residential and single house developments shall be designed and constructed in accordance with the Development Management Guidelines set out in Chapter 13 of this Plan”. Having regard to the proximity of proposed dwellings No. 1 and No. 20 and No’s 21- 26 to existing neighbouring residential properties, and in the absence of detailed and appropriate site section drawings and visualisations or details of proposed site*

*boundary treatments, it is considered that the proposed development may result in overlooking and loss of privacy of those existing neighbouring properties. In this regard the proposal would be contrary to Section 13.8.9 and Policy Objective HOU 25 of the Louth County Development Plan 2021 – 2027, would set an undesirable precedent for future inappropriate development of this kind in the area and would be contrary to the proper planning and sustainable development of the area”.*

### **3.2. Planning Authority Reports**

- 3.2.1. A planning Report dated 6<sup>th</sup> July has been provided.
- 3.2.2. This planning application was assessed under the Louth County Development Plan, 2021 – 2027.
- 3.2.3. The planning report considered the following:
- Overall concerns regarding the principle layout of the development particularly in relation to overdevelopment of the site, land use zoning and satisfactory surface water proposals.
  - The design, scale and form of the proposed house types are not considered acceptable. The proposal is a generic suburban type of layout which does not create a distinct and individual sense of place relative to its village setting this game could have much better addressed and acknowledged its sighting and relationship with the existing surrounding houses the differing levels and the undulating nature of the lands the treatment of the site countries use of usable open space.
  - There were concerns that the proposed units and access roads consume the vast majority of the A2 zoned lands, resulting in over development of the A2 lands, at the expense of providing public open space at appropriate and usable locations throughout the development. The applicant could avail of a reduced amount of well positioned and designed public realm space integrated within the A2 residential zoned lands.



- The site layout drawing shows a random playing pitch/ court and the open space area and in the absence of appropriate site sections and visualisations, it is not possible to make a full unconsidered assessment on the proposal at the time.
- The sighting and layout of all the houses along the Ballinlough Road frontage are incongruous with the overall development particularly No. 1 and 2.
- The southeast corner of the site to the rear of the roadside houses is located outside the settlement boundary of Knockbridge and is, therefore, in the rural area and as such is not suitable or usable for any element of development relating to this type of Urban Development.
- With regard to the mix on typology of units, the planner noted that universal design principles were adopted for at least 41 dwelling units with universal access and accessible WC on ground floor. This equates to 76% of the development, which is well in excess of the requirements of the Development Plan. There are no single storey dwellings proposed within the scheme, and this issue should be addressed and any future proposal for the site.
- The proposed car parking is considered adequate and quantitative to facilitate the subject development. Visitor parking is referred to in the planning statement, however, is not shown on site layout plans. The proposed car parking layout serving units Nos. 21 to 26 is not appropriately designed, each house should have its own parking space located directly in front of it and not in the front of a neighbouring property. The Infrastructure Section has requested further information in relation to a revised roads design and associated details. This should be considered by the applicant and any subsequent application for this site.
- The actual housing density figure should be based on the A2 zoned lands only. The stated density of 17 units per hectare is presumed to include the zoned H1 open space lands and the unzoned rural lands in the southeast corner of the site.
- Given their position and orientation, and in the absence of detailed and appropriate site section drawings and visualisations the planning authority considered that some of the proposed gardens may result in overlooking and loss of privacy of the existing neighbouring properties and, therefore, would impact on

the joint residential community in particular No. 1 and No. 20 and Nos. 21 to 26 may be problematic in terms of residential amenity impact.

- Infrastructure Section have requested further information in relation to lighting design and details for the proposed development.
- No concerns in respect to water supply and wastewater connections to cater for the proposed development.
- The Soakaway Design Report did not propose an acceptable solution for surface water disposal for the site and further information was requested by Infrastructure Section, in this regard.
- A revised Flood Risk Assessment was requested by Infrastructure Section, however, as the recommendation was to refuse permission, the applicant is advised to consider this in any subsequent application for the site.
- The applicant has demonstrated compliance with Part V.
- Required an Archaeological Impact Assessment to be carried out on the site.

3.2.4. The planners report concluded that the development as proposed was unacceptable and as such be refused for 5 no. reasons as outlined above.

#### 3.2.5. Other Technical Reports

The Planning Authority Report indicates that the following internal Departments were consulted:

- Infrastructure Department: Report received dated 30<sup>th</sup> June 2022, requesting additional information.
- Water Services Section: No response received.
- Housing Section: No response received.

### 3.3. Prescribed Bodies

3.3.1. The Planning Authority report indicated that the following prescribed bodies were consulted.

- Department of Arts, Heritage, and Local Government: Development Applications Unit – report dates 20<sup>th</sup> June 2022 requesting further information and the submission of an Archaeological Impact Assessment.
- Inland Fisheries: Report dated 21<sup>st</sup> June 2022 stating no objection, subject to compliance with environmental guidance documents, etc.
- The Arts Council: No response received.
- An Taisce: No response received.
- Heritage Council: No response received.

### **3.4. Third Party Observations**

3.4.1. Two third party submissions were received, the main issues raised within which can be summarised as follows:

- The drawings submitted do not adequately illustrate the proposed development.
- The design is generic in nature, unsuitable height, layout, etc.
- The proposal contravenes the zoning objective of Knockbridge Local Area Plan 2021 – 2027.
- A strategy for the future use of the parcel of lands in the southeast corner of the site should be adopted.
- Compliance with EPA Code of Practice 2021 has not been demonstrated.
- Flooding issues.
- will block sunlight to dwelling house on the adjoining site to the north. Loss of evening sunlight.
- Negative impact from the construction of the proposed development on adjoining property.
- The proposal will have a negative impact on the main issues of existing residents.

- 3.4.2. The planners report provided a response to the issues raised within each third party submission.

## 4.0 Planning History

- 4.1. No valid planning history on site and no relevant adjoining planning history adjoining the subject site.

## 5.0 Policy Context

### 5.1. Development Plan

The Louth County Development Plan 2021 – 2027, is the operative statutory plan for the area (Volume 1).

### 5.2. Land Use Zoning

The site is located within the settlement boundary of Knockbridge, which is identified as a Small Town & Village in Section 2.11.4 of the Louth County Development Plan 2021 – 2027, and Volume 2 Town and Village Statements.

The site is subject to the following land use zoning objectives:

- A2 'New Residential' Phase 1, with a stated objective "*To provide for new residential neighbourhoods and supporting community facilities*". The Plan states: "These are lands identified for residential uses that will only become available for development after 75% of the Phase 1 (A2) lands in the immediate vicinity of the phase 2 lands have been developed (as set out in policy objective CS 4). The Planning Authority will monitor the lands zoned 'New Residential Phase 1' at regular intervals. If it becomes apparent that there are lands zoned 'New Residential Phase 1' that are not being brought forward for development and this is impeding the achievement of Core Strategy projections and restricting the growth of the settlement as envisaged in national and regional policy, consideration may be given to releasing

appropriately located 'New Residential Phase 2' lands, subject to the lands contributing to compact and consolidated patterns of development".

- H1 'Open Space, with a stated objective "*To preserve, provide and improve recreational amenity and open space*". The Plan states that "This zoning refers to areas of 'active' and 'passive' open space. Development that will improve the facilities or quality of the open space, amenity, or recreational facilities, or contributes to the enjoyment of the space will be considered".
- Rural Policy Zone 2 – Area Under Strong Urban Influence.

### 5.3. Relevant Policy Objectives

- CS2 - To achieve compact growth through the delivery of at least 30% of all new homes in urban areas within the existing built-up footprint of settlements, by developing infill, brownfield and regeneration sites and redeveloping underutilised land in preference to greenfield sites.
- CS18 - To ensure localised sustainable growth within the small towns and villages identified in the Settlement Strategy, is proportionate to the size of the settlement, prioritised on infill/brownfield sites and that economic related development is supported.
- CS19 - To strengthen and rejuvenate the fabric of rural villages and create sustainable rural communities to meet rural generated housing needs and alleviate the need for one off rural housing in the open countryside.
- CS20 - To direct rural generated housing demand to rural villages and rural nodes in the first instance and ensure that one off housing in the open countryside is only permitted where there is demonstrable compliance with the criteria for rural housing as provided for in the Development Plan.
- BHC 6 - To ensure any development, either above or below ground, adjacent to or in the immediate vicinity of a recorded monument or a Zone of Archaeological Potential (including formerly walled towns) shall not be detrimental to or detract from the character of the archaeological site or its setting and be sited and designed to protect the monument and its setting. Where upstanding remains exist, a visual impact assessment may be required.

- ENV 37 - To consider the preservation of any tree, trees or groups of trees or woodland of special amenity or environmental value by use of Tree Preservation Orders.
- ENV 38 - To retain and protect significant stands of existing trees/ hedgerows/woodlands, and seek increased planting of native trees, where appropriate, in new developments
- SS 58 - To require the design, scale, and layout of residential development to be proportionate to and respect the character of the settlement in which it is located and to avoid any layout that would result in a suburban style development alien to the local environment.
- SS 59 - To support the creation of sustainable attractive and inclusive communities where the residential needs of the entire population can be met.
- KNOC 1 - To support the role of Knockbridge by facilitating development that will contribute to the character of the village and complement and enhance the quality of the village's attractive built and natural environment.
- KNOC 2 - To secure the implementation of the Core Strategy of the County Development Plan, in so far as is practicable, by ensuring the housing allocation for Knockbridge is not exceeded.
- KNOC 3 - To support and encourage residential development on under-utilised and/or vacant lands including 'infill' and 'brownfield' sites, subject to a high standard of design and layout being achieved.
- KNOC 12 To avoid land uses or development identified as 'highly vulnerable development' in Table 3.1 of 'The Planning System and Flood Risk Management Guidelines (2009)' on lands at risk of flooding and where development in floodplains cannot be avoided, take a sequential approach to flood risk management based on avoidance, reduction, and adaptation to the risk.
- KNOC 16 To promote the preservation of significant trees, and hedgerows including those identified on the Composite Map and to manage these trees in line with arboricultural best practice.
- HOU 1 To secure the implementation of the Louth Housing Strategy 2021-2027.

- HOU 10 To continue to support the creation of sustainable communities throughout the County for people across all the life stages by facilitating the creation of attractive neighbourhoods where there are strong links and connections to local services, community facilities and employment areas and where walking, cycling, and public transport is prioritised.
- HOU 12 To support the implementation of the Policy Statement 'Housing Options for Our Ageing Population' and the provision of independent and/or assisted living for older persons such as purpose built accommodation, the adaptation of existing properties, and opportunities for older persons to avail of 'rightsizing' within their community at locations that are proximate to existing services and amenities including pedestrian paths, local shops, parks and public transport.
- HOU 17 - To promote and facilitate the sustainable development of a high quality built environment where there is a distinctive sense of place in attractive streets, spaces, and neighbourhoods that are accessible and safe places for all members of the community to meet and socialise.
- HOU 21 - To ensure that new residential developments are consistent, in so far as practicable, with the 'Guidelines on Sustainable Residential Development in Urban Areas' in creating attractive, sustainable, climate resilient and healthy communities.
- HOU 23 - To require the layout of residential developments to take account of the Design Manual for Urban Roads and Streets (2019) in the provision of pedestrian and cycling infrastructure and crossing points and the design of estate roads and junctions.
- HOUS 24 - To require the provision of high quality areas of public open space in new residential developments that are functional spaces, centrally located, and passively overlooked.
- HOU 25 - All new residential and single house developments shall be designed and constructed in accordance with the Development Management Guidelines set out in Chapter 13 of this Plan.
- HOU 26 - To require the provision of an appropriate mix of house types and sizes in residential developments throughout the County that would meet the

needs of the population and support the creation of balanced and inclusive communities.

- HOU 28 - To encourage innovation in design that delivers buildings of a high quality that positively contribute to the built environment and local streetscape.
- HOU 29 - To seek that all new residential developments in excess of 20 residential units provide for a minimum of 30% universally designed units in accordance with the requirements of 'Building for Everyone: A Universal Design Approach' published by the Centre for Excellence in Universal Design.
- IU 19 - To require the use of Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures be incorporated in all new development (including extensions to existing developments). All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run off quality and impacts on habitat and water quality.
- IU 20 - To require all development proposals meet the design criteria, (adjusted to reflect local conditions), and material designs contained in the Greater Dublin Strategic Drainage Study (GDSDS) and demonstrate how runoff is captured as close to source as possible with subsequent slow release to the drainage system and watercourse.
- IU 21 - To seek to avoid the discharge of additional surface water to combined sewers and promote Sustainable Urban Drainage Systems (SuDS) and solutions to maximise the capacity of towns with combined drainage systems.
- IU 22 - To ensure all new development incorporates appropriate measures to protect existing water bodies, through appropriate treatment of runoff. In particular, discharges from car parks shall be appropriately treated so as to remove pollutant materials.
- IU 23 - To ensure all new developments provide for separated drainage systems.



- IU 24 - To encourage particularly in buildings of increased height the provision of green roofs and green walls as an integrated part of Sustainable Drainage Systems (SuDS) and which provide benefits for biodiversity, wherever possible.
- IU 87 - To promote innovative new building design and retrofitting of existing buildings where possible and encourage the design and construction of buildings that are functionally adaptable, to improve building energy efficiency, energy conservation and the use of renewable energy sources, in accordance with national policy and guidance.

#### 5.4. Relevant Sections

- Section 13.8.4 Density and Plot Ratio “In the Self-Sustaining Towns and Small Towns and Villages, the density and plot ratio of a development will be reflective of the character of the settlement and the existing pattern of development in the area”.
- Section 13.8.5 Site Coverage
- Section 13.8.7 Layout “*The layout of residential developments shall consist of permeable, well connected streets and neighbourhoods where open spaces are functional, accessible, and centrally located and where walking and cycling are prioritised. Where feasible, new developments are encouraged to include pedestrian and cycle links to adjacent residential areas/commercial developments. Public transport access and any associated bus turning shall be incorporated into the design of any development where required*”.
- Section 13.8.8 Design Statement
- Section 13.8.9 Residential Amenity
- Section 13.8.10 Daylight and Sunlight “*Care shall be taken in the design of residential developments to ensure adequate levels of natural light can be achieved in new dwellings and unacceptable impacts on light to nearby properties are avoided*”.
- Section 13.8.13 Dwelling Design, Size and Mix.

- Section 13.8.15 Public Open Space *“Public open space within a development shall normally equate to 15% of the total site area. In developments where the standard of the open space is of a high quality due to its location, functionality and any additional detailing proposed e.g. paving, landscaping or surfaced play areas and equipment, a reduced rate of open space may be acceptable. Such a reduction will be assessed on a case-by-case basis”*.
- Section 13.8.17 Private Open Space *“New dwellings and apartments shall be provided with a functional area of private open space as set out in Table 13.4”*.
- Section 13.8.18 – Car and Cycle Parking – Tables 13.11 and 13.12.
- Section 13.20 Water Services.
- Section 13.20.4 Sustainable Drainage Systems’ (SuDS) *“All new developments (including amendments/extensions to existing developments) will be required to incorporate ‘Sustainable Urban Drainage Systems’ (SuDS) as part of the development/design proposals”*.
- Volume 5 – Environmental Reports – Strategic Flood Risk Assessment.

## 5.5. National Planning Framework (NPF)

- 5.5.1. The NPF provides an overarching policy and planning framework for the social, economic and culture development of the country. An important element of the growth strategy, intrinsic to the NPF, is securing compact and sustainable growth as it offers the best prospects for unlocking regional potential. The preferred approach for compact development is one which focuses on reusing previously developed ‘brownfield’ lands and development of infill sites and buildings. To this end the NPF requires at least 40% of new homes nationally, within the built up footprint of existing settlements (NPO 3(a)).
- 5.5.2. Under National Policy Objective 4, the framework advises *“to ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well being”*.

## **5.6. Regional Spatial and Economic Strategy (RSES) - Eastern and Midland Regional Assembly (EMRA)**

- 5.6.1. The RSES sets out the strategic framework for the economic and spatial development of the Eastern and Midland Region up to 2031. The primary objective of the RSES is to support more sustainable settlement patterns that focus on compact growth, makes the most efficient use of land and infrastructure, and takes an integrated approach to development that provides employment opportunities and improvements to services alongside population and residential growth.

## **5.7. Section 28 Ministerial Guidelines**

- 5.7.1. Having considered the nature of the proposal and the documentation on file, I am of the opinion that the directly relevant S28 Ministerial Guidelines and other related guidance are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
  - Appendix B: Measuring Residential Density.
  - Appendix D: Design Checklist Key Indicators of Quality Urban Design and Placemaking.
- Design Manual for Urban Roads and Streets (2013),
- The Planning System and Flood Risk management (2009),
- Development Management Guidelines (2007),
- Housing for All – A New Housing Plan for Ireland to 2030 (2021); and
- BRE Guidance ‘Site Layout Planning for Daylight and Sunlight’: A Guide to Good Practice (2022).

## **5.8. Natural Heritage Designations**

- 5.8.1. The subject site is not located within a designated European Site. However, the closest such sites are:

- Dundalk Bay SAC (Site Code 0000455), which is approx. 6.68km from the site.
- Dundalk Bay SPA (Site Code 004026), which is approx. 6.68km from the site.

## 5.9. EIA Screening

- 5.9.1. Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for certain classes of development.

The proposal is for 54 no. dwelling units (52 no. dwellings proposed under the appeal) and as such the scale of the proposed development is well under the thresholds set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10) dealing with urban developments (500 dwelling units; 400 space carpark; 2 hectares extent), and I do not consider that any characteristics or locational aspects (Schedule 7) apply.

I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

- 5.9.2. I refer the Board to Appendix 1 – Form 1 EIA Pre-Screening and Form 2 EIA Preliminary Examination of this report.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- 6.1.1. A first party appeal has been received by the applicants against the decision of Louth County Council to refuse permission under Reg. Ref. 22/389. The appeal includes the following revised plans, in response to the Planning Authority's reasons for refusal, for consideration of the Board:

- Site Plan – Drg. No. 1307/PPFI//01
- Site Sections – Drg. No. 1307/PPFI//02
- Section of Timber Fence/Timber Fence Elevation – Drg. No. 1307/PPFI//03
- Existing Services & Layout – Drg. No. A2203-01

- Proposed Roads – Drg. No. A2203-02
- Proposed Storm Layout – Drg. No. A2203-04
- Proposed Road Sections – Drg. No. A2203-08.

The revised plans include the following amendments/additional information:

- Removal of two dwelling units to the southeast portion of the site namely amendments to the terrace comprising Nos. 21 – 26, now presenting as Nos. 21 – 24 as part of the revised site plan (Site Plan – Drg. No. 1307/PPFI//01).
- The relocation of the associated parking (6 parking spaces) to serve Nos. 21 – 24, which are proposed to the southwest end of the terrace of dwellings.
- The proposed internal road network has been amended with the extent of roadway to the east/southeast of the site reduced.

The appeal includes a detailed report on the local authority decision and can be summarised as follows:

- The planners' assessments states that the southeastern of the appeal site lies outside the village settlement boundary and is subject to other requirements. The proposed site layout plan indicates part of the internal estate road and turning head extends outside the village municipal boundary. The proposed house Nos. 21 to 26 face south eastwards onto remaining agricultural field. Rather than isolating this space behind a wall boundary a decision was taken to leave the boundary open to allow future access and to permit these dwellings look onto a more attractive review.
- The resulting space is not included in the total quantum of public amenity space being provided to the north of the appeal site and could act as unofficial supplement to the main amenity space.
- The revised site layout drawing submitted to the Board considered as a potential alternative to what was presented brings all element of residential development back over the village boundary line thereby addressing the Council's issues.
- The alternative layout would reduce the overall number of residential units to 52. Associated parking would be repositioned to the side instead of the front

of each dwelling an access will be provided via hard surfaced a landscape common area.

- The proposed revision is minor in nature and does not affect the overall integrity or cohesion of the larger development proposal.
- The appellant is amenable to the proposed revision being subject of a condition of planning.
- In response to the comments and presumptions set out in the planners assessment in relation to the architectural/urban design principles employed on the proposed scheme the key driver of the design was the location of a significant parcel of land zoned 'H1' - open space within the curtilage of the appeal site has provided an opportunity not only to create a new generous public realm for residents of the scheme, but also a new park for the community of Knockbridge.
- There have never been proposals from Louth County Council to purchase the land and develop the park.
- The park benefits from substantial passive surveillance from all new residents and visitors to the streetscape.
- The streetscape forms are pleasing backdrop to the park and the new houses benefit from a parkland setting with forward facing views over the high-quality landscaped area.
- The development proposal was to create defined streets where the mixture of housetops form a sense of enclosure and legibility and in doing so create a distinct neighbourhood and community.
- The development is accessible from the main entrance of Ballinlough Road and from the existing entrance off the car park area opposite the church. This will provide permeability and through access for both the existing and new residents of the area.
- The appellant is satisfied that the proposed development is not an incongruous or poorly considered layout and is fully compliant with the provisions and requirements of the Development Plan.

- A supplementary engineering report clarifies details of the road layout, surface/ stormwater and foul drainage plans and elaborates upon matters regarding the proposed internal road layout, public lighting scheme, the flood risk assessment and soakaway design reports.
- The statement determined that the extent area identified as being prone to pluvial flooding was based on an indicative and an accurate source material and was in fact closer to the southwest corner of the appeal site where none of the proposed drainage soakaways were to be located. The report also confirmed that a residual risk to the proposed development from the sites' potential vulnerability to a pluvial flooding vent could be managed to an acceptable level of risk.
- The additional plans and information demonstrate that the proposed attenuation filtration soakaways within the green spaces in conjunction with the permeable paving both of which are appropriate for the sloping site. The appellant is satisfied that the proposed drainage infrastructure is fully compliant, by establishing that it is more than capable of dealing with surface water runoff created by the development and whatever residual pluvial flooding risk that may still exist within the appeal site.
- At its closest, the appeal site is located 6.7 kilometres from the nearest part of the Dundalk Bay SPA and 6.9 kilometres from the Dundalk Bay SAC.
- In response to the Council's reason for refusal an appropriate assessment was carried out on the proposed development on the appeal site which concluded that the site was not directly or indirectly connected to the proposed development alone or in combination with other plans or projects and would not be detrimental to the integrity of quality of any European site. As such a stage two nature impact statement was not considered necessary.
- The proposed development is not a type listed under Parts 1 or 2 of Schedule 5 of the Planning and Development Regulations, 2001, as amended, nor it is considered a sub threshold development type within the context of Schedule 7 of the Regulations. In this regard the proposed development does not conflict with the objectives of the County Development Plan.

- The proposed development is of sufficient separation distance to the nearest residential boundary and property to not materially affect existing amenities.
- House Nos. 1, 20 and Nos. 21 to 26 are located in the southeast corner of the proposed layout. The majority of the Ballinlough Road dwellings are single or dormer with the exception of the dwelling adjoining, which has first floor windows to the front but none to the rear.
- House No. 1 is a detached dwelling, and the drawings illustrate that the first floor windows are fitted with obscure glazing preventing overlooking.
- House No. 20 is an end of terrace two-storey house the plans illustrates that the first floor windows will look onto the rear elevation of house No. 1, at a distance of 26.6 metres. Therefore, the appellant is of the view that no overlooking will occur.
- House numbers 21 to 26 comprise of terraces of two-storey dwellings. The drawings illustrate that the closest of all six dwellings will be 30 metres from the rear boundary of the adjoining dwelling on Ballinlough Road. The landscape proposal intends to reinforce the exposure boundary treatment. Therefore, the appellant is of the view that no material overlooking will occur from numbers 21 to 26.
- Cross-sectional diagrams of the site indicate minimal ground level differences between the existing dwellings on the appeal site new dwellings. Therefore, the appellant is of the view that this reassures that the ground level differences are inconsequential and will not impact on existing amenities.
- In terms of potential archaeological impacts, the planner's assessment has cited the wrong reference number for the archaeological monuments.
- The Department of Housing, Local Government and Heritage response is noted, and the applicant is cognisant of the number of Recorded monuments in the adjoining fields and properties surrounding the appeal site, and as such is amenable to a condition of planning requiring the submission of an archaeological impact assessment for the written approval of the local authority.



## 6.2. Planning Authority Response

A response was received from the planning authority dated 24<sup>th</sup> August 2022. The submission responds to the first party appeal as follows:

- (i) The applicant proposes a new alternative site layout showing a reduction in unit numbers, revised estate road positions, relocated carparking, footpaths and boundary treatments. This alternative scheme attempts to materially change the proposed development from that which was refused under Ref: 22/389.
- (ii) A supplementary engineering report had been included which elaborates upon matters, expanding and clarifying some issues raised by the infrastructure team. Additional plans and information have been submitted including a new cross section providing additional information.
- (iii) The Planning Authority cannot consider a different alternative development proposal at appeal stage from that which was applied for in the original planning application. The planning authority have already deemed the development was not acceptable.
- (iv) By revising and altering the proposal at the appeal stage, the applicant is essentially accepting that the original application was substandard and inadequate, not in compliance with the Development Plan and a refusal was clearly justified.
- (v) The planner's actual consideration and assessment of archaeology in the vicinity of the site is clearly detailed in Section 15 (b) (Archaeology) of the report, and it considers the Department of Housing, Local Government and Heritages response on the planning application, which refers to four recorded monuments, including LH011-117.
- (vi) The reference number stated in the conclusion of the appeal statement is incorrect and should be Ref: 22/389 rather than 22/378.

6.2.1. The planning authority conclude that An Bord Pleanála are requested to uphold the decision of the planning authority for reasons included in Section 3.1.1.

### **6.3. Observations**

6.3.1. Separate observations have been received from both the Ballinlough Residents and Declan Lynch, the main issues raised within which can be summarised as follows:

- The council planner agrees with many of the observations made on the original submission.
- The location of house Nos. 21 to 26 and associated services fall outside the boundary allowed under the Knockbridge Local Area Plan and should be removed from the proposed development.
- Overlooking from the proposed dwellings 21 – 26 – these should be replaced with bungalows.
- Bungalows will be in keeping with Part M of the Building Regulations.
- Concerns in relation to the water pressure, which will be diminished by the addition of 54 new dwellings.
- The proposed development will affect the flow of run-off water and will result in flooding.
- There is no application afforded for the treatment of the boundary wall between the development and the land, which is zoned for agricultural use, in order to ensure privacy and to prevent antisocial behaviour a boundary wall should be provided.
- During construction the area at the bottom of the site will be used for the dumping and land infill, which will affect the soakage within that area and will possibly lead to flooding.
- The existing road (L3167) will not be able to cater for the additional volume of traffic as a result of the proposed development.

### **6.4. Further Responses**

None received.

## 7.0 Assessment

As part of the grounds of appeal, the appellant submitted the following revised plans, and documents in response to the Planning Authority's reasons for refusal of planning permission and the commentary of the Infrastructure Section, for the consideration of the Board:

- Site Plan – Drg. No. 1307/PPFI//01
- Site Sections – Drg. No. 1307/PPFI//02
- Section of Timber Fence/Timber Fence Elevation – Drg. No. 1307/PPFI//03
- Existing Services & Layout – Drg. No. A2203-01
- Proposed Roads – Drg. No. A2203-02
- Proposed Storm Layout – Drg. No. A2203-04
- Proposed Road Sections – Drg. No. A2203-08.

The revised plans include the following amendments/additional information:

- Removal of two dwelling units to the southeast portion of the site namely amendments to the terrace comprising Nos. 21 – 26, now presenting as Nos. 21-24 as part of the revised site plan (Site Plan – Drg. No. 1307/PPFI//01).
- The relocation of the associated parking (6 parking spaces) to serve Nos. 21 – 24, which are proposed to the south west end of the terrace of dwellings.
- The proposed internal road network has been amended with the extent of roadway to the east/southeast of the site reduced.

The appellant has requested that the revised plans be read in conjunction with the original reports submitted with the planning application. It is noted that the revised plans submitted with the appeal introduce no new elements or issues which may be of concern to third parties in the context of the proposed development. Accordingly, this assessment is based on the plans and information received by Louth County Council on 17<sup>th</sup> May 2022, and the further plans and particulars received by the An Bord Pleanála on 3<sup>rd</sup> August 2022.

The Board may wish to consider the alternative proposal submitted to An Bord Pleanála on 3<sup>rd</sup> August 2022, and/or possibly could consider the alternative proposal by way of a condition.

From my reading of the file, inspection of the site and assessment of the relevant policy provisions, I conclude that the key issues raised by the appeal are:

- I. Compliance with zoning objective.
- II. Density.
- III. Development Layout, Urban Design, Building Height, and Visual Amenity.
- IV. Open Space Provision.
- V. Residential Amenity of Adjoining Properties.
- VI. Access, Traffic and Parking.
- VII. Surface Water Drainage.
- VIII. Flooding.
- IX. Appropriate Assessment, and
- X. Other Matters.

#### **7.1. Compliance with zoning objective**

- 7.1.1. As noted above, the site spans across three zoning objectives including A2 – New Residential Phase 1, H1 Open Space, and Rural Policy Zone 2, with the central portion of the site located within the settlement boundary of Knockbridge.
- 7.1.2. Reason for refusal No.1 relates to zoning policy objectives - the H1 Open Space lands and the Rural Policy Zone 2 lands, where the type of development as proposed is not identified as a permitted use of open for consideration, and as such materially contravenes the Development Plan.
- 7.1.3. Nothing the layout of the development as proposed under Reg. Ref. 22/389, I consider that the development as presented by way of the original planning application, which included part of the development outside of the settlement boundary of the Knockbridge, in the Rural Policy Zone 2 lands. Noting the policy objective pertaining to this portion of the site, I consider that it is unacceptable for the

proposed scheme to extend into the rural lands, and as such I concur with the planning authority decision that the development proposed under Reg. Ref. 22/389 would materially contravene the Development Plan.

#### Revised Proposal

- 7.1.4. To address the zoning concerns raised in the refusal reason, the applicant has submitted revised plans with their appeal for consideration of the Board in the event that they do consider the application as originally lodged appropriate. The revised plans and documents as submitted as part of the appeal (as noted above) have revised the proposed layout, and as such I will now consider this revised scheme. The revision has reduced the overall number of units proposed by 2, from 54 no. units to 52 no. units proposed as part of the revised site layout plan. This alteration is concentrated to the southeast corner of the site specifically dwelling unit Nos. 21 – 24, previously dwelling Nos. 21 – 26 (proposed in the original application), in the portion of the site which adjoins the Rural Policy Zone. The revised layout also repositioned the proposed car parking to serve the dwellings to the side of dwelling no. 21, instead of in front of each dwelling, with access to the revised dwellings via a shared ‘footpath’. As a result of the revised layout, the proposed development now does not extend into the Rural Policy Zone 2 lands, which is a more acceptable arrangement when compared with that proposed under the original planning application Reg. Ref. 22/389.
- 7.1.5. The planner’s assessment also noted that the layout plan submitted as part of the planning application Reg. Ref. 22/389 indicated that a section of the estate road, footpath and some driveways located to the north-western part of the site extended into the lands zoned as H1 Open Space, which would be contrary to the zoning objective. The planner considered that a pumping station with an appropriate design and boundary treatment, may be acceptable in a suitable location the open space. The appellant states that the supplementary site plan indicates that a limited extent of the development will overlap the open space lands and states that there is nothing in the open space zoning or associated guidance to indicate that a road or footpath ancillary to recreational use is permissible or open for consideration. The appellant further states that the road and footpath is necessary to provide access and would be ancillary to the main use and the road and footpath have a dual function of providing access to both residential and recreational lands, and that the position of

the of the proposed pumping station would not have any impact upon the range of potential recreational uses of the ground above.

### Conclusion

7.1.6. Having regard to the H1 Open Space land use zoning objective the Development Plan guidance states, *“This zoning refers to areas of ‘active’ and ‘passive’ open space. Development that will improve the facilities or quality of the open space, amenity or recreational facilities, or contributes to the enjoyment of the space will be considered”*. Having regard to the uses generally permitted and open for consideration under the open space zoning objective, there is no reference to uses associated with residential development. While I note the appellants argument that the road and footpath provide access to the adjoining open space, the primary use of this road and footpath is to access the residential development. As such I consider that the proposed development, in particular the access road and footpaths associated with the residential development, are not uses permitted under the H1 - Open Space zoning objective and as such the development as proposed would contravene the zoning objective at this location. In this regard, I find the proposed development to be contrary to the H1 – Open Space zoning objective and Section 13.21.22 of the Development Plan. Therefore, I recommended that planning permission be refused in this instance.

## **7.2. Density**

7.2.1. Concerns have been raised in the Planners Report, (and third party observers on the appeal) regarding the excessive number of units proposed which would result in over-development of the site, reason for refusal No. 2 relates. The appellant states that the development density is compatible with the range of development densities set out in the 2009 Guidelines and Section 13.8.5 of the County Development Plan which requires development proposals to be reflective of the character of the settlement and existing pattern of development. I note that Section 13.8.5 of the Development Plan relates to site coverage.

7.2.2. The planner’s assessment queried the density presented as part of the original application in that the figure stated i.e. 17 units/ha, appeared to include the zoned H1 and rural lands, and that the actual housing density figure, which should be based on the A2 zoned lands.

### Revised Proposal

- 7.2.3. The appellant states that the A2 lands have been measured at 1.894ha, and 54 no. units proposed in a density of 28.5 units/ha.
- 7.2.4. In terms of the revised proposal, submitted as part of the appeal, this results in a reduction of 2 no. residential units with a minor revision to the site layout, as noted in the foregoing. The revised site layout would result in a density of 27 units/ha.
- 7.2.5. The subject site is located in Knockbridge, which is designated as a ‘small town and village’, in the Development Plan. The site is located close to the village centre, with its associated schools, shops, and services. The area is also served by a bus service, which connects the village to Dundalk, with further connections to Drogheda and Dublin.
- 7.2.6. Section 13.8.4 of the Development Plan pertains to ‘density and plot ratio’ and states that, in the Self-Sustaining Towns and Small Towns and Villages, the density and plot ratio of a development will be reflective of the character of the settlement and the existing pattern of development in the area. When designing a development, it is important that a higher density does not reduce the quality of the development. If there are site constraints such as topography or the shape of the site that compromise the quality of a development, the density/number of units may have to be reduced.
- 7.2.7. In addition, objective KNOC 1, highlights that development in Knockbridge should contribute to the character of the village and enhance the quality and attractiveness of the village settling.
- 7.2.8. Policy Objective HOU 21 of the Development Plan indicates that the development shall be consistent, in so far as practicable with the “Sustainable Residential Development in Urban Areas Guidelines”, 2008, which have been superseded by the “Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities”, 2024.
- 7.2.9. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, Section 3.3 covers “Settlements, Area Types and Density Ranges” and subsection 3.3.5 relates to “Rural Towns and Villages (<1,500 population)”. The guidelines state that development in rural towns and villages is

tailored to the scale, form and character of the settlement and the capacity of services and infrastructure (including public transport and water services infrastructure). Lands zoned for housing at the edge of rural towns and villages at locations that can be integrated into the settlement and are connected to existing walking and cycling networks can offer an effective alternative, including serviced sites, to the provision of single houses in the countryside. The density of development at such locations should respond in a positive way to the established context.

Having regard to the guidelines and while it is a key priority to provide housing at the edge of settlements, this development must be carefully integrated into the existing built form.

- 7.2.10. In terms of density in rural towns and villages, the guidelines, specifically table 3.7, highlights that development in rural towns and villages is tailored to the scale, form and character of the settlement and the capacity of services and infrastructure (including public transport and water services infrastructure). In particular, lands zoned for housing at the edge of rural towns and villages at locations that can be integrated into the settlement and are connected to existing walking and cycling networks can offer an effective alternative, including serviced sites, to the provision of single houses in the countryside. The density of development at such locations should respond in a positive way to the established context.

### Conclusion

- 7.2.11. Noting the village context of the appeal site, the established residential context of the surrounding area, and the concentration of development proposed in the A2 – New Residential zoned lands, I consider that a proposed density of between 28.5 units/ha - 27 units/ha is significantly higher than existing development in the area.

While the provision of a higher density would be considered acceptable in principle, and I welcome the reduction in the number of residential units proposed as part of the appeal, I consider that the density as proposed is considered to be excessive. I acknowledge the zoning objectives pertaining to the site, with the residential zone concentrated centrally within the site, however, I consider that the proposed development constitutes overdevelopment in this instance as it fails to strike a balance between the protection of existing residential amenities (as will be discussed



thoroughly in the subsequent sections of this report), contributing to the character of the village setting, and achieving of densification/intensification of residential development on site. In this regard, I find the proposed development to be contrary to Policy Objective, Policy Objective HOU 15, KNOC 1, and the requirements of Section 13.8.4 of the Development Plan. Therefore, I recommended that planning permission be refused in this instance.

### **7.3. Development Layout, Design, Daylight/Sunlight and Visual Impact**

- 7.3.1. At present, there are no structures on the subject site. The proposed development includes two-storey detached, semi-detached and terraced dwellings located centrally in the site, within the A2 – Residential zoned lands. The dwellings are set out in linear rows, with a row of detached dwelling fronting Ballinlough Road to the south, a row of terraced and semi-detached dwellings back onto the proposed detached dwellings. The remainder of the proposed dwellings (terraced and semi-detached) dwellings face southeast and northwest. There is an internal roadway and footpath proposed, which runs to the front of the proposed dwellings to create new streets, associated parking, and footpaths. Open space is to be primarily located to the northern portion of the site with some ‘green space’ identified to the southeast corner.
- 7.3.2. The site is surrounded by existing residential development, in the form of detached and semi-detached single and two-storey dwellings to the south, southeast, west, and north-west. To the north and east is agricultural land. To the north-west is a public car park.
- 7.3.3. The second reason for refusal states that the proposed development, by reason of the incongruous and unsatisfactory layout of the proposed streetscapes and dwellings and the deficient open space that the proposal would result in overdevelopment and is disproportionate to the size of the village and would seriously injure the residential amenity of future residents. The local authority, therefore, deem that the proposed development would be contrary to Policy Objectives CS 18 and HOU 17. Concerns have been raised in the observations regarding the location of the proposed dwellings.
- 7.3.4. The appellants state that the key driver of the design was the location of the open space, and it was seen as a positive to arrange a row of dwellings fronting onto the

park. The proposal was to create defined, short streets, with a mixture of house types to create a sense of community and permeability which is in keeping with recent developments in Knockbridge. It is argued that the new frontage to Ballinlough Road represents as an opportunity to provide passive surveillance of the path and road and a face to the development. The appellant is satisfied that the proposed development is not an incongruous or poorly considered layout and considers that the planners' assessment is not justified and represents an inappropriate level of consideration and that the proposed development is fully compliant with the Development Plan.

- 7.3.5. Chapter 3 and Chapter 13 of the Development Plan addresses quality design & placemaking principles, including Policy Objective HOU 17, which seeks to ensure that development is of high-quality design that assists in promoting a distinctive and attractive place. The Development Plan sets out the key principles in assessing compliance with this policy including, proper consideration of context, connectivity, layout, public realm, and detailed design. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024, Appendix D, provide guidance in relation to key indicators of quality urban design and placemaking, specifically in terms of responsive built form.
- 7.3.6. Section 13.8.8 of the Development Plan requires a design statement to be submitted with an application for development of this nature and scale, which the applicant has adhered to.
- 7.3.7. In terms of layout, notwithstanding previous concerns regarding the overdevelopment of the site, and the development proposed within the open space zoning, I consider that the layout of the proposed streetscapes and dwellings to be unsatisfactory and incongruous given the scale of development, the lack of open space proposed withing the central portion of the site and the extent of hard landscaping proposed.
- 7.3.8. With regard to building line/streetscape presence, the proposed dwellings to the Ballinlough Road maintain the building line of the adjoining dwellings, and while concerns have been expressed regarding the layout and overdevelopment of the site, I welcome that the proposed development maintains the budling line to Ballinlough Road, however I consider that the proposed layout, building design and

resulting relationship between the proposed development and the adjoining site to the southeast could be improved, this is discussed further in my assessment below.

- 7.3.9. Accordingly, I consider that the proposed development does not respond to the development pattern and established community of the area, nor does it integrate well within its context or provide appropriate transitions with adjacent buildings. I consider therefore, that the proposed development is contrary to Policy Objectives CS 18 and HOU 17 of the Development Plan.

#### Design

- 7.3.10. No modifications are proposed to the design and form of the dwellings as part of the revised proposal presented with the appeal. The proposed dwellings are all two-storey in nature with six different house types proposed, ranging from 2 – 5 bedrooms house types. In terms of design the proposed dwellings are generic in design with gable fronted elevations in render, stone, and brick finish.
- 7.3.11. Each dwelling is served by rear amenity space in the form of a rear garden, with the proposed private amenity space meeting the requirements of the Louth County Development Plan.
- 7.3.12. In terms of typology of and adaptability of the units/dwellings, the planners' assessment expressed concerns regarding the lack of single storey dwellings within the scheme. The design statement submitted with the application noted that each house type proposed is easy to extend or adapt for changing needs of their occupants, with universal design principles adopted within the scheme, this equates to 76% of the proposed development, which is in excess of the requirement of Policy Objective HOU 29 of the Development Plan. In terms of unit typology and adaptability of the units, I consider that the proposal for all housing within the scheme to be acceptable in principle.
- 7.3.13. Accordingly, I consider that the principle of the design, scale and form of the proposed house types are considered acceptable, however, given the edge of village setting and the relationship with the directly adjoining dwellings, in particular fronting Ballinlough Road, I consider that the scheme could have better addressed the relationship with the surrounding dwellings, the differing site levels and characteristics of the site and I will assess this further below.

### Daylight/Sunlight

- 7.3.14. While concerns have been raised in the foregoing in respect to the development layout and number of residential units proposed. I consider that having regard to the proposed separation distances between the proposed dwelling units, and the proposed rear amenity space provided to each dwelling, that adequate daylight/sunlight will be available to the proposed dwellings.

### Visual Impact

- 7.3.15. I now turn my attention to consideration of proposed development's potential visual impact on the immediate surrounding area.

The site is not within any designated historic landscape or subject to any development plan objectives relating to protected views or prospects. There are no structures or features of historic importance such as Protected Structures or Conservation Areas in the immediate vicinity. I consider the application to contain sufficient elevations/sections/images/information to allow a thorough assessment of the proposed development from a visual amenity/development suitability perspective. In the immediate area, the development would be most visible from the Ballinlough Road to the south, and from the abutting residential sites to the south, east and west, with views of the proposed buildings also partly visible from the adjoining sites to the northeast and northwest and the public car park, given the site level differences and separation distances.

- 7.3.16. The proposed development would change the site from a vacant green field site to a higher density residential scheme with buildings of two-storeys in height. While I acknowledge that any development on this site would visually alter the appearance of this site, I consider that the proposal represents a substantive increase in building form, height and scale when considering the existing characteristic of the site currently. Having regard to the location of the subject site, relative to directly adjoining sites, I consider that substantial visual impacts would arise on the Ballinlough Road approaches to the site, as well as the site to the immediate southeast. Immediately east/southeast of the site is a detached dormer dwelling, and to the west-northwest is a detached single storey dwelling. The proposed development at two storeys will be the highest building along this stretch of the road, and I consider that the development is likely to have an adverse visual impact on the

immediately adjoining residential area at this location, in particular to the east and southeast, given the limited setback of the proposed development to the adjoining site boundary to the east and southeast, and the contrast in scale between the proposed development and the immediately adjacent detached dwellings.

7.3.17. Having examined the development in the context of the built form/architectural styles of the surrounding area and given the position of the proposed dwellings within the site i.e. proposed dwelling No. 1 and its proximity to the neighbouring property to the southeast, I am of the view that the proposed development will provide for an obtrusive insertion in this streetscape, due to the height and limited separation distance and will significantly detract from the visual amenity of this area. I consider that a greater effort could have been made to provide a more attractive interface with Ballinlough Road and the immediate abutments, through the adoption of a more generous building setback, height, and form such that the development would make a positive contribution to the character and identity of the area.

7.3.18. I consider that the proposed development would be excessively visually dominant on the streetscape at this location having regard to the foregoing. My concerns in this regard are such that I recommend a refusal of permission in this instance.

#### **7.4. Open Space Provision and Landscaping**

7.4.1. In terms of private amenity space to serve the proposed dwellings, the site plan indicated that each dwelling will be served by private amenity in accordance with the County Development Plan requirements.

7.4.2. Reason for Refusal No. 2 also alluded to the deficient open space located on the A2 Residential Phase 1 zoned lands. The planners' assessment noted that the allocated open space provision as a percentage of the site was not clear, and concerns were raised that no open space was provided for on the A2 residential zoned lands. It was suggested that alternative open space needs to be provided at 15% within the A2 zoned lands. Further to this, the planner expressed concerns regarding the design of the open space area in the northern part of the site.

7.4.3. Section 13.8.15 of the Louth County Development Plan requires that in the context of new residential development public open space shall normally equate to 15% of the total site area. The Plan acknowledges that in certain instances, for example in developments where the standard of the open space is of a high quality due to its

location, functionality and any additional detailing proposed e.g. paving, landscaping or surfaced play areas and equipment, a reduced rate of open space may be acceptable.

- 7.4.4. The Sustainable and Compact Settlement Guidelines, state that public open space provided as part of new development proposals should be designed to retain and protect natural features and habitats of importance within the site and to maximise biodiversity gain. They should also form an integral part of the overall design. These spaces may be offered for taking in charge by the local authority following the completion of the development, and that the form, size, and distribution of new public open spaces should be plan led.
- 7.4.5. No revision is proposed to the open space as part of the revised proposal submitted with the appeal, so I will assess open space as presented under the original application.
- 7.4.6. The allocated open space provision to serve the proposed development will be located on the H1 – Open Space zoned lands, to the northwest, west and southwest of the proposed development. There is also a parcel of land located to the east of the site, which is also indicated as ‘green areas’, on the site plan, this is located on lands zoned Rural Policy Zone 2.
- 7.4.7. The appellant states that the position of the Council that the minimum 15% public open space required should be entirely contained within the A2 – New Residential Phase 1 zoned lands in addition to the adjoining 1.213ha or H1 – Open Space zoned land, would be unreasonable and incorrect, and that a reduction of 15% of available zoned lands would result in an inefficient layout which would be contrary to national objectives and the County Development Plan.
- 7.4.8. As noted in the above guidance, public open space provided as part of new developments should form an integral part of the overall design approach and should be designed to cater for both residents and the wider community. While I acknowledge the quantum of open space available on the H1 – Open Space zoned lands, and I consider that some open space provision could be provided in at this location to cater for the development, I am concerned regarding the lack of open space areas proposed within the A2 – Residential Phase 1 zoned lands.

## Conclusion

- 7.4.9. In light of the forgoing, I do not consider that the proposed layout, design, and location of the open space area, particularly to the northern portion of the site, forms an integral part of the overall scheme or presents a considered design approach for this site in terms of the integration and functionality of the public open space provision throughout the development. In this regard, I find the proposed development to be contrary to Policy Objective HOU 24 and not in accordance with the requirements of Section 13.8.15 of the Development Plan. Therefore, I recommended that planning permission be refused in this instance.

## Playing Pitch

- 7.4.10. The planners' assessment references a random playing pitch/court in the open space area and considers that a playing pitch would not appear to be a feasible option on this undulating part of the field in close proximity to recorded monuments.
- 7.4.11. In response the appellant has clarified that the proposed landscaping scheme will accommodate a playing pitch and grassed play circle, which will be accessed via the internal estate roads and footpaths, and via the upgraded site entrance off the adjoining public car park. The appellant also states that positive discussions have taken place with location GFC club regarding the multi-functional use of the pitch by other interested groups.
- 7.4.12. Following site inspection, the site level differences across the site are noted, however I consider that the proposed position of the playing pitch to the northern end of the site, could be accommodated without excessive excavation works. Notwithstanding the concerns in respect to the location of the public open space to serve the proposed development, the principle of a pitch at this location, i.e. in the H1 – Open Space lands, would be acceptable in principle, and would benefit the wider community.

## **7.5. Residential Amenity of Adjoining Properties**

- 7.5.1. One of the primary issues raised by the Planning Authority and third party observers alike is that the proposed development will have a negative impact on the residential amenities of the adjacent properties. Reason for refusal no. 5 expressed concerns in

relation to the proximity of the proposed dwellings No. 1, and No. 20 and Nos. 21 – 26, relative to the existing neighbouring residential properties, which may result in overlooking and loss of privacy of these existing properties.

- 7.5.2. Noting the layout of the development as proposed under Reg. Ref. 22/389, I consider that the development as presented by way of the original application, in particular the proposed dwelling Nos. 21 – 26, given their orientation and the separation distances to the existing neighbouring properties, while the dwellings will be visible, I do not consider that the proposed dwellings located at Nos. 1 – 26 would impact on the adjoining amenity by way of overlooking.
- 7.5.3. Concerns have also been raised in the planners' report and Reason for refusal No. 5 in relation to the proximity of the proposed dwellings No. 1 and No. 20 to the existing neighbouring dwellings and the impact on the residential amenity in particular overlooking and loss of privacy. I do share similar concerns to that highlighted in the planners' assessment in respect to the proximity of the proposed dwelling Nos. 1 and 20, and their design relative to the adjoining residential dwellings, this will be assessed further below.

#### Revised Proposal

- 7.5.4. The revised site layout plan submitted as part of the appeal, has altered the layout of the proposed development, and is proposing to omit 2 no. dwellings from the previous terrace Nos. 21-26, now reading as Nos. 21 – 24. The revised site plan increases the proposed separation distances between the end gable of proposed unit No. 21, and the rear of the dwellings to the south, which front onto Ballinlough Road. I welcome this increased separation distance, and I consider that the proposed terrace Nos. 21 – 24 given their position, orientation, and separation distances, would not impact negatively upon the residential amenity of the existing neighbouring properties, which front Ballinlough Road by reason of overlooking, loss of privacy and overbearing and would be acceptable, in principle.
- 7.5.5. The position and scale of the proposed dwelling Nos. 1 and 20, has not altered on the revised drawing submitted as part of the appeal. Notwithstanding the large site serving the directly adjacent site to the southeast of the site, I have concerns regarding the proximity of the proposed house No. 1, to the shared site boundary with the adjacent site, with a proposed separation of 1.5 metres. Noting the height



(9.6 metres) and scale of the side elevation (11 metres at first floor level) of proposed house No. 1, and the limited separation to the shared site boundary with the adjoining site, I consider that the dwelling as proposed would appear excessive and overbearing on the adjoining site, and as such would detract from the residential amenity of the adjoining site.

- 7.5.6. The first-floor windows serving the proposed house No. 1 are indicated to contain obscure glazing, therefore, I do not consider that overlooking would be an issue from this proposed dwelling.
- 7.5.7. The proposed house No. 20 will also be built close to the shared site boundary with the adjoining dwelling to the southeast, however a lesser extent of the side gable of the proposed dwelling No. 20 will extend in close proximity to the shared boundary with the adjoining site to the southeast. Notwithstanding, this dwelling will be visible from the rear garden of the adjoining site and when taken in conjunction with scale of the proposed dwelling No. 1, this will result in an overbearing impact on the rear amenity of the adjoining site to the southeast.
- 7.5.8. In terms of overlooking, first floor windows are proposed to the rear elevation of proposed house No. 20, and while an 11-metre rear garden is proposed, to potentially address overlooking into the rear garden of the proposed house No. 1. Given the relationship between the proposed site and the adjoining site to the southeast, and their rear amenity space, I consider that proposed house No. 1 may result in overlooking of the rear amenity space of the directly adjoining site, which would impact negatively upon the amenity of the adjoining existing property, and I recommend that permission be refused in this instance.

## **7.6. Access, Parking, Cycling and Permeability**

- 7.6.1. The site will be accessed off the Ballinlough Road (L3167), via a proposed new vehicular access to the southern boundary. The proposed junction will be a priority stop junction with visibility splay of 2.4 x 49m provided to the public road. There will be an internal access road serving the residential development, which has been designed to create a traffic calmed environment with road widths of 5.5 metres, and a 30kph speed. The Planning Authority's infrastructure Division raised concerns about/recommended that further information be sought in relation to (among other

things) revised 'proposed roads' drawing to be submitted, indicating a 2 metre wide footpath and cycle track running the length of the public road LP3167-23. The appellant is against implementing the suggested modifications for reasons of traffic safety, given the introduction of a new footpath at this location where none exists and the trees located along the site boundary with the public road are protected in the Development Plan, and the revised 'proposed roads' plan would conflict this policy.

- 7.6.2. At time of site inspection, I noted that there are no cycle paths within the village to link to the proposed site. Notwithstanding, I consider that the design of the internal road network would facilitate a shared roadway for both vehicular traffic and cyclists. I also consider that the provision of a new footpath to the front of the site would improve pedestrian safety at this location and can link with the existing footpath on the opposite side of the road. In terms of the protected trees, I note that the composite map in the Knockbridge Small Town and Village Plan indicates that the roadside boundary to the site, the area zoned A2 – New Residential Phase 1, indicates 'significant trees and hedgerow', however I consider that any proposed footpath could be designed having regard to this objective.
- 7.6.3. Pursuant to Section 13.16.12 and Table 13.11 of the Development Plan, the subject proposal (involving 52 residential dwellings as per the appeal submission) would generate a requirement of 104 car parking spaces, respectively. The proposed development is proposing car parking at 2 no. spaces per unit. The revised site plan, submitted as part of the appeal indicates that the parking for dwelling nos. 21 – 24, will be located to the southern end of proposed dwelling no. 21, these dwellings will be accessed via a 3.5 metre roadway. The proposed parking arrangement is considered to be acceptable in principle. However, visitor parking should be provided within the scheme and should be clearly indicated on the site plan in terms of numbers and location.
- 7.6.4. It is worth noting that Table 13.12 Cycle Parking Standards of the Development Plan requires 1 cycle parking space per residential unit and 1 cycle parking visitor space per 5 units. However, no details in respect of cycle parking have been indicated as part of the planning application or appeal. I consider that cycle parking should be facilitated within the proposed scheme.

- 7.6.5. Given the existing access to the northwest and the proposed new entrance to the south, onto the L-3167, there is ample opportunity to create permeability throughout this site. The proximity of the site to the village centre should also be a consideration in terms of creating connections to and from the site. I note the presence of the existing footpath along the L-3167, which extends into the village centre. I welcome the proposed new footpath within the development which can link to the existing footpath and the existing access to the northwest corner of the site, which connects directly to the Church carpark, this will allow for easy and safe access for cyclists and pedestrians.
- 7.6.6. The aforementioned could be required by way of condition, should the Board be inclined to grant permission for the proposed development.

### **7.7. Surface Water Drainage**

- 7.7.1. Reason for refusal No. 3 pertained to the surface water disposal arrangements for the site, and in the absence of a suitably designed surface water proposal the planning authority cannot be certain that the proposed surface water discharge is capable of being managed on site, which contravenes Policy Objective IU 19, specifically that, "All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run off quality and impacts on habitat and water quality".
- 7.7.2. The Engineering Report, prepared by GFM Engineers Consultants, accompanying the appeal clarifies details of the proposed road layout, surface/storm water and foul water drainage plans. The information demonstrates that the proposed attenuation filtration soakaways within the green spaces in conjunction with permeable paving, which are SuDs based designs are appropriate for sloping sites. It concludes that the development meets the requirements of the Development Plan and that the proposed drainage infrastructure can deal with surface water run-off created by the proposed development. The report also confirmed that none of the proposed soakaways were to be location within the area identified as being prone to pluvial flooding.
- 7.7.3. Having examined the County Development Plan requirements in terms of surface water drainage and noting the principles of SuDs, I am satisfied that the assessment provided regarding the proposal for drainage infrastructure in the Engineering

Services Report, prepared by GFM Engineers Consultants, to be capable of dealing with surface water run-off created by the development.

## **7.8. Flooding**

- 7.8.1. In addition to the above concerns pertaining to surface water disposal, the planner expressed concerns regarding the potential for flooding within the site as part of Reason for Refusal No. 4. Infrastructure Section also requested further information in relation to the flood risk report.
- 7.8.2. The site is partly located within an area which is vulnerable to pluvial flooding. In terms of assessing a potential flood risk, I would note the Development Plan, which states that *“Given the indicative pluvial flood risk highlighted by the PFRA, any proposed development within Knockbridge Village should consider the management and disposal of surface water in compliance with SuDS principles and in line with approved policy objectives of the Development Plan”*. I would also note that the Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009), which sets out a sequential test for assessing flood impact.
- 7.8.3. The Engineering Report, prepared by GFM Engineers Consultants, accompanying the appeal includes an assessment of the potential flood risk arising from the proposed development and clarifies the items raised by the Council’s Infrastructure Section. It concludes that the development meets the requirements of the Development Plan and the Guidelines, and that any residual risk to the proposed development within the site/wider area can be managed to an acceptable level of risk. Having examined the OPW website ([www.floodinfo.ie](http://www.floodinfo.ie)) and the Strategic Flood Risk Assessment/Flood Zone Map ‘Knockbridge’ contained within Volume 5 of the Louth County Development Plan 2021-2027, I find the assessment provided regarding potential fluvial flooding in the Engineering Services Report, prepared by GFM Engineers Consultants, to be accurate and find there to be little or no risk of pluvial flooding. Upon review of the OPW website, I also note there is no recorded history of flooding on the appeal site.
- 7.8.4. I am satisfied that, given the scale and location within an established residential area with an indicative pluvial flood risk highlighted, the proposed infill development would not give rise to an increased risk of flooding on the site or other properties in the vicinity.

## **7.9. Appropriate Assessment**

- 7.9.1. Reason for refusal No. 4 states that on the basis of inadequate information provided, in relation to surface water disposal, the potential for flooding within the site and in the absence of Appropriate Assessment Screening/Natura Impact Statement, that the planning authority are not satisfied that the proposal would not be likely to have a significant effect on the adjoining European sites and, are such, precluded from granting permission.
- 7.9.2. As part of the appeal, the appellant submitted an Appropriate Assessment (carried out by EHP Services), which concluded that the appeal site not detrimental affect the integrity and quality of any European site.
- 7.9.3. I also consider that the appellant has addressed the potential surface water drainage and flooding issues noted by the planner, as noted in Sections 7.7 and 7.8 above. Therefore, having regard to the nature and scale of the proposed development, the information received as part of the appeal, the nature of the receiving environment and the distance to the nearest European site, I consider that no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **7.10. Other Matters**

- 7.10.1. Development Contributions – I refer to the Louth County Development Contribution Scheme (2023) – The Part V units to be provided as part of the development fall under the exemptions listed in the development contribution scheme. It is recommended that should the Board be minded to grant permission that a suitably worded condition be attached requiring the payment of a Section 48 Development Contribution in accordance with the Planning and Development Act 2000.
- 7.10.2. Part V – Given the number of units proposed and the size of the site, the applicant is required to comply with the provisions of Part V of the Act of 2000, which aims to ensure an adequate supply of housing for all sectors of the existing and future population. The applicant's Part V proposals (as originally submitted with the application) comprise 5 no. units, comprising 4 no. 3 bed units and 1 no. 3 bed unit, all of which are two storey mid-terrace units. I am satisfied that Part V requirements, including the unit distribution and location within the development, as well as the

number of dwellings to be provided, are matters that can be finalised with the Planning Authority by means of condition, should the Board be inclined to grant permission for the proposed development.

7.10.3. Archaeology – The planners assessment notes that the site is in close proximity to four recorded monuments:

- LH011-117
- LH011-015004
- LH007-015006
- LH011-015003

As per the “Knockbridge Composite Map” (dated September 2021), I note that none of the aforementioned recorded monuments are located within the site boundary of the appeal site. As part of the planner’s assessment, it was considered that the applicant submits an Archaeological Assessment given the presence of Recorded Monuments in the vicinity. The appellant has referenced the closest monument to the site i.e. Ref: LH011-117, and confirms that they would be amenable to such a condition regarding archaeology.

I consider that some Archaeological monitoring should be carried out to ensure that the recorded monuments, within the immediate vicinity of the site, in particular can be protected satisfactorily during any construction work on site. This can be addressed by means of condition, should the Board be inclined to grant permission for the proposed development.

7.10.4. Public lighting – The Planning Authority’s infrastructure Division raised concerns about/recommended that further information be sought in relation to (among other things) a revised outdoor lighting report in particular for street lighting along the public road. The information pertaining to public lighting could be required by way of condition, should the Board be inclined to grant permission for the proposed development.

7.10.5. Boundary Treatments – The site plan indicates that a timber fence is proposed between the dwellings, with a scheme of landscaped environments within the H1 – Open Space zoned lands. however, no details have been submitted as part of the planning application or appeal in respect to the main site boundary, internal estate

boundaries, the proposed boundary to dwelling nos. 1 and 2 and the pedestrian entrance to the north adjoining the public carpark. Notwithstanding, this information could be required by way of condition, should the Board be inclined to grant permission for the proposed development.

- 7.10.6. Construction Impacts – Potential impacts on residential amenities during construction, relating to dust, noise, and construction traffic during the construction period, as well as potential damage/disruption to neighbouring properties during construction are raised by third party observers. Given the nature, scale, and location of the proposed development, I am satisfied that matters pertaining to construction management can be appropriately dealt with prior to construction by way of condition should the Board be inclined to grant planning permission in this instance and requesting the Applicant to prepare/submit a Construction Management Plan prior to the Board making its determination is not necessitated in this instance.

## **8.0 Recommendation**

- 8.1. I recommend that planning permission be refused for the following reasons and considerations.


## **9.0 Reasons and Considerations**

- 9.1. Having regard to the H1 – Open Space zoning of the northern portion of the site, the objective of which is “*to preserve, provide and improve recreational amenity and open space*”, as per the Louth County Development Plan 2021 – 2027, and the extent of access road and footpath proposed at this location, which is associated with the proposed residential development to the overall site, would contravene materially the said zoning objection and therefore, would be contrary to the proper planning and sustainable development of the area.
- 9.2. Having regard to the location of the site, it is considered that by reason of its layout, character and design quality that the proposed development is excessive in the context of the village setting, would result in inadequate open space in terms of the integration and functionality of the public open space provision throughout the development, would be visually obstructive and out of character with the streetscape in particular to Ballinlough Road. The proposal would, therefore, be contrary to Policy

Objective KNOC 1, Policy Objective HOU 17, Policy Objective HOU 24, and Policy Objective CS 18 of the Louth County Development Plan 2021 – 2027, would seriously injure the residential amenity of future residents of the proposed development and would, thereby, be contrary to the proper planning and sustainable development of the area.

- 9.3. It is considered that the proposed layout and design of the proposed development, in particular the proposed dwelling No. 1, having regard to its proximity to the adjoining site boundary with the neighbouring residential dwelling, would appear visually overbearing when viewed from the adjoining site and as such would detract from the existing residential amenity, in particular when taken in conjunction with the proposed dwelling No. 20, and may give rise to overlooking of the rear amenity space of the directly adjoining site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



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Emma Nevin  
Planning Inspector

7<sup>th</sup> March 2024



## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	314258-22		
<b>Proposed Development Summary</b>	Construction of 54 residential units, (52 no. by way of appeal) a pumping station, ESB substation and all associated site works. The residential units will include: 7 no. detached 4 bed houses, 24 no. semi-detached 3 bed houses, 17 no. terraced 3 bed houses, 4 no. terraced 2 bed houses and 2 no. detached 4/5 bed houses.		
<b>Development Address</b>	Ballinlough Road, Ballinlough, Knockbridge, Dundalk, Co Louth		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			
<b>No</b>	X		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
			<b>Conclusion</b>
<b>No</b>		N/A	
<b>Yes</b>	X	Class 10 Infrastructure Projects (b) (i)	Proposal is significantly below 500 unit threshold
			Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

## Appendix 1 - Form 2

### EIA Preliminary Examination

An Bord Pleanála Case Reference	314258-22	
Proposed Development Summary	Construction of 54 residential units (52 no by way of appeal), a pumping station, ESB substation and all associated site works. The residential units will include: 7 no. detached 4 bed houses, 24 no. semi-detached 3 bed houses, 17 no. terraced 3 bed houses, 4 no. terraced 2 bed houses and 2 no. detached 4/5 bed houses.	
Development Address	Ballinlough Road, Ballinlough, Knockbridge, Dundalk, Co Louth	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
Nature of the Development  Is the nature of the proposed development exceptional in the context of the existing environment?     Will the development result in the production of any significant waste, emissions or pollutants?	Proposal for 54 no residential units (52 no. by way of appeal) on residential zoned and located in an rural settlement. However, the proposal is not considered exceptional in the context of the existing environment.     No, the proposal will be connected to the existing water supply and will be connected to the existing public sewer. Surface water will also be connected to the public sewer.	No
Size of the Development  Is the size of the proposed development exceptional in the context of the existing environment?     Are there significant cumulative considerations having regard to other existing and/or permitted projects?	Site measuring 3.51 ha. with 54 no. proposed residential units (52 no. by way of appeal). However, this is not considered exceptional in the context of the existing environment.     There are no other developments under construction in the proximity of the site.	No

<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>No, there are no natural heritage designations in the vicinity of the site.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>	No
Conclusion		
<p><b>There is no real likelihood of significant effects on the environment.</b></p> <p><b>EIA not required.</b></p>		



Inspector: \_\_\_\_\_

Date: 7<sup>th</sup> March 2024

DP/ADP: \_\_\_\_\_

Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)