



An
Bord
Pleanála

Inspector's Report ABP317281-23

Development	Change of use of industrial building to residential use, elevational changes and all site development works.
Location	Cluan Enda, Dundalk, Co Louth.
Planning Authority	Louth County Council.
Planning Authority Reg. Ref.	23158.
Applicant(s)	Ms Eilish McKeever.
Type of Application	Permission.
Planning Authority Decision	Grant Permission subject to conditions.
Type of Appeal	Third Party
Appellant(s)	<ol style="list-style-type: none">1. Catherine Fergus, Louise Finegan, Kevin Finegan, Marie Nugent, Joan Savage, Michael Wilson, Claire McGuinness.2. Geraldine Byrne, Amanda Clarke, Tracey Connolly
Observer(s)	None.
Date of Site Inspection	20 th October 2023.
Inspector	Richard Taylor.

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1.0 Site Location and Description

- 1.1. The appeal site is located to the rear of a residential street, Cluan Enda in Dundalk. It comprises a single storey building with pitched roof and broadly rectangular in terms of shape, and light industrial in terms of use. It is located in the southwest corner of a roughly rectangular site. The building is finished and render with grey metal roof cladding with a number of window openings predominantly to the front and rear elevations. It has a total floor area of approximately 214 square metres, with a ridge height of approximately 4.32m at the highest point. It is sited approximately 1.5m, varying to 2.25m, from the rear southern boundary.
- 1.2. Separation distances from the western site boundary varies between approximately 1.8m and 2.2m due to the alignment of the building. The eastern gable of the building is approximately 18.7 metres from the eastern side boundary. The front elevation of the building is approximately 5.58 metres reducing to 2.99 metres approximately from the northern site boundary. Boundary treatments generally comprise block walls being approximately 1.95 metres along the northern boundary, 1.8 metres along the eastern boundary, 1.8 metres along the southern boundary, and 2.4 metres along the western site boundary.
- 1.3. The remainder of the site largely comprises hard standing car parking areas and is broadly level in terms of topography. The site is accessed by a laneway which traverses northwards from the site. This is approximately 4 metres in width but increases close to the site to approximately 4.85 metres. The laneway extends in an eastward direction towards the public road. It narrows to approximately 3.16 metres and is located within a gap between two rows of terraced 2 storey dwellings. The garden areas of 7 dwellings abut the eastern boundary of the laneway, with the rear elevations approximately 26m from the boundary. The building is located approximately 8.4 metres from the nearest existing dwelling to the West, number 9 Villa Park. It is located approximately 15 metres from the nearest detached dwelling to the South, number 3 Lisnaree.
- 1.4. The building is the only non-residential use within the immediate locality of the site. To the west, north and east of the site, buildings are largely terraced, with detached dwellings to the South.

2.0 Proposed Development

- 2.1. The proposal comprises the change of use of the building from light industrial to a dwelling. Alterations to the elevations proposed include revised window openings to the northern elevation and associated internal alterations to facilitate 4 bedrooms, an office, kitchen and living area, utility room and two bathrooms. The existing roof will be retained save for inclusion of a roof light window on the western elevation. Landscaping is also proposed to create garden amenity areas and car parking.

3.0 Planning Authority Decision

3.1. Decision

The Council issued a notification of decision to grant permission on 19th May 2023, subject to three conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report concludes that the change of use of the industrial building is acceptable given its location within an established residential area. The alterations to the building are considered acceptable in relation to design and will not result in an adverse impact on the residential amenity of neighbouring properties. Amenity space provision of 70 square metres is in excess of minimum requirements of 50 square metres in a town centre or infill location, and 60 square metres in a greenfield or suburban location as set out in the plan and is therefore acceptable. The residential use will not cause any greater degree of security issues than the existing use. The residential use may discourage antisocial behaviour on the laneway.

The access to the site is via an existing laneway through which the site has a right of way. The Infrastructure section of the Council requested additional details in respect of the width and sightlines at the entrance to the public road and car parking provision. These details were not requested as it is beyond the control of the applicant to widen the access or alter existing sight lines to the public road. It is acknowledged that whilst the access may not meet current standards in the plan in

terms of sightlines, the conversion of the building to 1 dwelling will result in less traffic movements than the existing development. The access is long established and located within a residential area where traffic speeds are restricted and accordingly the development would not result in a traffic hazard. A pre-commencement condition is included requiring the applicant to submit additional measures to ensure that access is adequately overlooked, and that surveillance is in place.

All sewer and surface water connections are two existing facilities these will remain as existing. The site is not located in an area vulnerable to flooding based on a review of relevant flood maps.

The report considers 4 observations received. The issues raised broadly repeat those set out in the grounds for appeal.

It concludes that the proposal is in accordance with the Louth County Development Plan 2021-2027 as varied.

3.2.2. Other Technical Reports

Placemaking and Physical Infrastructure, Louth CC:

The proposal should incorporate sustainable training systems measures as required by policies IU19 and IU20.

Site layout plan showing achievement of sight lines of 2.4 metres x 45 metres over a height of 0.6- 1.05 metres above road level in accordance with the Design Manual of Urban Roads and Streets (DMURS).

Revised site layout plan showing car parking with minimum size of five metres x 2.5 metres and circulation space within the confines of the development site. The site entrance shall be a minimum width of three metres.

4.0 Planning History

LCC reference 19109: retention of original industrial building for light industrial purposes approved following 3rd Party Appeal to An Bord Pleanála (ABP) reference 304377- 19 on 12th August 2019. ABP concluded that the development would not be out of character with existing development within the area, would be acceptable in terms of visual impact, would not seriously injure the residential communities of the area or of property in the vicinity and would be in accordance with the provisions of

the Dundalk and Environs development plan 2009- 2015 as extended. This decision was subject to an amended condition number 2 requiring the building to be retained as a light industrial building in accordance with Class 4 of Part 4 of Schedule 2 and Article 5 (1) of the Planning and Development Regulations 2001, as amended, and that the units shall not be subdivided.

5.0 Policy and Context

5.1. Development Plan

The Louth County Development Plan 2021-2027 (LCDP) is the operative plan for the area. The following policies are relevant to the appeal:

The site is identified as A1 Existing Residential on the Plan Map for Dundalk.

Section 13.21.5 page 510, states that the objective is to “protect and enhance the amenity and character of existing residential communities”. The guidelines go on to state that “Infill developments, extensions, and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties. “Residential” is identified as a “Generally Permitted Use”.

2.11.1 (page 2-28) Overarching Strategic Policy Objectives for the County. Policy 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.

HOU15: to promote development that facilitates a higher, sustainable density that supports compact growth and the consolidation of urban areas, which will be appropriate to the local context and enhance the local environment in which it is located.

HOU21: 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.

HOU25: 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 the plan.

HOU30: to encourage building design and layout that maximises daylight and natural ventilation and incorporates energy efficiency and conservation measures that will improve the environmental performance of buildings in line with best practice.

HOU32 to encourage and promote the development of underutilised infill, corner and back land sites in existing urban areas subject to the character of the area and environment being protected.

IU19: to require the use of sustainable training systems to minimise and limit the extent of hard surfacing and paving and require the use of SUDS measures to be incorporated in all new development. Proposal shall be accompanied by a comprehensive SUDS assessment including runoff quality, quality, and impact on habitat and water quality.

Other relevant planning policies:

National Planning Framework.

National Development Plan 2018-2027.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009.

Design Manual for Urban Roads and Streets (DMURS), 2013.

5.2. **Natural Heritage Designations**

The development site is not located within or adjacent to any designated sites.

5.3. **EIA Screening**

Having regard to the nature and scale of the proposed development, the site location within an existing built-up area outside of any protected site, the nature of the receiving environment, the limited ecological value of the lands in question, the availability of public services, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising

from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- This third-party appeal has been received on behalf of two groups of residents, all of whom reside at Clun Enda to the north of the site. These properties are adjacent to the access laneway to the appeal site. The grounds of appeal are as follows:
- The proposed dwelling and access route will detract from the residential amenity and character of the area and adjacent properties. It is contrary to section 5.9 (l) of the Guidelines for Planning Authorities for Sustainable Residential Development and Urban Areas, 2009.
- The proposed access lane contravenes guidance on design for security and safety and chapter 4.5 of Quality Housing for Sustainable Communities, and indicator 8 “public realm” of the best practice urban design manual as no passive surveillance of the lane will occur. A blind spot is located at the corner onto the lane, and no properties effectively overlook the laneway.
- Land Registry information indicates the folio of each property extends across the laneway to the boundary fence. The laneway is privately owned, and no consent was acquired for the purposes of this planning application. The Land Registry folio for Technology House does not refer to a right of way over the access lane and therefore access to the dwelling cannot be guaranteed and maintained thus rendering the subject site inaccessible. Vehicles have increased in size over the years, the owners of the factory stopped using the laneway for vehicle access, instead parking on the street.
- The entry to the land is gated and locked with access via keys held by the residents for private access. The laneway is gated to prevent antisocial behaviour and damage to property. If permission is granted 24 hour open access would be required which would compromise the safety and security of existing

residents and would contravene the zoning objective for lands which seeks to protect the amenity of existing residents.

- The majority of the laneway ranges from 2.4 metres to 3.5 metres and is wholly inadequate for regular access and in particular construction access. Large extents of the laneway require maintenance of hedges to maintain adequate widths and these are located on 3rd party lands with no guarantee that the applicant can carry out any maintenance. The left turn within the lane is considered a pinch point. Larger vehicles such as fire engines or construction vehicles which will not be able to turn with ease and would create a hazard for residents using the laneway.
- The laneway does not contain any lighting proposals, which would require a separate planning application and consent of the adjoining landowners. Without adequate lighting use of the laneway would be detrimental to the safety of existing residents.
- The planning report notes that the safety and security of the laneway may be of concern and have sought to address this matter and Infrastructure concerns regarding car parking and drainage by planning condition. This information should have been sought by way of further information, would set a precedent for poor development and will not ensure the proper planning of sustainable development of the area.
- The development would impact on residential amenity and be inconsistent with the zoning objective. The proposal would adversely impact on existing residents through overlooking and loss of privacy from the access lane and adequate separation distances. The proposal would also result in loss of light, overshadowing and an overbearing impact from the dominant nature of the structure proposed. The windows for each bedroom are north facing which would compromise the amenity afforded to the proposed dwelling by reducing the amount of daylight received in each room.
- The kitchen lacks adequate glazing and possibly fails to meet daylight standards. No daylight assessment has been provided for the proposed dwelling. Chapter 13.8.7 of the plan states that “the front elevation of buildings shall normally be oriented towards the street to create an active street frontage that would ensure

the passive surveillance of open spaces and footpaths”. Proposed access via the laneway does not have the benefit of passive surveillance and is considered a risk to the safety of users, especially with the gate removed. By creating unsafe access, the proposal contravenes objective MOV28.

- Construction traffic, the delivery of building materials, the need for an adequate storage compound and staff car parking will result in excess traffic on Cluan Enda, which is already difficult to navigate due to excessive traffic and illegal parking or footpaths. The construction could result in excessive noise and vibration which will have detrimental effects on health and amenity of existing residents. A construction management plan or mobility management plan has not been provided to demonstrate development can occur without impacting on adjoining residents.
- The application is invalid as a site notice was not erected on the boundary with Villa Park to the west of the site. This is not in accordance with Article 19 of the Planning Development Regulations.
- Proposal will not be used as the applicant's private dwelling and will be used as a rental property and will not respect the settled nature of the surrounding area which is a quiet, mature, and safe area. The proposal could create the conditions for noise and antisocial behaviour.

6.2. Applicant Response

- No response received.

6.3. Planning Authority Response

- The planning authority response provides no further comment and refers to the issues and reasoning set out in the original planning report.

6.4. Observations

- None received.

6.5. Further Responses

- None received.

7.0 Assessment

7.1. Having examined all the application and appeal documentation on file and having regard to relevant local and national policy and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. Appropriate Assessment (AA) also needs to be considered. The main issues, therefore, are as follows:

- (a) Site notice and validity of the application.
- (b) Principle of Development and site zoning.
- (c) Design, Height and Overshadowing, Overlooking and Noise.
- (d) Right of Way, Traffic, access, and safety.
- (e) Flood Risk and Drainage.
- (f) Tenure of the proposed dwelling.
- (g) Appropriate Assessment (AA).

Each of these issues are considered in turn below.

- (a) Site notice and validity of the application

7.2. One of the third parties disputes that adequate site notice provisions were provided for the planning application. Article 19 of the Planning and Development Regulations 2001 – 2023 requires applicants to notify the public of a planning application through provision of a site notice in accordance with the following stipulations:

A site notice erected or fixed on any land or structure in accordance with article 17(1)(b) shall be—

*(c) subject to sub-article (2), securely erected or fixed in a conspicuous position on or near the main entrance to the land or structure concerned from a public road, **or** where there is more than one entrance from public roads, on or near all such entrances, **or** on any other part of the land or structure adjoining a public road, so as*

to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time.

7.3. In this case the appeal site has one access point, via a laneway that joins the public road at Cluan Enda. Site notices were erected in two positions, the entrance point to the site, and to an access gate at the end of the laneway close to where it meets the public road. A public road abuts the southwestern site boundary at Villa Park. However, the site does not have access to this public road. The wording of the legislation requires one of the location requirements to be fulfilled rather than all of the quoted scenarios. I therefore consider that the applicant has fulfilled the requirement to erect a notice on or near the main entrance to the land from the public road.

(b) Principle of Development and site zoning.

7.4. The LCDP supports redevelopment of infill, brownfield and regeneration sites within urban areas though policy CS2 of the core strategy which seeks to achieve compact growth through the delivery of at least 30% of new homes in urban areas. From a review of the relevant policy considerations which are detailed above, the site is zoned as A1 existing residential. Policies CS2 and HOU 32 in addition to the zoning, support the development of the site subject to detailed considerations set out in the remainder of the plan. Accordingly, I consider the change of use to a single dwelling acceptable in principle.

(c) Design, Height and Overshadowing, Overlooking, and Noise

7.5. Proposed alterations to the elevations include revision to the existing window and door openings to the northern and southern elevations. Internal alterations are proposed to facilitate 4 bedrooms, an office, kitchen and living area, utility room and two bathrooms. The existing roof will be retained save for inclusion of a roof light window on the western elevation. Landscaping is also proposed to create garden amenity areas and car parking to the east of the building and adjacent to the southern and western boundaries. No extensions to the building are proposed.

7.6. The appellants consider that the north facing windows of the bedrooms are provided to avoid inadequate separation distances to the south, the kitchen will receive inadequate daylighting, a daylight assessment has not been provided, and the laneway does not have the benefit of passive surveillance. Therefore the proposal is

contrary to 13.8.7 of the plan which refers to the orientation of buildings towards the street to create active frontage and ensure passive surveillance.

- 7.7. The window and door alterations essentially comprise the lowering of the existing high-level windows to create larger windows within the front northern elevation and substitution of the front door and associated window with a larger window. I consider these revisions sympathetic to the existing building and whilst they are north facing, the revised fenestration is sympathetic to the building and therefore acceptable. Natural lighting to the kitchen will be facilitated by an adjacent existing window within the eastern gable and supplemented by the insertion of a roof light within the existing roof structure above this room. Daylighting will be limited to this room due to the aspect of the site however it would not be wholly inadequate and contrary to relevant policy. The substituted window in lieu of the current access door on window will provide a degree of surveillance towards the access laneway due to its position relative to the laneway. The development cannot facilitate surveillance of the access point adjacent to the public road as it is significantly separated from this location. I do not consider this issue is of sufficient gravity to render the proposal unacceptable on this basis and is outweighed by wider policy support for the regeneration of infill and brownfield field sites to facilitate additional housing within urban areas.
- 7.8. In relation to overshadowing Chapter 13, 13.8.10 Daylight and Sunlight, of the LCDP is of relevance. The proposal does not propose any significant alterations or extensions to the existing building that would alter its height or proximity of any part of the structure to existing boundaries. Accordingly, the proposal will not overshadow any neighbouring property to any greater extent than the existing building and is therefore considered acceptable in relation to this issue.
- 7.9. Considerations for overlooking are set out in chapter 13 of the LCDP, at 13.8.9.1 Privacy. Window openings are all located at ground floor due to the single storey height of the building. The position of these windows will remain as located in the existing building. Existing windows on the eastern, and southern elevations are high level, and will remain unaltered save for the substitution of one window for a door on the rear/southern elevation. The window positions to the northern/front elevation will remain in the same position albeit increased in size. The proposal will have no greater impact on existing properties due to the height of the existing boundary walls that enclose the site, and will preclude overlooking and loss of privacy of adjoining

properties. Overlooking from the access laneway from those accessing the site would not be any greater than that currently, given the existing use rights and activity from the current industrial use of the site. I therefore consider the proposal acceptable in relation to privacy impacts.

7.10. The appellants also consider that the proposal will adversely impact on amenity through noise and vibration from the construction process and residential use of the site. I have not been provided with any evidence that would demonstrate that the proposed residential use would have a greater noise impact than the existing use and activities of the building. The residential use at this location would be appropriate given that it is within a residential area and accordingly I consider the proposal to be a more appropriate use than the existing use of the site. In addition, I consider that the boundary walls of the site and separation distances to neighbouring properties would assist in mitigating noise impacts. The construction process and associated impacts will be for a limited duration, and I do not consider that significant construction activity will be required given the nature and scale of works to facilitate the proposal. An appellant has suggested such issues could be resolved through a construction management plan, which I note from the LCDP is a requirement for larger scale developments. However due to the scale and nature of the proposal, I do not consider that a construction management plan is necessary in this case due to the limited nature of construction works. A condition restricting construction operating hours can be attached to any grant of permission to further assist in mitigation of noise impacts from related activities and protection of amenity of existing residents.

(d) Right of Way, Traffic, access and safety.

7.11. The appellants consider that the laneway is privately owned, and based on Land Registry information there is no right of way over the lane for the existing property. Based on site observations and the history of the site it appears that the site benefits from a right of way across or through the laneway. I therefore conclude that access to the site is available and can be facilitated.

7.12. The appellants also refer to the existing gated provision to the laneway which is controlled by residents. The evidence demonstrates that the existing use has access via the laneway to the site. I therefore do not consider that the current access

provision arrangements would be varied should the application be approved.

Emergency access, whether required or not, and associated provision would not be altered. I do not therefore consider that permission could be withheld on this basis.

7.13. The appellants consider that the dimensions of the laneway are inadequate to support a residential dwelling. The laneway, according to the appellants, measures 3.1 metres at the entrance, and varies in width between 2.4 and 3.5 metres. Given the existing use rights at the site as an industrial building, vehicle access can be facilitated to the site. The dimensions of the laneway are adequate in terms of width to facilitate vehicles, including the private car, which would access the site for the majority of the time. I acknowledge the laneway is in poor condition and restricted in parts by boundary vegetation however, these maintenance issues are a matter for relevant landowners and are not sufficiently obstructive to preclude the proposal taking account of the existing use rights of the site and associated access. I do not consider that the perceived hazards and risk of collision or injury to be significant given the likely limited journeys to and from the appeal site compared to the existing use which would generate more frequent trips and is currently used for vehicle access which would remain possible regardless of the outcome of the appeal. I also note that the Council's Infrastructure Department have not raised any objections in relation to these issues. The Council Infrastructure Department did however request further information to demonstrate adequate sightlines, parking circulation space, and entrance dimensions. From a review of the submitted plans adequate parking and manoeuvring space can be achieved within the site, also taking account of current provision which will not be substantially altered. The scale drawings in support of the application also confirm a minimum of 3 metres width is available at the site entrance. The visibility splays would remain unaltered and are acceptable taking account of existing use and the reduced vehicle trips and associated traffic for the proposal. A hard surfaced area of approximately 168sqm (c.12m x 14m) will be retained to the side of the dwelling which is adequate to facilitate parking requirements (3 spaces 5m x 2.5m) as set out in the plan. I therefore agree with the approach taken by the Council and accordingly I consider the proposal acceptable in relation to these issues.

7.14. The appellants consider that the proposal would be detrimental to the safety of existing residents due to the lack of lighting. I have not been provided with any

evidence to support these concerns. The Council's Infrastructure section do not object to the proposal in relation to these issues in their response. The existing use of the site has functioned without any such lighting. The Council have stated that this may be of concern and have sought to resolve this by a negative planning condition, requiring appropriate measures prior to the occupation of the dwelling. I do not consider that the proposal would create or exacerbate a security risk at the site or within the access laneway. Appropriate security measures could potentially be secured but may necessitate a separate planning application depending on the details proposed. The location of the living room and related revised window opening would provide a degree of surveillance to the laneway. I therefore agree with the Council that improved security measures could be achieved subject to prior agreement and prior to occupation. Given the evidence that they exert a form of control over the laneway, I also consider that landowners adjoining the laneway could undertake their own measures to improve security and lighting irrespective of the decision on this appeal. I therefore consider that permission should not be withheld in relation to security issues.

(e) Flood Risk and Drainage

- 7.15. The appellants consider that Cluan Enda is prone to pluvial flooding and is located in flood zone B according to the flood zone maps of the Council. They state that the extensive tarmac surface is considered problematic and possibly resulting in excessive water runoff from the site, and that the application did not contain any details on drainage including SUDS details.
- 7.16. Policies IU19 and IU20 require proposals to include the use of sustainable drainage systems and associated measures to minimise the quantity of water runoff and quality and associated impacts on habitats and water quality and the capture of runoff as close to the source as possible. The Council has not sought provision of these details through a further information request, rather they have attached a condition requiring surface water from the site to be disposed of within the site boundaries and not onto any adjoining property.
- 7.17. The site currently includes extensive areas of hard surfacing. The application submission does not include an existing block plan detailing the nature of existing hard surfaces, including if such surfaces are permeable. Notwithstanding this, the

proposed block plan indicates that the proposal will reduce the extent of hard servicing through the introduction of soft landscaped garden areas adjacent to the eastern boundary, and along and adjacent to the southern and western boundaries, save for a small patio and path area to the rear of the building adjacent to the southern boundary. The proposal will therefore result in a reduction in hard surfacing and an increase in permeable areas. Due to the change of use nature of the proposal, the lack of additional built form, use of existing drainage facilities, and that the proposal is for a single dwelling, the use would not result in a significant increase in drainage impacts compared to the existing use. I concur with the approach of the Council and conclude that the proposal will not result in an increase of surface water. Redevelopment of the site would not have any impact on any flooding impacts at the site entrance due to the nature of the proposal and extensive separation distance to this location. I note that the submitted site plan provides limited information in relation to proposed hard and soft landscaping. Should the Board approve the application, I would recommend a condition is attached to secure provision of these details and their retention. I also consider that condition 3 recommended by the Council is appropriate to mitigate surface water and ensure compliance with the relevant policies.

(f) Tenure of dwelling

- 7.18. The appellants have also queried the tenure of the dwelling and consider that it will be used for rental purposes. The application form confirms that the applicant is the owner of the site and indicates the dwelling will be for letting in response to question 8. I do not consider that rental of the property would result in a detrimental impact to neighbouring community taking account of the separation distances to existing properties. I have not been directed to any policies within the plan that would preclude the rental of the dwelling. Permission is sought for a single dwelling and must be assessed on this basis and in relation to applicable policies and material considerations. Any issues that may arise as a result of anti social behaviour or other issues would be a matter for the relevant authorities.

(g) Appropriate Assessment

- 7.19. The site is located approximately 1.52km from the nearest European site, Dundalk Bay SAC, and 1.5km from Dundalk Bay SPA.

7.20. Having regard to the existing use and character of the site; the modest nature, scale and extent of development sought, it is considered 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.

8.0 Recommendation

8.1. I recommend a GRANT of permission, subject to conditions.

9.0 Reasons and Considerations

Having regard to the current Louth County Development Plan, 2021-2027 and all material considerations, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning objective for the site, would not detract from the visual amenity of the area, would provide an acceptable standard of residential amenity for the prospective residents, would not seriously injure the residential amenity of surrounding properties, and would not endanger public safety or convenience by reason of traffic generation, flooding and drainage proposals, or otherwise. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority on 31st March 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interests of clarity.</p>
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2.	<p>Prior to occupation of the dwelling unit hereby permitted, the applicant shall submit proposals for written agreement of the planning authority to enhance the sense of safety and security to pedestrians accessing this development in so far as it is feasible.</p> <p>Reason: in the interests of orderly development of the site.</p>
3.	<p>Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto any adjoining property.</p> <p>Reason: in the interest of Traffic Safety and orderly development.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <ul style="list-style-type: none"> . (a) any hard landscaping works, including car parking layout, enclosed areas, specifying surfacing materials. . (b) Proposals for soft landscaping, the protection of all existing and new planting for the duration of construction works on site, together with proposals for adequate protection of new planting from damage until established. . (c) The agreed hard and soft landscaping scheme shall be carried out within the first planting season following occupation of the dwelling hereby permitted.

	<p>. (d) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>. (e) All areas for hard and soft landscaping shall be retained in accordance with the agreed details thereafter.</p> <p>. Reason: In the interest of amenity and to provide adequate facilities for surface water drainage of the site.</p>
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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.

. Richard Taylor
Planning Inspector

9th November 2023