



An
Bord
Pleanála

Inspector's Report ABP-319605-24

Development

Retention of external alteration works to the facades and internal works to the protected structure; and the change of use from lounge/bar to accommodate for beneficiaries of temporary accommodation and all associated site works.

Location

Lands at The Ferdia Arms fronting onto Castle Street and Barrett's Lane, Ardee, Co. Louth

Planning Authority

Louth County Council

Planning Authority Reg. Ref.

2460072

Applicant(s)

Hadleywood Holdings Ltd.

Type of Application

Permission

Planning Authority Decision

Grant permission

Type of Appeal

Third Party

Appellant(s)

Linda Winstone

Observer(s)

None

Date of Site Inspection

16th July 2024

Inspector

Emma Nevin

1.0 Site Location and Description

- 1.1. The site measures 0.081ha and comprises of the former public house known as 'Ferdia Arms'. The appeal site is located at a prominent corner located at the juncture of Castle Street and Barrett's Lane in the town centre of Ardee. The immediately surrounding area is characterised by a range of uses given the town centre location of the site within Ardee town.
- 1.2. The existing building on site, 'Ferdia Arms' is a Protected Structure (Reference LHS017-044; NIAH: 13823038) and is situated within the Zone of Archaeological Potential and Architectural Conservation Area for Ardee as illustrated on the Ardee Composite Map of the Louth County Development Plan, 2021-2027, as varied.

2.0 Proposed Development

- 2.1. The proposed development encompasses the retention of external alterations to the facades and internal works to the protected structure including internal partitions and general building refurbishment and adaption works.
- 2.2. Permission is also sought for the change of use of the Ferdia Arms to provide for use of the building to a facility that will provide accommodation for Beneficiaries of Temporary Accommodation providing guest accommodation bedrooms, a reception area, a lounge area, a communal room, dining area, toilet and sanitary facilities, plant room, laundry facilities and associated internal works to include for storage rooms.
- 2.3. External works to be carried out to the building consist of new window and door openings within the courtyard along with replastering works where required to external facades, and the replacement windows on the external façade of the Ferdia Arms aligning Barrett's Lane.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority granted permission on 5th April 2024, subject to 8 conditions, which included the following:

- Condition 2 relates to a time limit for the proposed use.
- Condition 3 relates to the occupation of the building.
- Condition 4 requires specific works in relation to the protected structure.
- Condition 5 relates to construction hours.
- Condition 6 requests that all facilities be completed and operational prior to the occupation of any proposed bedrooms.
- Condition 7 requests a Final Construction Plan to be agreed with the Planning Authority.
- Condition 8 relates to infrastructure requirements.

3.2. Planning Authority Reports

3.2.1. A Planning Report dated 4th April 2024 has been provided.

3.2.2. This planning application was assessed under the Louth County Development Plan, 2021 – 2027.

3.2.3. The planners report concluded that *“the proposed development relates to the change of use of the former public house to use for the Beneficiaries of Temporary Accommodation together with permission and retention permission for alterations and internal reconfiguration of the existing property. Having regard to the information submitted as part of the application, and the town centre location of the site, it is considered that the proposed development is acceptable at this location and subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of the property at the site, being a protected structure and would not conflict with the objectives of the Development Plan for the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area”*, subject to 8 no. conditions.

3.2.4. Other Technical Reports:

The planning report indicates that the following were consulted during the assessment of the planning application:

- Placemaking and Physical Development Section: Report received stating no objection subject to conditions.

3.3. Prescribed Bodies

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

- An Comhairle Ealaíon: No response received.
- An Taisce: No response received.
- The Heritage Council: No response received.
- Department of Arts, Heritage and The Gaeltacht: No response received.

3.4. Third Party Observations

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

- Already significant traffic in the town of Ardee.
- Important to protect the cultural heritage of Ardee.
- Lack of tourist accommodation is a challenge for the sustainable development of the town.
- Preserving the subject site as a dedicated tourism accommodation instead of the proposed development could address the gap in tourist accommodation in the area.
- Any alterations to the building could diminish architectural and historical significance.
- The change of use could have implications for the local area. Increased foot traffic and activity associated with the use could put a strain on local services.
- Temporary accommodation facilities require an appropriate level of support services and amenities to meet the needs of the occupants. The conversion of this building may not be able to provide adequate facilities.
- Proposed development represents overdevelopment which would be harmful to the historic character of the building and conservation area.
- The proposal is contrary to the zoning objective (B1 Town Centre).

4.0 Planning History

No recent planning history on site.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Louth County Development Plan 2021 – 2027, came into effect on 11th November 2021, as amended by Variation 1 on the 18th July 2022 and Variation No. 2 on the 20th May 2024.
- 5.1.2. Under the Louth County Development Plan 2021 – 2027, as amended by variation 1 and variation 2, the site is situated in the centre of Ardee town which is a designated Seld-Sustaining Growth Town and is zoned “B1 – Regeneration”, with a stated objective *“To support the development, improvement and expansion of town or village centre activities.”*
- 5.1.3. Under this zoning objective *“The purpose of this zoning is to protect and enhance the character and vibrancy of existing town and village centres and to provide for and strengthen retailing, residential, commercial, cultural, entertainment and other appropriate uses. It will promote the consolidation of development on town and village centre lands, allowing for a broad range of compatible and complementary uses, which will be encouraged to locate in this area in order to create an attractive environment to reside, shop, work, visit and in which to invest. The appropriate reuse, adaptation and regeneration of buildings, backlands, vacant, derelict and underutilised lands for uses suitable to the location will be encouraged. Such uses may include residential development. The full use of upper floors in retail and commercial premises in the town centre for residential use is considered permissible. Primacy of the Retail Core area will be retained and prioritised for any new retail development to enhance its vitality and viability. Retail proposals shall have regard to relevant policies and objectives in the Retail Strategy (Appendix 4, Volume 3) and Chapter 5 of this Plan and the Retail Planning Guidelines 2012. Town centre development proposals will be required to be of a high architectural quality, which contributes to a distinct sense of place and public realm, promotes sustainable modes of travel and be appropriate to its location. New commercial and retail uses*

will be accommodated in village centres. The size and scale of any such development shall be reflective of the role and function of the village in the settlement hierarchy”.

5.2. Relevant Development Plan Sections and Policy Objectives

5.2.1. Ardee

- Section 5.14 of the Plan relates to Ardee.
- Policy Objective SS 35: “To support the role of Ardee as a Self-Sustaining Growth Town, which shall be complementary to the Regional Growth Centres, and to facilitate balanced population and economic growth that will meet the needs of residents of Ardee and its hinterland”.
- Policy EE 46 “To continue to promote Ardee as a competitive and attractive location for economic development emphasising Foreign Direct Investment”.
- Policy Objective EE 47 “To work in partnership with development agencies in the County to promote economic development, enterprise, innovation, research and development, and employment in Ardee”.

5.2.2. Appropriate Assessment

- NGB6 – “To ensure a screening for Appropriate Assessment (AA) on all plans and/or projects and/or Stage 2 Appropriate Assessment (Natura Impact Report/ Natura Impact Assessment) where appropriate, is undertaken to make a determination. European Sites located outside of the County but within 15km of the proposed development site shall be included in such screenings as should those to which there are pathways, for example, hydrological links for potential effects”.

5.2.3. Built Heritage and Architectural Conservation

- BHC20 – “To ensure that any development, modification, alteration, or extension affecting a protected structure and / or its setting is sensitively sited and designed, is compatible with the special character and is appropriate in terms of the proposed scale, mass, density, layout, and materials of the protected structure”.

- BHC21 – “The form and structural integrity of the protected structure and its setting shall be retained and the relationship between the protected structure, its curtilage and any complex of adjoining buildings, designed landscape features, designed views or vistas from or to the structure shall be protected”.
- BHC22 – “To prohibit inappropriate development within the curtilage and/or attendant grounds of a protected structure. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire complex including the structures, demesne and/or attendant grounds”.
- BHC23 – “To require that all planning applications relating to protected structures contain the appropriate documentation as described in the Architectural Heritage Protection Guidelines for Planning Authorities (2011) or any subsequent guidelines, to enable a proper assessment of the proposed works and their impact on the structure or area”.
- BHC24 – “To require the retention of original features such as windows, doors, renders, roof coverings, and other significant features which contribute to the character of protected structures and encourage the reinstatement of appropriately detailed features which have been lost, to restore the character of protected structures as part of development proposals”.
- BHC25 – “To promote best conservation practice and the use of skilled specialist practitioners in the conservation of and for any works to protected structures”.
- BHC26 – “To encourage the retention, sympathetic reuse and rehabilitation of protected structures and their settings where appropriate and where the proposal is compatible with their character and significance. In certain cases, development management guidelines may be relaxed in order to secure the conservation of the protected structure and architectural features of special interest”.
- BHC 27 To permit the demolition or significant modification of a protected structure, only in exceptional circumstances.
- BHC 28 To ensure the protection of architectural features of special interest as part of any proposed re-development where there is conflict with other development plan requirements such as open space, car parking etc.

- BHC 31 To require that all development proposals within or affecting an Architectural Conservation Area preserve or enhance the character and appearance of that area, protect architectural features of special interest and ensure that the design respects the character of the historic architecture in terms of height, scale, layout, and materials. All development proposals shall have regard to the Architectural Conservation Area objectives in Appendix 11, Volume 3 and objectives contained in applicable Character Appraisals where available.
- BHC 32 To retain any building within an Architectural Conservation Area which makes a positive contribution to the character or appearance of the area. Demolition of such structures, the removal of features and street furniture which contribute to the character of the area shall only be considered in exceptional circumstances. Applications for demolition shall be accompanied by a measured and photographic survey, condition report and architectural heritage assessment.

5.2.4. Other – Drainage

- IU19 – “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”.
- IU26 – “To reduce the risk of new development being affected by possible future flooding by: • Avoiding development in areas at risk of flooding and • Where development in floodplains cannot be avoided, taking a sequential approach to flood risk management based on avoidance, reduction and adaptation to the risk”.

5.3. National Planning Framework (NPF)

- 5.3.1. 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 30% delivery of all new homes in settlements (outside of the 5 cities) to be within the existing built up footprint (NPO 3(c)).

5.3.2. Regional Spatial and Economic Strategy (RSES) - Eastern and Midland Regional Assembly (EMRA)

5.3.3. 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.

5.4. Section 28 Ministerial Guidelines

5.4.1. Having considered the nature of the proposal and the documentation on file, I am of the opinion that the directly relevant S28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- Government Guidelines for Temporary
- Accommodation in Existing Buildings – Single Persons & Family Type Accommodation May 2022, May 2022 (revised June 2023 and updated October 2023)
- Housing for All – A New Housing Plan for Ireland to 2030 (2021);
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2023);
- Development Management Guidelines (2007).

5.4.2. Other Relevant Guidance:

- The Architectural Heritage Protection Guidelines for Planning Authorities, (2011)

The Architectural Heritage Protection Guidelines for Planning Authorities ('the Architectural Heritage Protection Guidelines') are a practical guide for planning

authorities and for others who must comply with Part IV of the Planning and Development Act 2000 on the protection of the architectural heritage.

The Guidelines stress the importance of protecting and enhancing the curtilage of, and views, of and into Protected Structures. In this regard, they state the setting of an area, together with views in and out of it, can contribute greatly to its overall character and should always be considered when assessing its importance.

- Design Manual for Urban Roads and Streets (2013).

5.5. Natural Heritage Designations

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

- The Dundalk Bay SPA (Site Code IE0004026), which is approx. 13.8km from the site.
- The Dundalk Bay SAC (Site Code IE0000455), which is approx. 13.8km from the site.
- The Stabannan Braganstown SPA (Site Code 004091), which is approx. 5.3km from the site.

5.6. EIA Screening

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

5.6.2. Having regard to the nature and scale of the proposed development comprising the refurbishment and change of use of an existing building in the town centre, and the location of the site outside of any protected site, the nature of the receiving environment, 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

6.1.1. A third-party appeal has been received from Ms. Linda Winstone. The grounds of the appeal are summarised as follows:

- Converting this historic building into a competition for beneficiaries of temporary accommodation it's not the optimal solution for several reasons including economic concerns and the preservation of the building's heritage.
- The economic viability of the area heavily relies on tourism and hospitality. There is a shortage of accommodation options in the vicinity. Converting the building into hotel or bed and breakfast would not only meet the local demand but also contribute significantly to the economic growth of the area.
- As a listed building the preservation of its historical significance should be top priority. Repurposing it for commercial use would ensure its upkeep and maintenance thus safeguarding its heritage for future generations.
- The Board are urged to evaluate the decision and hold the proposed use of the building for temporary accommodation.
- The building should be restored and utilised for commercial projects such as hotel or bed and breakfast in alignment with the economic and heritage preservation goals of the community and tourism as it overlooks the significant tourist attraction.

6.2. Applicant Response

None received.

6.3. Planning Authority Response

6.3.1. A response was received from the planning authority dated 8th May 2024. The submission responds to the third-party appeal as follows:

- The planning authority notes the grounds of the third-party appeal submitted and considers that the key important planning issues pertaining

to the site in the context of the proposal subject to this assessment have been considered and are set out in the planning report dated the 4th of April 2024. Does not propose to reassess the concerns raised.

- The planning authority respectfully requests the board to take the assessments contained within the planners' report dated the 4th of April 24 expectedly which provides justification for the recommended granted permission and to uphold the decision of the planning authority.

6.4. **Observations**

None received.

7.0 **Assessment**

7.1. Having inspected the site and considered the contents of the appeal, I consider the main issues which arise in relation to this appeal are as follows:

- I. Principle of Development
- II. Impact on Protected Structure
- III. Period of proposed use
- IV. Appropriate Assessment, and
- V. Other Matters.

7.2. **Principle of Development**

- 7.2.1. Concerns have been raised in the appeal in respect to the proposed use of the building in the town given the lack of tourism and hospitality in the vicinity. The appeal states that repurposing the building for commercial use would be more appropriate for this location.
- 7.2.2. The appeal site is located within the town centre of Ardee which is a designated Seld-Sustaining Growth Town and is zoned "B1 – Regeneration", with a stated objective "*To support the development, improvement and expansion of town or village centre activities.*" While the proposed use i.e. 'accommodation for

beneficiaries of temporary accommodation” is not a use specifically listed within B1 town centre zoning objective, I note that residential, B&B/Guest House, Hotel/Hotel/Apartment are all uses which are listed as open for consideration within lands zoned B1.

- 7.2.3. As such, I consider that the proposed works to the existing vacant building in the centre of the town and conversion to residential use, albeit to provide emergency accommodation, is an acceptable use of this building as residential use is permitted in principle within this zoning objective.

Conclusion:

- 7.2.4. Therefore, having considered the available information, with particular reference to the existing building on site, in a prominent location within the town centre, I am generally satisfied that the overall principle of the proposed development is acceptable, subject to the consideration of all other relevant planning issues.

7.3. Impact on Protected Structure

- 7.3.1. The site is located within an Architectural Conservation Area and the building on the site is a Protected Structure, listed IN Volume 4 Record of Protected Structures of the Development Plan ID. Lhs017-044.
- 7.3.2. The National Inventory of Architectural Heritage lists it as of regional interest for architectural, artistic, and social reasons (NIAH 13823038), describing it as “*Corner-sited attached five-bay two-storey former house, built c. 1800, now in use as public house and restaurant. L-plan, six-bay return to Barrett's Lane with integral carriage arch to west end. Pitched slate roofs, clay ridge tiles, painted smooth rendered chimneystacks with moulded cornices to main building and corbelled caps to return, cast-iron gutters on eaves corbel course. Painted smooth rendered ruled-and-lined walling, V-jointed quoins, projecting plinth. Square-headed window openings, moulded architraves to east elevation, plain surrounds to south elevation, painted stone sills, painted timber six-over-six sliding sash windows to first floor, eight-over-eight to north of east elevation to ground floor, wrought-iron sill guards. Segmental-headed opening to carriage arch, V-jointed quoins and voussoirs, raised keystone, painted timber vertically-sheeted gates with pass door, carved stone gate stop. Pubfront returning to Barrett's Lane with painted smooth rendered pilasters on dados, painted timber window incorporating panelled stallriser and double doors, inscribed*

fascia with gilded lettering, dentilled cornice. Elliptical-headed restaurant entrance doorway, painted timber panelled door, flanking pilasters, moulded transom, radial fanlight, all flanked by paired pilasters set on dado with flat entablature over with gilded sign panel in frieze. Street fronted, higher buildings to north, lower buildings to west”.

- 7.3.3. The appraisal on the NIAH notes that the building is “*This well-detailed public house and restaurant occupies an important corner site at the heart of the town. The painted render detailing of the pubfront and restaurant entrance display artistic flair and competent craftsmanship in their execution. Elsewhere subtle differentiation of window surrounds, a good carriage arch and the survival of sash windows all add interest and authenticity to the building*”.
- 7.3.4. The appeal expresses concerns in respect to the use of the building which is considered to impact on the heritage of the building.
- 7.3.5. The Architectural Heritage Impact Assessment Report, (prepared by Orla Stevenson RIAI, Conservation Architect Grade 3), which accompanied the planning application concluded that “*the significance of this protected structure is not unnecessarily affected by any development. The works carried out to date were done in order to bring the building back into use. The works externally do not alter or detract from the original character of the protected structure, as recorded in both the Louth County Council Record of Protected Structures and the National Inventory of Architectural Heritage. The detailed elements referred to in the RPS and NIAH will have remained unaltered and therefore the character and features are not affected. The impact of this development has little to no effect on the architectural heritage of the area and will instead add value, bringing a vacant building back into use. The proposed use of the premises would be acceptable, and this location is a good opportunity for such use. The retention of this change of use is acceptable and would not have a detrimental impact on the protected structure, its external appearance or the character of the area*”.
- 7.3.6. I also reference the Guidelines for Temporary Accommodation in Existing Buildings – Single Persons & Family Type Accommodation, (updated 2023) which reference works to protected structures and states that “*the emergency planning regulations or order, as the case may be, which have yet to be issued, as set out above, will enable*

temporary use of and works to, all buildings, including statutory protected structures (historic buildings). However, any works proposed to protected structures, including works to their interiors, must be carefully considered, should be temporary in nature and reversible without affecting the historic/special character of the building. The opinion of the planning authority should be sought in respect of any works proposed to a protected structure to ensure that they would not affect the character of the structure or any element of the structure that contributes to its special interest”.

- 7.3.7. Further support is lent to the proposal by reference to Section 13.19.3 of the Development Plan wherein it states that *‘it is recognised that a change of use of a Protected Structure can, in some cases assist in supporting the long-term conservation of the Structure. Whilst a degree of flexibility in design standards may be considered, any extensions, new openings or modifications shall be carefully considered to ensure the works do not detract from the historic fabric or value of the structure’.*
- 7.3.8. I note that the subject building is a protected structure, which is vacant and has fallen into a state of disrepair. While internal access to the building could not be gained at time of site inspection, I note the Architectural Heritage Impact Assessment Report and the planners report, which include photographic evidence of the condition of the existing building, to allow for a complete assessment. As such, I consider that the temporary accommodation use proposed to the building would be acceptable and would not impact on the character or interest of the existing building and will greatly improve the visual amenity of the streetscape at this location.
- 7.3.9. In terms of visual impact, no alterations are proposed to the front elevation of the building, with the existing ‘shopfront’ retained. This is in accordance with the guidance in relation to change of use and shopfronts in the Architectural Heritage Guidelines (Section 12.1.7), which states that *“Architecturally valuable shopfronts, whether original to the building or of a later period, should not be demolished or dismantled even if a change of use is proposed which will make the shopfront redundant. This may occur, for example, when a commercial premises is to be converted to a dwelling. It could be a requirement that the shopfront be retained in place after the change of use”.*

7.3.10. I also note Condition 4 of the Planning Authority grant of permission requests that all existing PVC windows are removed and replaced with timber sash sliding windows at both ground and first floor level to the existing building. Following my site visit and noting the protected status of this building, I concur with the inclusion of this condition, and welcome the removal and replacement of the windows, which will improve the visual amenity of the building.

Conclusion:

7.3.11. Overall, I am satisfied that the proposed development does not impact on the building's status as a protected structure or its context within a conservation area and I welcome the reuse of this building for use providing temporary accommodation, within this town centre location.

7.4. Period of proposed use

7.4.1. I note Condition 2 of the Planning Authority grant of permission restricts the permission for a period of four years (i.e. 31st December 2028), to allow for the reassessment of the situation in light of circumstances at the time.

7.4.2. I again reference the Guidelines for Temporary Accommodation in Existing Buildings – Single Persons & Family Type Accommodation, (updated 2023), which states that *“While it is difficult to say how long the temporary accommodation will be required for, the Temporary Protection Directive allows for a period of one to five years, to allow for refurbished properties to be used by BoTPs for a period of two years in the first instance, and for continued use for a) displaced persons or b) housing, community or tourism use thereafter”*.

7.4.3. Given that the proposed use is stated to accommodate beneficiaries of temporary accommodation, I also consider it reasonable to attach a condition in respect of the period of the change of use. The existing building is a Protected Structure, in a vacant condition and therefore to allow for the refurbishment and change of use works required to the building I also consider it reasonable to allow the permission to be for a period of four years as per Condition No. 2 of the Planning Authority grant.

7.5. Appropriate Assessment

7.5.1. I have considered the application for the retention of external alteration works to the facades and internal works to the protected structure; and the change of use from

lounge/bar to accommodation for beneficiaries of temporary accommodation and all associated site works, in light of the requirements S177U of the Planning and Development Act 2000 as amended.

7.5.2. The subject site is located an approximate distance from the following Natura 2000 Sites:

- The Dundalk Bay SPA (Site Code IE0004026), which is approx. 13.8km from the site.
- The Dundalk Bay SAC (Site Code IE0000455), which is approx. 13.8km from the site.
- The Stabannan Braganstown SPA (Site Code 004091), which is approx. 5.3km from the site.

7.5.3. As noted in the forgoing, the proposed development comprises the retention of external alteration works to the facades and internal works to the protected structure; and the change of use from lounge/bar to accommodation for beneficiaries of temporary accommodation and all associated site works.

7.5.4. No nature conservation concerns were raised in the planning appeal.

7.5.5. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Nature of works comprising the retention of alterations and the change of use and internal alterations to an existing building on site in the town centre location.
- The location and distance from nearest European site and the lack of any hydrological connectivity between the application site and the SAC/SPA.
- Taking into account screening report/determination by Planning Authority.

7.5.6. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

7.5.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

7.6. Other Matters

7.6.1. Economic Viability

Issues raised in respect to the economic viability of the town and the proposed use are matters which fall outside of the Board's remit in deciding this application.

7.6.2. Form Layout and Amenity

While not specifically raised within the appeal, I note that the proposed temporary accommodation units achieve a good standard of living accommodation, are of acceptable floor areas, with storage and dedicated communal amenity space. A zero-car parking approach has been taken, given the town centre location, which I consider acceptable in this instance and bicycle parking has been provided.

As such, I am satisfied that the proposed residential units will provide a good standard of residential amenity for future intended occupiers.

A condition has also been included (Condition 6) in relation to the delivery of all internal facilities, ancillary areas, and fire escape to be completed prior to the occupation of any bedroom. Given the proposed use, this is considered reasonable, and I recommend the inclusion of a similar condition in this regard.

7.6.3. Conditions:

As noted in Section 3.1.1 of the foregoing, the local authority recommended a grant of permission subject to 8 no. conditions.

Notwithstanding the above assessment, which recommends the inclusion of several additional specific conditions in line with the local authority grant, the remaining conditions are standard and given the nature and scale of the proposed development. I concur with the local authority and recommend the inclusion of standard conditions in this instance.

8.0 Recommendation

- 8.1. I recommend that planning permission be granted, subject to conditions as set out below, for the following reasons and considerations.

9.0 Reasons and Considerations

- 9.1. Having regard to the zoning of the site and planning policy as provided in in the Louth County Development Plan 2021 – 2027, as amended by variation 1 and variation 2, it is considered that, subject to compliance with the conditions set out below, the retention of the external alterations and the proposed change of use to provide temporary accommodation would be an acceptable use for the existing building and the alterations to the building would not detract from the existing Protected Structure or Architectural Conservation Area setting of the site, and would not adversely impact on the amenity of neighbouring properties. The 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 retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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 interest of clarity.</p>
2.	<p>This permission is for a temporary period until the 31st December 2028 after which time the use shall cease and all internal alterations to facilitate this development shall be removed from the site, unless a separate application of permission has first been made to and granted by the Planning Authority for the continuation of the use.</p> <p>Reason: In the interest of orderly development of the area and to allow the reassessment of the situation in light of the circumstances at the time.</p>

3.	<p>The change of use hereby permitted shall only be occupied by Beneficiaries of Temporary Protection as defined under the 2001 EU Temporary Protection Directive or displaced persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022 and shall not be used for any other purpose without a prior grant of planning permission for change of use.</p> <p>Reason: In the interests of the amenities of occupiers of the units and surrounding properties.</p>
4.	<p>All facilities (bathrooms, bicycle store, bin store, storage rooms, laundry facilities, ancillary areas (dining, lounge, tv room, reception, kitchen) and fire escape walkway shall be completed and operational prior to the occupation of any of the proposed bedrooms.</p> <p>Reason: In the interest of orderly development.</p>
5.	<p>a) Within three months of the date of this permission, and prior to the commencement of any other works on site, the developer shall remove the pvc window which has been installed behind the existing bay window at ground floor level on the front elevation (serving the proposed tv room).</p> <p>b) Within three months of the date of this permission, the developer shall submit detailed design of the replacement timber sliding sash windows at first floor level on the southern elevation for the written agreement of the Planning Authority. Design details should include product specification, detailed drawings and sectional profile drawings.</p> <p>c) Within six months of the date of grant of this permission the developer shall remove the pvc windows at 1st floor level on the southern elevation and replace with the proposed replacement timber sliding sash windows upon agreement of Condition 4(b) above.</p> <p>d) No other works shall take place at the site until Condition 4(a) and 4(c) have been complied with and photographic evidence shall be submitted to confirm compliance for the written agreement of the Planning Authority</p>

	<p>All windows to the side gable elevations of the proposed dwellings shall be fitted and permanently maintained with obscure glass.</p> <p>Reason: In order to protect the character of this protected structure.</p>
6.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the work and the applicant shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: To protect the amenities of the area.</p>
7.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 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>
8.	<p>Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p>Reason: In the interest of proper site drainage.</p>
9.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>

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.

A handwritten signature in black ink, appearing to read 'Emma Nevin', written in a cursive style.

Emma Nevin
Planning Inspector

30th September 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	319605-24		
Proposed Development Summary	Retention of external alteration works to the facades and internal works to the protected structure; and the change of use from lounge/bar to accommodate for beneficiaries of temporary accommodation and all associated site works.		
Development Address	Lands at The Ferdia Arms fronting onto Castle Street and Barrett's Lane, Ardee, Co. Louth		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
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?			
Yes	X	Urban Development	EIA Mandatory EIAR required
No			
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]?			
		Threshold	Comment (if relevant)
No		N/A	No EIAR or Preliminary Examination required
Yes	X	Urban Development	

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	319605-24	
Proposed Development Summary	Retention of external alteration works to the facades and internal works to the protected structure; and the change of use from lounge/bar to accommodate for beneficiaries of temporary accommodation and all associated site works.	
Development Address	Lands at The Ferdia Arms fronting onto Castle Street and Barrett's Lane, Ardee, Co. Louth	
<p>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.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p>	<p>Proposal for retention of alterations and change of use to provide temporary residential accommodation on town/village centre zoned land located in an urban area. However, the proposal is not considered exceptional in the context of the existing urban environment.</p>	No
<p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>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.</p>	
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p>	<p>Site measuring 0.081 ha. with a proposed floor area of 868 sq. m. (floor area of existing building on site). However, this is not considered exceptional in the context of the existing urban environment.</p>	No
<p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>There are no other developments under construction in the proximity of the site.</p>	
Location of the		No

