



An
Bord
Pleanála

Inspector's Report

ABP 321157-24

Development	Demolition of single-storey extension and replacement with two-storey extension to rear. New first floor extension to side. Single storey garden room. Alterations to the external finishes and associated site works.
Location	46 and 48 Market Street, Dundalk, Co. Louth, A91 P5C6
Planning Authority	Louth Co. Council
Planning Authority Reg. Ref.	2460462
Applicant(s)	Zain Ul Abdin
Type of Application	Permission
Planning Authority Decision	Grant with conditions
Type of Appeal	Third Party
Appellant(s)	1. Kieran Quigley 2. Market Street Residents
Observer(s)	None
Date of Site Inspection	8 th January 2024
Inspector	Rosemarie McLaughlin

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Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The appeal site (0.018ha) is located at the junction of Market Street and Defenders Row in the central area of Dundalk, Co. Louth. Market Street is a narrow one-way street that links Clanbrassil Street (R132) to the west and Chaple Street to the east. Defenders Row is a small link road between Market Street and Crowe Street/ Roden Place. The section of Market Street where the appeal site is situated is predominantly small, terraced, two storey houses from c the 1930s, on small plots. The appeal site consists of a modern house (145 sqm) located over two plots, No. 46 and No. 48 and a corner section, on the southern side of Market Street. The existing house is a higher at c 7.55 m, than the adjoining terrace.
- 1.2. The front elevation of the appeal site onto Market Street is a double fronted, red bricked, two storey, house with a single storey element on the corner and side elevation onto Defenders Row. Vehicular access to the rear if the site is available from Defenders Row. To the rear of the appeal site, fronting Defenders Row, is warehouse type commercial premises that was not open on the site inspection. A driveway/lane to that premises abuts the rear boundary of the appeal site and is in use for parking.
- 1.3. Attached to the appeal site is a terraced house, No. 50, the address of one of the appellants. An existing single storey rear extension is located on the east of the appeal site and is marginally higher at c 2.55 m than the existing side boundary wall with No.50. It may be noted that the rear elevation building line of No. 50 is set slightly forward of the rear building line the two storey part of No.46/48. The rear building line of No. 50 is also stepped where the western rear window adjacent to the boundary of the appeal site is set back from the eastern rear window on that property consistent with No. 52 Market Street.

2.0 Proposed Development

- 2.1. This is an application for the following development as described in the public notices.

“1. The demolition of an existing single storey extension to the rear of the dwelling house”.

“2. A first floor extension over the single storey annex to the side of the property and a two storey extension to the rear of the property”.

These elements of the application propose to replace an existing single storey rear extension, c 4.8 m wide by 5.7 m long (c 27 sqm) located adjacent to the side boundary with No.50 Market Street with an L shape two storey extension c 77 sqm. The proposed length of the extension along the boundary is 6.87 m and extends to within 450mm of the rear boundary (south) of the appeal site. The single storey element of the existing house at the junction of Defenders Row is proposed to be extended with a first floor over.

“3. Alterations to the external finishes of the dwelling house along Market Street and Defenders Row”.

The existing brick is proposed to be replaced mainly with a plaster finish with a timber cladding at the western section fronting Market Street at ground and the proposed additional first floor.

“4. A single storey garden room to replace the existing outbuilding within the rear garden inclusive of all associated site development works”.

The drawings illustrate the existing garden room, c.5 sqm located at the southwest of the appeal site to be removed. No drawings were provided of a replacement garden room in the application. The response to the grounds of appeal includes a garden room c16.66 sqm which would result in the private amenity space being reduced to c 32 sqm. This amenity space also serves as a parking space as the vehicular access is to be retained and a new sliding vehicular gate is proposed. The response to the grounds of appeal include a drawing with a garden room of 16.66 sqm footprint at 2.775 m high. Details of a proposed soakaway have been provided with the application.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority (PA) issued a notification to grant permission (4/10/2024) subject to 8 no. conditions which are summarised below.

3.1.1. Conditions

1. Standard condition
2. The development shall be integral part of the existing house plans and shall not give rise to any subdivision of the house for use as an independent residential unit or any other use.
3. Details of the proposed timber clad finish shall be submitted for written agreement of the planning authority prior to commencement of development.
4. Standard condition regarding site works
5. Standard condition about site development works operating hours.
6. Prior to commencement of development a Construction Traffic Management Plan to be agreed in writing with the PA.
7. Standard condition regarding site works (repeat of condition No.4).
8. Standard conditions regarding protection of adjoining public roads / footpaths.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The planning report (24/09/2024) summarises the relevant planning policies. The observations are summarised. As this is an established property an extension is acceptable in principle. The proposed 2 storey flat roof extension is considered acceptable as there are no overlooking windows. The report recommends permission be granted subject to conditions.

3.2.2. Other Technical Reports

- Placemaking & Physical Development Section (18th/09/2024) has no objections subject to conditions.

3.3. **Prescribed Bodies**

None on file.

3.4. Third Party Observations

Two submissions were made to the PA, by Kieran Quigley and the Market Street Residents which may be summarised as follows.

- It is unclear if the development will be owner occupied or in commercial use which would have an impact on limited available parking and traffic.
- Scale of development, overlooking, overbearing and overshadowing of No.50 Market Street are issues. The rear garden of No.50 will lose sunlight and will be devalued.
- The proposed on-site soakaway must perform as the area is under pressure so no localised flooding will occur.
- The ground floor bedroom is in the position of the former garage and the application and public notices should be amended to reflect this enlarged residential use.

4.0 Planning History

There is no recent relevant planning history on the site.

- Ref. 55522814 Permission was granted for a dwelling house in 1978.
- Ref. 95520186 Permission was granted for a bedroom extension and alterations in 1995.

There are no relevant planning decisions in the vicinity.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Louth County Development Plan, 2021-2027 (CDP) applies. The site is zoned C1 Mixed Use with the objective "To provide for commercial, business and supporting residential uses". Chapter 13 provides Development Management Guidance. Section 13.8.35 states the extension or renovation of dwellings is generally encouraged and supported as it results in the upgrade and/or improvement to an existing building, maximises the existing building stock, and is often more

sustainable than the construction of a new dwelling unit. Any application for the extension to or renovation of a property shall consider the following criteria, which is summarised where relevant.

- Scale - The scale of the extension shall normally be ancillary to the main dwelling.
- Design - Normally reflect the character of the existing property. Contemporary designs will be considered.
- Privacy - Extensions shall not result in overlooking.
- Daylight- Extensions shall not result in a significant decrease in daylight or sunlight entering a property. There may be instances where a daylight and sunlight assessment will be required.
- Private Open Space - An adequate area of functional private open space shall be retained.
- Car Parking
- Services

5.1.2. The draft Dundalk Local Area Plan 2024-2030 (Draft LAP) is currently in progress where Material Alterations to the draft were on public display until 13th January 2025. The appeal site is not located in any of the identified character areas in the Draft LAP.

5.2. **Natural Heritage Designations**

5.2.1. The appeal site is not located in or immediately adjacent to a European Site or a Natural Heritage Area. The closest sites are the following:

- C. 6.7km southwest of Carlingford Mountain SAC (Site Code: 000453).
- C. 0.5km southwest of Dundalk Bay SAC (Site Code: 000455) and Dundalk Bay SPA (Site Code: 004026).

5.3. **EIA Screening**

5.4. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.1.1. Two appeals have been received from Kieran Quigley and the Market Street Residents, and the issues may be summarised as follows.

Kieran Quigley

- The submission to the PA was not fully assessed. The PA report contains errors. No details of the replacement garden room are provided, and the residential amenity of the neighbouring property will be negatively impacted and will be injured. There are windows on the south elevation. The decision was made with speed. Condition No.4 and No.8 are the same. The notes to applicants are without legal basis. A window is omitted on the rear elevation of No. 50.
- The PA report does not address the impact of daylight and sunlight in accordance with section 13 of the CDP where an assessment should be provided. The proposed extension is the full length of the appellant's garden (No. 50) and significantly higher than the first floor windows at No.50. When the 45 degree rule is applied, the rear windows on No.50 are affected on plan and elevation. In the absence of a provided assessment, it is clear that a significant amount of light will be blocked. The rear amenity space to No.50 will be overshadowed significantly. The development is contrary to sections 13.8.10 and 13.8.35 of the CDP.
- The appellant is not against a development, but it needs to be repositioned, and the Board is requested to refuse permission.

- The appellant is entitled to a right to light.
- A photograph of the rear of No.50 is included.

Market Residents

- Intended use of premises
- Traffic and safety
- Incompatible with original permission, as garage is in use as bedroom.
- No community consultation.
- Surface water attenuation report should be complied with. A photograph of surface water on Defenders Row is included. There is ongoing issue with flooding.

6.2. Applicant Response

The response to the appeal of Mr Quigley was received on 27/22/2024 can be summarised as follows.

- The applicant is businessperson with nearby restaurants. He wishes to have this house as his family home and his children are in school locally. The extension will accommodate the family and his mother in law and see the reuse of a house long vacant in the town centre. The improvement of the property corresponds with the national planning framework and other policies encouraging people to live in urban areas. The appeal sets out in detail the policies of the national planning framework, the regional spatial strategy and the county development plan policies in encouraging residential use in urban areas.
- All of the houses in the terrace have single and two storey extensions. No. 52 adjacent to the appellants house (west) has a single story extension and a photograph of same is attached. An outbuilding is located in the rear yard of No. 50. The appellant's rear yard and rear south facing windows receive a substantial amount of direct sunlight throughout the day. The right to light is not protected under planning legislation. It is accepted the proposed development will have an effect on the status quo between the appeal site

and the appellant's property, but it is strongly rebutted that it will be substantial or detrimental. It is not the purpose of the planning system to maintain the status quo. There is no supporting evidence submitted in relation to loss of light.

- The appellant has failed to establish to what extent the property will be overshadowed. The compact growth guidelines are the correct operative guidance pertinent to the assessment. There is no obligation under the county development plan to require shadow diagrams as set out in section 13.8.35. The appellant fails to use the correct technical guidance or to demonstrate the existing shadowing that occurs from the existing boundaries. The ground floor bathroom window and back door do not constitute habitable rooms. The development management sections of the county development plan are repeated, and it is considered the proposal is in full compliance.
- The appellant fails to state by how much or what percentage the proposed development would devalue his property, and such a matter is not material planning issue.
- The level of impact on adjoining property is minimal in an urban setting. An existing extension is located to the rear. The compact growth guidelines provide that planning authorities do not have to undertake a technical assessment in relation to daylight performance in all cases. The county development plan allows the relaxation off standards on a case by case basis such as retrofitting older buildings. The appellants have ignored the thoroughness of the planning assessment by the planning authority.
- It is requested the development is permitted.

6.3. Planning Authority Response

None on file.

6.4. Observations

None on file.

7.0 Assessment

7.1. I have read the documentation attached to this file, in addition to having visited the site. I am assessing the application de novo based on the plans and particulars received with the application, appeals and response thereto. I consider a residential extension as acceptable in principle in the applicable zoning objective, subject to the relevant policy considerations, assessment of impact on neighbouring properties and appropriate design. The assessment may be addressed under the following headings.

- Impact on residential amenity on adjacent property
- Use of property
- Traffic and parking
- Drainage
- Garden Room and open space
- Other

7.2. Impact on residential amenity on adjacent property

7.2.1. I consider the provision of a two storey extension along the boundary with the adjacent property as the main issue in the appeal. Market Street is predominantly tightly packed terraced houses, of the typical two-up and two-down layout, many of which have extended into the rear yards/open space. Only one of the 21 terraced houses on the south side of Market Street, where the appeal site is situated, has a two storey extension and that is the end of terrace house towards the eastern end of the street that has a vacant site adjacent. The occupation of the small houses on Market Street contributes to the vibrancy of the centre of the town and provides residents a central location close to all services. No.46/48 is a newer 5 bedroom house located on two plots and further extended to the west, with a floor area of c 144 sqm. No. 50 Market Street, adjacent to the east of the appeal site, is part of a terrace with two first floor windows on the rear elevation.

7.2.2. The point that is focussed on in the response to the appeal is that the proposed development is consistent with the national, regional and local policies of encouraging residential uses in central areas and will bring a vacant house back into use. This point is accepted but compact growth also requires the protection of existing residential amenities in central areas to encourage the retention of existing

residential uses. The width of No.50 is just c 3.5m wide. The western window on the rear elevation of No. 50 is a short distance from the proposed two storey extension, c 250mm. That western window is also set back from the rest of the rear elevation at No.50. The proposed extension on the appeal site along the boundary is c 5.6m high adjacent to No.50 with a blank wall running 6.87m long, the main length of the site (450mm separation to the rear boundary). No.50 is lower than the house on the appeal site and the existing single storey extension is marginally higher than the boundary wall at 2.55m. The proposed development provides a high blank wall at a 90 degree angle directly adjacent to a habitable first floor window in a small, terraced house.

7.2.3. The response to the appeal contends that the onus is on the appellant to demonstrate damage to his property, the PA had discretion in not seeking a daylight/sunlight assessment and the appeal relies on out of date guidance resulting in the Board having to guess the damage. The response also concedes that an impact will occur compared to the status quo, but it is up to the appellant to quantify this. In this regard, the appellant is not an architect and has reasonably relied on the statements in the CDP to assist his objection. In terms of impact on No.50, I consider the two storey extension would have a significant adverse impact on the upper floor rear windows in terms of overbearance and loss of daylight. The western rear window of No.50 would be adjacent to a long high solid wall located on the western side to facilitate an extension where over half of the floor area consists of a large ensuite bathroom and dressing room. This western window is set back slightly from the rest of the rear elevation on No.50 and the development would also result in a tunnelling effect on this window. The eastern rear window would also be impacted in terms of overbearance as the width of the each of the pair of adjacent terraced houses are only c 3.5m wide.

7.2.4. The rear open space of No.50 is small and south facing with a small outbuilding at the southern boundary. While it is impacted by the existing boundary walls/single storey extensions on the west and east and small outbuilding at the rear, the proposed two storey extension would transform and dominate this small open space and would in my opinion significantly damage the amenity. I consider that the additional floor along the boundary would result in the amenity space of No.50 being dominated in an overbearing manner and would suffer from additional

overshadowing in the afternoon/evening. The residential amenities of the existing terraced housing in terms of open space, daylight and sunlight are not the same as current standards and I consider that it is critical to maintain the limited amenities, to encourage and retain residential occupancy in central locations. The applicant is correct in the response to the appeal that all levels of planning policy promote compact growth, but one compact growth development cannot be at the expense of another. The appeal site consists of a house approximately three times the size of the appellant's house and the proposed first floor rear extension is made up mainly of one large ensuite, one large dressing room and part of a bedroom where I consider the advantage to the appeal site is disproportionate to the impact on the neighbouring property. Accordingly, I consider the first floor element of the proposed extension to the rear of the property on the eastern side should be refused.

- 7.2.5. A first floor extension is also proposed on the western side of the appeal site at the junction of Defenders Row over the existing single storey. As this extension is located within the footprint of this section of the building, I do not consider that there is any negative impact on residential or other amenities in the vicinity and is acceptable.
- 7.2.6. In terms of overlooking, I consider the proposed landing window on the south elevation of the first floor extension, as set back and overlooking a commercial premises to the south rather than the appellant's property.
- 7.2.7. In conclusion, I consider the removal of the existing single storey rear extension may be replaced on an enlarged, L shaped footprint as proposed but as a single storey only. A condition to this effect would require the applicant to submit drawings to the PA to be agreed and would require the stairs to the upper floor to be revised. I consider the first floor extension to the side as acceptable. The removal of the first floor rear extension will result in the removal of one bedroom, ensuite bathroom and dressing room as well as a small landing and a section of a bathroom. I note the proposed large ground floor bedroom at c 19 sqm has a corresponding sized space allocated to an ensuite and dressing room and a reconfiguration of the spaces could be achieved to achieve a 5 bedroom house if required.

7.3. Use of property

- 7.3.1. The application is for a single residence and commercial uses or subdivision would require permission.

7.4. Traffic and parking

- 7.4.1. This is an extension to an existing property in the heart of the town centre. Metered on-street parking is available outside. The applicant has a vehicular access which he intends to maintain providing off street parking. In this regard, I consider the proposal as acceptable.

7.5. Drainage

- 7.5.1. This application is for an extension to an existing house largely on the same footprint and only a marginal increase in the roof area. In this regard, the applicant has submitted a drainage proposal that is considered appropriate in a town centre location. The Market Street residents have submitted a photograph of surface water on Defenders Row. I do not consider that this is a result of the applicants property, but a wider problem and I am satisfied with the proposed drainage arrangements.

7.6. Garden room and open space

- 7.6.1. The appeal raises the issue that drawings were not submitted of a garden room. The application notice specifically included *"4. A single storey garden room to replace the existing outbuilding within the rear garden..."*. No drawings were provided with the application in terms of floor plans/elevations, and I consider that the annotation on the application drawing *"existing garden store to be removed"* and lack of any elevations/floor plans inferred a replacement of the existing c 5 sqm structure in line with the public notice. The response to the appeal provides a drawing with a 16.6 sqm garden room footprint and maintains this is exempted development and does not require permission, and that adequate open space is available. The response to the appeal was not circulated by the Board, but I consider that the garden room was raised in the appeal and is not a new issue and may be assessed as follows.
- 7.6.2. The public notices included a garden room but did not submit any drawings at that time for public perusal or assessment by the PA. The open space/car parking area

associated with the existing house minus the proposed larger garden room would result in an open area of c 32 sqm according to the applicant in the response to the appeal. The applicant has not addressed that they propose to retain the vehicular access and therefore the open space adjacent to the vehicular access may be used for a parking space where one space (c 12 sqm plus incidental space around the parking space) where the remaining amenity space would be below the exempted development conditions. As the c 16 sqm structure now proposed in the response to the appeal was not included in the planning application drawings, I do not consider that it can be considered by the Board as it is not a minor alteration to the proposed development. Furthermore, as the applicant included the garden room in the site notices, they intended it to be part of the application and the drawings should have been available to the public for inspection in accordance with the Regulations.

- 7.6.3. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 (SRDCSG) Section 5.3.2, provides that well-designed private open space forms an integral part of houses. SPPR 2 - *Minimum Private Open Space Standards for Houses* proposals for new houses should meet the minimum private open space standards of 40 sqm for a 3 bed house and 50sqm for a four bedroom plus house. This is not a new house and is in a compact urban central area where discretion is allowable. As the amenity open space will also be used for parking, I would consider a proposed garden room at c. 16 sqm as unacceptable and significantly limiting the available amenity open space value of the enlarged house. I propose to include a condition allowing the retention or replacement of the existing shed on the same footprint and height which allows for cycle or similar storage and will retain some small but quality open space in addition to the parking in the confined site. This condition would also clarify that the development included in the response to the appeal is not permitted. Should the Board consider disagree, the Board may wish to circulate this garden room proposal to the PA and notice parties.
- 7.6.4. Given the confined site and limited open space for a substantial sized house, I consider that any further development should be the subject of a planning application.

7.7. Other

- 7.7.1. Several other points were raised in the appeals and are addressed below.
- 7.7.2. The notification of the decision was made by the PA, within the legislative timeframe, and I do not consider this is an issue. I also consider that the bedroom at the ground floor as shown on the drawings is not an issue that requires the application to be readvertised/altered and note the planning history on the site where a historical permission permitted a bedroom extension.
- 7.7.3. The omission of a ground floor window on the appellant's property is noted and does not change my assessment above.
- 7.7.4. There is no obligation for consultation with the community for any development.
- 7.7.5. No evidence of devaluation of property by the proposed development has been submitted by the adjacent appellant. I consider that the adjacent property would be of a lesser value with a two storey extension located on the boundary owing to the impact on the property.
- 7.7.6. In relation to conditions, the proposed materials were not raised in the appeals. The PA required a condition requiring agreement in writing about the timber clad section at the western extension. The breaking up of the plaster finish is attractive but I agree with this condition as certain timber treatments are less than satisfactory as they age, and this matter should be considered by the applicant and agreed with the PA.

8.0 AA Screening

- 8.1.1. I have considered the proposed residential extension in light of the requirements S177U of the Planning and Development Act 2000 as amended. The nearest designated site is c. 0.5km to the southwest, Dundalk Bay SAC (Site Code: 000455) and Dundalk Bay SPA (Site Code: 004026) and 6.7km southwest at Carlingford Mountain SAC (Site Code: 000453).
- 8.1.2. The proposed development comprises an extension and alterations to an existing house in an urban area.
- 8.1.3. No nature conservation concerns were raised in the planning appeal.

8.1.4. 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:

- Small scale and nature of the development.
- Distance from the nearest European site and lack of connections.

8.1.5. 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.

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

9.0 Recommendation

9.1. I recommend permission be GRANTED for the following reasons and considerations and subject to the following conditions.

10.0 Reasons and Considerations

10.1. Having regard to the provisions of the Louth County Development Plan 2021–2027, the zoning of the site, and to the pattern of development in the vicinity, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the character of the area or the residential or visual amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions.
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	<p>Reason: To clarify the plans and particulars for which permission is granted.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The first floor of the proposed rear extension at No.46/48 Market Street, shall be omitted and the rear extension shall be limited to a single storey on the proposed ground floor footprint to the rear of the house. The overall height of the single storey extension shall not exceed 2.6 meters.</p> <p>(b) The existing garden store may be retained or replaced on the same footprint and at the same height. The garden room proposed in the response to the grounds of appeal is not permitted.</p> <p>Revised drawings to a suitable scale showing compliance with these requirements and alterations to facilitate these amendments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of residential amenity of adjacent property, in the interest of the residential amenity of the future occupants and to clarify the plans and particulars for which permission is granted.</p>
3.	<p>Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no further development shall be erected on the site, without a prior grant of planning permission.</p> <p>Reason: In the interest of provision of adequate open space and residential amenity on a compact site.</p>
4.	<p>The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: In the interest of public health.</p>

5.	<p>(a) All foul sewage and soiled water shall be discharged to the public foul sewer.</p> <p>(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
7.	<p>Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</p>
8.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and 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.

Rosemarie McLaughlin

Planning Inspector

28th January 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP 321157-24		
Proposed Development Summary	Removal of extension and new domestic extensions		
Development Address	46 and 48 Market Street, Dundalk, 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)?			
Yes			Proceed to Q3.
No	X		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No			Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes		State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
No	X	Screening determination remains as above (Q1 to Q4)	
Yes		Screening Determination required	

Inspector: _____

Date: _____