



An
Bord
Pleanála

Inspector's Report

ABP-321228-24

Development	Construction of 2 buildings consisting of a retail unit and residential accommodation and all associated site works.
Location	Ash Walk, Townparks, Ardee, Co. Louth, A92 KV00.
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2460492
Applicant(s)	Boyne Ventures Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party
Appellant(s)	Ash Mews and Distillery Lane.
Observer(s)	None
Date of Site Inspection	11/2/25
Inspector	Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site is located within the town centre of Ardee in Co. Louth. More specifically, the appeal site is on the eastern side of Ash Walk. Ash Walk is a one-way street which connects Market Street to Barretts Lane. The area around Ash Walk has been the subject of redevelopment over the past number of years including mixed use development and supermarket developments. The appeal site represents the final vacant site along Ash Walk.
- 1.2. The appeal site is primarily bounded to the north a three-storey mixed use development (development known as Ash Mews) and a 1.5 storey residential development (development known as Distillery Lane, a two storey mixed use building to the south (Bohemian Centre), rear storage yards of commercial buildings fronting onto Castle Street to the east (including a Protected Structure RPS No. Lhs017-021) and Ash Walk to the west.
- 1.3. The appeal site has a stated area of 0.104ha and is vacant, the boundaries of which are generally delineated by high boundary walls along the northern and eastern boundaries. The southern boundary comprises of the rear and side walls of existing buildings. The site is accessed from Ash Walk to the west of the site.
- 1.4. It is noted that the northern boundary wall extends out to Ash Walk and there is an ESB substation located on the northern side of the wall on adjoining lands.

2.0 Proposed Development

- 2.1. The application seeks planning permission for the construction of a mixed-use development comprising of 1no. ground floor retail unit & 9no. apartments (2no. two bed & 7no. one bed) and all associated site development works set out in two blocks, Block A and Block B.
- 2.2. Block A would be located to the front (west) of the site and comprises of a 3-storey building containing the retail unit and a one-bedroom apartment at ground floor level and 2no. one-bedroom apartments on the first and second floors. Block A would have a maximum height of 12.5m. Finishes for Block A would include smooth plaster render on the northern side of the building with a grey brickwork finish to the southern side of the building. The balconies would be enclosed by glass balustrades. At ground floor level the shop front would be of a timber finish.

- 2.3. Block B would be located to the rear of (east) of the property and comprises of a 2-storey building with 4 no. residential units 1 no. one bedroom apartment and 1 no. two-bedroom apartment on each floor. Block B would have a maximum height of 9.072m. Finishes for Block B would include selected red brick to the northern side of the building and a grey brick finish to the southern side of the building.
- 2.4. An area of communal and public open space is shown within the area between Blocks A and B. This space would have an area of 300m² and comprises of a mixture of paths, seating, and landscaped, green areas.

Table 2.1: Site Statistics and Development Details:		
Site Area	0.104ha (as stated)	
No. Of Residential Units	9	
Gross Floor Area	729m ²	
Demolition	Nil	
Housing Mix	Refer to table 2.2 below.	
Density	C. 86.53 units /ha	
Plot Ratio	1.4	
Height	Block A: 12.5m Block B: 9.075m	
Dual Aspect	4 units (44.4% of apartments)	
Parking	Car Parking	Nil
	Cycle Parking	16 spaces
Open Space	Communal / Public	300m ² (30%)
Access	Access from Ash Walk	

Table 2.2 Housing Mix		
Unit Type	No. of units	%
Houses		
1 Bed Apartment	7	77
2 Bed Apartment	2	23

3.0 Planning Authority Decision

3.1. Decision

Louth County Council decided to grant planning permission by order dated 18/10/24, subject to 22 conditions. The conditions are standard except for condition 19 which requires that footpath on the opposite side of Ash Walk be dishd, and lighting be completed prior to the sale / lease or occupation of any unit.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There is one planning report on file dated 16th October 2024. The area planner's report assessed the application in terms of Appropriate Assessment, principle of development, density, housing mix, layout, design and height, residential amenities of adjoining properties, daylight / sunlight, archaeological potential, Architectural Conservation Area, infrastructure, environmental considerations and other.

3.2.2. Other Technical Reports

- **Placemaking & Physical Development Section** – Report dated 30/9/24 seeks further information in relation to the need to provide a site plan showing parking provision in accordance with Table 13.11 of the *Louth County Development Plan 2021-2027* , the need to provide car parking for electric vehicles at the rate of 20% of the total spaces provided, a drawing showing the proposed footpath and cycle paths and their connectivity with the neighbouring shopping areas, living areas and public roads. The applicant was also requested to provide a drawing showing an autotrack assessment relating to

how the refuse vehicle will access / egress the development and pedestrian/bicycle access and egress.

- **Environment Section** – Report dated stating no objection subject to conditions.

3.3. **Prescribed Bodies**

- Dept of Housing Local Government & Heritage – report received 25/09/2024 – No objection, subject to conditions.
- Uisce Eireann – No response

3.4. **Third Party Observations**

- No third-party observations received.

4.0 **Planning History**

4.1 Subject land

There have been a number of applications on the subject land, the most recent are as follows:

Ref. Ref. 2360270: Application for a mixed-use retail (one unit) and residential (9 No. Apartments) development set out in two blocks, a landscaped courtyard between Blocks A & B, off-street carparking along Ash Walk with associated E-charging point, ancillary bin and bike storage areas, connections to the existing adjoining public water and drainage systems and all associated site development works. Further information was requested relating to protecting existing amenities, the need for a daylight / sunlight assessment, revised details relating to storage and bicycle parking for the retail unit, revised floor plans to demonstrate compliance with the apartment guidelines, revised designs to have consideration of the location of the site within the Ardee ACA, archaeological assessment, revised landscaping plan, lighting report, revised layout to show the road width of Ash Walk, review parking to the front of the development, pedestrian / cyclist access to the development, auto track assessment to show how a refuse vehicle could service the development and a pre-connection

agreement with Uisce Eireann. There was no response to this request, and the application was deemed withdrawn.

Reg. Ref. 191091: Application for the demolition of existing derelict residence and the construction of 18 no. apartments in 2 blocks of 9 each with car parking to front and open space garden to rear including bicycle and bin storage. The application was deemed invalid.

Site to the north- (1-5 Distillery Lane)

Reg. Ref. 041058. Application for restructuring and extension of existing outbuildings and 1 no. new building to provide for 5 residential units. Works comprise partial demolition, restructuring and extension of existing outbuildings and 1 no. new build unit to provide 5 no. 2 storey mews dwelling - together with ancillary roads, drainage, infrastructure, parking area, fencing, walls, general site works, temporary signage, and landscaping. Permission granted, subject to conditions.

Site to the north (Ash Mews)

Reg. Ref. 04895. Application for a 3-storey pitched roof development of 3 no. retail units at ground floor with 12 no. apartments located over first and second floor levels and associated roof gardens at roof level. Permission granted, subject to conditions.

5.0 Policy Context

5.1. Development Plan

5.1.1 The *Louth County Development Plan 2021-2027* is the operational plan for the area. The appeal site is zoned B1 Town or Village Centre with the associated land use objective to support the development, improvement and expansion of town or village centre activities. The guidance set out in Section 13.21.8 of the plan notes that 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. Residential and shop uses are permitted uses in the B1 zone. The site is also within a Zone of Archaeological Potential.

5.1.2 Ardee is identified as a Self-Sustaining Growth Town in the settlement hierarchy. Self-sustaining Growth Towns are regionally important local drivers serving their resident population and surrounding catchments and with a reasonable level of jobs. Table 2.15 indicates that Ardee had a population of 4,928 in 2016. It is envisioned that the population would increase to 6,583 by 2027. It is envisioned that Ardee would accommodate 440 no. new residential units by 2027. 8.5 ha of brownfield lands with Ardee are zoned for residential use, with a potential yield of 298 no. units to be delivered on infill / brownfield sites.

5.1.3 The following Policies and Objectives are considered relevant.

Housing

There are a range of policies in the development plan which are relevant to the proposed development and are summarised below:

Policy Objective **HOU 8**: Which seeks to promote the sustainable development of vacant residential and regeneration sites.

Policy Objective **HOU10**: Which seeks to support the creation of sustainable communities by facilitating the creation of attractive neighbourhoods.

Policy Objective **HOU11**: Which seeks to encourage and support a range of appropriate uses in towns and villages that will assist in the regeneration of vacant and underutilised buildings.

Policy Objective **HOU 15**: which seeks to promote development that facilitates a higher, sustainable density that supports compact growth and the consolidation of urban areas.

Policy Objective **HOU 17**: which seeks to promote and facilitate the sustainable development of a high-quality built environment.

Policy Objective **HOU 18**: Which seeks to develop sustainable and successful neighbourhoods through the consolidation and redevelopment of built-up areas.

Policy Objective **HOU 20**: Which seeks to require a design led approach to be taken to sustainable residential development in accordance with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024).

Policy Objective **HOU 21**: which seeks to ensure that new residential developments are consistent, in so far as practicable, with the 'Guidelines on Sustainable Residential Development in Urban Areas'.

Policy Objective **HOU 24**: Which requires the provision of high-quality areas of public open space in new residential developments.

Policy Objective **HOU 25**: which seeks that all new residential and single house developments shall be designed and constructed in accordance with the Development Management Guidelines set out in Chapter 13 the Development Plan.

Policy Objective **HOU 26**: which requires the provision of an appropriate mix of house types and sizes in residential developments throughout the County.

Policy Objective **HOU 28**: which seeks to encourage innovation in design that delivers buildings of a high quality that positively contribute to the built environment and local streetscape.

Policy Objective: **HOU 30**: which seeks 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.

Policy Objective **HOU 32**: which seeks 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.

Built Heritage:

Policy Objective **BHC 6**: which seeks to protect all sites and features of archaeological interest.

Policy Objective **BHC 31**: Which seeks 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.

Development Management

Chapter 13 contains development standards, and the following are pertinent to the proposed development:

Section 13.8.4 relates to density and states that when identifying the potential density of a site, consideration must be given to the surrounding context. Recommended minimum densities in Ardee is 35 units per ha.

Section 13.8.7 sets out layout requirements and states that the layout of residential developments shall consist of permeable, well-connected streets and neighbourhoods, where feasible, new developments are encouraged to include pedestrian and cycle links to adjacent residential areas/commercial developments.

Section 13.8.9 relates to Residential Amenity, Section 13.8.9.1 'Privacy' states that residential developments shall be designed to take account of the amenities of existing residents in the locality of a development area, in addition to the amenities of future residents of the subject development.

Section 13.8.10 relates to daylight and sunlight and states that care shall be taken in the design of residential developments to ensure adequate levels of natural light can be achieved in new dwellings and unacceptable impacts on light to nearby properties are avoided.

Section 13.8.17 relates to private open space requirements and states that public open space within a development shall normally equate to 15% of the total site area, a reduced rate of open space may be acceptable. Such a reduction will be assessed on a case-by-case basis.

Section 13.8.18 sets out car and cycle parking standards. Table 13.11 (Car Parking Standards) set outs that the car parking required – 2 no. spaces per apartment and duplex unit and 1 no space per 20sqm of retail (food) space in Area 3 A reduction in the car parking requirement may be acceptable subject to certain criteria.

Section 13.8.28 sets out design standards for new apartments and states that all applications for apartments are required to demonstrate compliance with the guidelines and the Specific Planning Policy Requirements set out in the Design Standards for New Apartments (2023).

Section 13.8.32 sets out standards relating to infill and backland development in urban areas and states that the development of infill and backland sites support the principles of compact growth and the consolidation of development in existing built-up areas. When developing such lands it is important to maintain a balance between preserving existing amenities and neighbourhood character and implementing a policy of compact development.

The Ardee ACA Character Appraisal is provided in Appendix 1.

5.2 Regional Spatial and Economic Strategy for the Eastern and Midland Region, 2019 – 2031

5.2.1 Ardee is identified as a Self-Sustaining Growth Town. Section 4.7 - Self Sustaining Growth Towns and Self-Sustaining Towns notes that these towns support the regional driver of Key Towns and act as important local drivers, providing a range of functions for their residential population and surrounding catchment, including housing, local employment, services, retail, and leisure opportunities.

5.3 National Planning Framework (2018)

5.3.1 Relevant Policy Objectives include:

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being. •
- National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing

buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.4 Section 28 Ministerial Guidelines

5.4.1 The directly relevant Section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024. These guidelines seek to support sustainable residential development and the creation of compact settlements for urban and rural areas.
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2023 which seek to achieve high quality apartment development and to increase the overall level of apartment output.
- Architectural Heritage Guidelines for Planning Authorities, 2011 which provide a guide on the protection of architectural heritage.

5.5 Other Relevant Guidance

- Design Manual for Urban Roads and Streets, 2019. The manual sets out design guidance for constructing new and reconfigured roads and streets.

5.6 Natural Heritage Designations

There are no designated sites in the immediate vicinity of the appeal site.

5.7 EIA Screening

See completed Form 2 attached by way of appendix to this report. Having regard to the nature, size, and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6 The Appeal

6.1 Grounds of Appeal

6.1.1 A third-party submission was received from BPS Planning Consultants on behalf of Ash Mews and Distillery Lane. I note that the grounds of appeal reference the appellants objection to the initial application. I have read the objection to the initial application, and I am satisfied that the grounds of appeal raise the similar issues as the objection. The grounds of appeal are summarised below:

- The decision does not have regard to issues raised within third-party submissions to the initial application.
- The decision to grant planning permission is inconsistent with the decision made on a previous application (reg. Ref. 23/60270) to request Further information.
- The decision of the planning authority did not have due cognisance of the internal departments of the Council.
- The decision was made in the absence of an up-to-date connection agreement between the applicant and Uisce Eireann.
- The application material did not include an Appropriate Assessment Screening report, and it is unclear on what basis the planning authority concluded that the scheme would not individually or in combination with other projects permitted in Ardee would cause any adverse impact on a Natura 2000 site.
- The density of the scheme at 86.53 uph is excessive and would constitute overdevelopment of the site. The proposal does not represent a fair balance between established residential amenity and the amenities of the proposed development.
- Concerns relating to overlooking, overshadowing, and overbearing development.
- The layout, design, height, and development mix should be amended including the mix, height, siting of the retail unit, the communal open space, materials, and external storage.

- The decision of the planning authority does not take cognisance of the Placemaking and Physical Development Section of Louth County Council and that application does not include a traffic and transport report.
- The design of the proposed development would detract from the Ardee ACA and would set a precedent for overdevelopment of town centre sites. The proposal would also impact on the setting of protected structures.
- Incomplete construction phase proposals and there is no information relating to noise impacts, vibration, dust which are important to surrounding properties.
- Contrary to the Louth County Development Plan 2021-2027, specifically objectives HOU8, HOU10, HOU11 HOU15 and HOU17.

All of issues will be considered in detail in the assessment below.

6.1 Applicant Response

- No response on file.

6.2 Planning Authority Response

Louth County Council submitted a response by way of a letter dated 6/12/24 setting out the following:

- The provision of residential units and a retail unit in the Town Centre would be consistent with the land use zoning and the growth strategy for Ardee set out in the County Development Plan.
- 86 units per hectare on an underutilised infill and backland site which is centrally located within the town centre is acceptable having regard to national, regional, and local policy.
- Consolidation of development in existing built-up areas which provides for higher density supports the principles of compact growth.
- There are no habitable windows on the northern elevations of Block A and B. Balconies will face in easterly and western directions with opaque glazing on the northern side of the balconies. Given the separation distances there would be no demonstrable harm to existing residents.

- Proposal was subject to a Daylight /Sunlight analysis in accordance with section 13.8.10 of the *Louth County Development Plan 2021-2027*
- Reduced car parking may be appropriate in certain cases as set out in section 13.8.18 of the *Louth County Development Plan 2021-2027*.
- A new footpath has been constructed on the opposite side of the road. This footpath should be dished in order to accommodate pedestrians using the proposed development.
- The Planning Authority requests the Board to uphold the decision to grant planning permission.

6.3 Observations

No observations on file.

6.4 Further Responses

No further responses on file.

7 Assessment

7.1 Having examined the appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, the report of the local authority and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Density
- Residential amenity impacts
- Quality of the proposed units
- Car parking and transportation
- Design and Architectural Conservation Area
- Procedural matters

- Appropriate Assessment

7.2 Principle of Development

7.2.1 The appeal site is zoned B1 Town or Village Centre with the associated land use objective to support the development, improvement and expansion of town or village centre activities. The guidance set out in Section 13.21.8 of the plan notes that 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. Residential and shop are permitted in principle. I am satisfied that the proposed uses are in accordance with the sites zoning objective and that the proposed development is acceptable in principle.

7.3 Density

7.3.1 Concerns are raised by the third party that this density is excessive having regard to the character of surrounding area and that the amenity of the residential development to the north would be negatively impacted to facilitate a higher density development on the appeal site. The third-party states that Ardee is a low density and that a density of 50uph would be acceptable.

7.3.2 The third-party appeal raises concerns that the proposed development would be contrary to the *Louth County Development Plan 2021-2027*. The appellant is concerned that the proposal would fail to comply with policies HOU8, HOU10, HOU11, HOU15, and HOU17.

7.3.3 Together these policy objectives seek to which seeks to promote higher density, compact growth, and sustainable development. The proposed development comprises of a mixed-use retail and residential development on a vacant infill site within the town centre of Ardee. I am satisfied that the proposed development would comply with the objectives outlined by the third party, which broadly seek to promote infill development at sustainable densities while protecting the amenities of surrounding properties.

7.3.4 I further note that the appellant has outlined concerns that the proposed development would materially contravene the stated policies and objectives of the development plan with respect to density. In this regard, I note that Table 3.2 provides minimum densities

per hectare. Given that Table 3.2 provides minimum densities, I am of the opinion that higher densities could be acceptable, subject to normal planning considerations and therefore the proposal would not constitute a material contravention of the *Louth County Development Plan 2021-2027* in this instance.

- 7.3.5 The proposed scheme comprises the development of 9 no. residential units on a c. 0.104 ha site. This equates to a density of 86.53 units per ha. I note the concerns of the third party in this respect, however, having regard to location of the appeal site within the town centre of Ardee which is identified as a Self-Sustaining Growth Town and the policies set out in Section 3.11 of the *Louth County Development Plan 2021-2027* and Table 3.5 of the Sustainable Residential Development and Compact Settlement Guidelines 2024 sets out density range of 40-100 dwellings per ha (net) for the centre and urban neighbourhood of Large Towns, I am satisfied that the proposed density is appropriate at this town centre site and would comply with National and Local policy in respect of sustainably increasing the density of serviced lands within town centres.

7.4 Residential Amenity of surrounding properties

- 7.4.1 Concerns are raised that the proposed development would have an adverse impact on the residential amenity of the existing developments to the north of the site by way of overlooking, overshadowing and overbearing development.

Overlooking

Block A

- 7.4.2 I note that balconies are provided on the eastern (rear) elevation of the proposed development. These balconies would be set back c. 11.2m from the rear elevation of No.5 Distillery Lane, c.17.7m from the side elevation of No's 1-4 Distillery Lane and c. 20m from Block B. The balconies include a 1.8m high screening on their northern side to mitigate any overlooking.
- 7.4.3 Given the separation distances and the screening of the northern side of the balconies and the fact that there are no directly opposing windows serving habitable rooms, I am satisfied that no undue overlooking would occur from Block A. Having been on site, I note that the Distillery Lane development is already substantially overlooked from

balconies on the eastern (rear) elevations of the mixed-use development known as Ash Mews.

- 7.4.4 As regards overshadowing and overbearing impact, I am satisfied the Block A would not have an undue impact on surrounding properties to the north. In coming to this conclusion, I have had regard to the overshadowing study presented as part of Daylight Analysis and Overshadowing study note that there is a shadow cast on the southern gable of the Ash Mews development to the north early in the morning in March and late morning / early afternoon in September. In addition to this I have considered the floor plans submitted with the application for the Ash Mews building (Reg Ref. 04895) and I note that the glass block windows on the southern elevation are associated with Apartment 6 at first floor level and Apartment 12 at second floor level. Both of these apartments are dual aspect with balconies in the eastern and western elevations. While I note from the overshadowing analysis that there may be some reduction in the amount of light penetration this would not be undue having regard to the dual aspect nature of the design of these apartments.

Block B

- 7.4.5 Block B would be separated from the existing development to the north (1-5 Distillery Lane) by c.3.8m. Having considered the plans submitted with the application, I have concerns in relation to the impact of the Block B on the residential amenities of No's 1-5 Distillery Lane by way of overlooking, overshadowing and overbearing development.
- 7.4.6 As regards overshadowing and overbearing impacts, I note the applicants 'Daylight Analysis and Overshadowing Study' presents a Vertical Sky Component Study which demonstrates that all the tested windows in the Distillery Lane development would be within BRE 209 Guide 2022 recommendations. However, this study related to first floor windows only. The study does not provide any detail in relation to the ground floor windows which serve the kitchen/living/dining rooms and are south facing. I have concerns that due to the limited set back and height of Block B there would be undue impacts on daylight entering the ground floor windows of 1-4 Distillery Lane and as a result the proposal would constitute overbearing development.

7.4.7 I also have concerns that the balconies on the western façade of Block B at first floor level have the potential to cause undue overlooking of the back garden of No.5 Distillery Lane.

7.4.8 Having considered the foregoing, I consider that a two-storey block at this location would not be acceptable and would have a detrimental impact on the residential amenities of No's 1-5 Distillery Lane by way of overlooking, overshadowing and overbearing development. Therefore, I am of the opinion that the first floor of Block B should be omitted by way of condition. The remaining single storey Block B should have a flat roof to ensure that there would be no impacts on the residential amenities of No's 1-5 Distillery Lane.

7.4.9 I make the Board aware that, in my opinion, the omission of the first floor of Block B would not materially alter the scheme. However, the Board may consider the alterations to be material and in the event the Board considers granting planning permission in this case, then it may be appropriate to readvertise the development to the public.

7.5 Quality of the proposed units

Housing mix

7.5.1 The overall unit mix comprises of 7 no. 1 bed apartments and 2 no. 2 bed apartments. Specific Planning Policy Requirement 2 of the Apartment Guidelines notes that for all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha: where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio type units. The proposal would not include any studio apartments, and I am satisfied that the unit mix would comply with Specific Planning Policy Requirement 2 of the Apartment Guidelines.

Housing Quality

7.5.2 The plans shows that all units reach and exceed the minimum requirements set out in the Apartment Guidelines. In addition to this, a total of 4 apartments would be dual aspect (44.4%). This exceeds the requirements of Specific Planning Policy Requirement 4 of the Apartment Guidelines. I am satisfied that the proposal would provide a reasonable level of residential amenity for future occupants.

Daylight / sunlight

7.5.3 The application material includes a Daylight Analysis and Overshadowing study. The applicant's analysis was carried out on 20 no. rooms (9 no. K/L/D rooms and 11 no. bedrooms), which includes a mix of unit sizes, floor levels and orientations. The information provided indicates that the scheme has an 100% compliance with the recommended target of 200lux for K/L/D rooms and 100 lux for bedrooms. I am satisfied that the proposed units have acceptable access to daylight / sunlight.

Amenity Space

7.5.4 The apartments are provided with private amenity space in the form of ground floor terraces and upper floor balconies. The ground floor terraces include appropriate buffering from the adjacent communal / public open space. The amenity space is generally accessible from the living rooms and the areas all exceed the minimum requirements. I am satisfied that the proposal would provide a reasonable level of private open space.

Communal / public open space

7.5.5 Concerns are raised that no public open space is proposed as part of the proposed development. In addition to this, the appellant is of the opinion that the proposed public open space element may constitute a material contravention of the *Louth County Development Plan 2021-2027*. Section 13.8.15 of the *Louth County Development Plan 2021-2027* outlines a public open space provision range of 10-15% net site area. However, it is recognised that there will be circumstances where there will be challenges in providing the required public open space, for example on infill or brownfield sites in towns and villages. A reduction would be assessed on a case-by-case basis. Given the location of the site on an infill site within the town centre of Ardee, I am satisfied that the proposal would not constitute a material contravention of the *Louth County Development Plan 2021-2027* as there is an inbuilt flexibility which can be considered on a case-by-case basis.

7.5.6 An area of c.300m² is proposed in an area between Blocks A and B. The area planner report counts this area as both public and communal open space. Having regard to Appendix 1 of the Apartment Guidelines the minimum area of communal open space which is required would be 49m². Given the site area of 0.1045m² a public open space area between 104 m² and 155m² would be required. In terms of area, I note that the

area between Block's A and B would far exceed these requirements. However, I would have concerns that the public open space area which is in the centre of the scheme may not be fully accessible to the public and this area should not be counted as public open space.

7.5.7 Notwithstanding this, the site layout plan shows an area of open space to the front of the proposed development fronting Ash Walk. The landscape plan submitted with the application shows that this area includes a grassed area with 3 x Greenspire trees, a secondary grassed area including seating and a mixture of gravel paths and paved areas. Given the location of the site within Ardee town centre and the constraints of the site, I am satisfied that that this area provides a reasonable area of public open space. Notwithstanding this, there is a need for an area to the front of the site to be set aside to allow for the provision of an accessible car parking space within this area. I am satisfied that there is sufficient space within this area to provide for an accessible car parking space and to provide for a reasonable area of public open space. This matter could be dealt with by way of condition, should the Board be of a mind to grant planning permission.

7.6 Transport and Parking

7.6.1 No car parking or loading bays are proposed as part of this application. Concerns are raised that no Traffic and Transport Report has been submitted with the application. The appellant notes that the area has experienced issues with traffic and parking for many years and that parking overflow in the area would occur due to the proposed development.

7.6.2 In addition to this, the appellant states that the zero provision of car parking would materially contravene the *Louth County Development Plan 2021-2027*. I note that table 13.11 of the *Louth County Development Plan 2021-2027* sets out maximum car parking standards for retail and residential development. Given that Table 13.11 provides maximum car parking standards and that the approach of the development plan to encourage modal shift away from private cars which is in line with national and regional policy, I am of the opinion that a zero-car parking provision would not constitute a material contravention of the *Louth County Development Plan 2021-2027* in this instance.

- 7.6.3 Section 13.16.13 of the development plan notes that a reduction in the car parking requirement may be acceptable subject to a number of criteria. I also have regard to Section 4.21 and Section 4.25 of the Apartment Guidelines which together seek to reduce overall car parking standards subject to certain requirements.
- 7.6.4 While I note that there are no existing on-street parking spaces on Ash Walk on which the proposed development could avail, there are public car parks on Castle / Market Street. In addition to this, Ardee is served by a number of bus routes linking the town to Dublin, Dundalk, Drogheda, Mullingar, and Kells. Having considered the *Louth County Development Plan 2021-2027* and the Apartment Guidelines, I am satisfied that zero parking is acceptable in this case. However, as outlined above, I would recommend that 1 no. accessible car parking space is provided to the front of the proposed development.
- 7.6.5 A total of 16 bicycle parking spaces are proposed within a store to the south of Block A. The bike store should be a safe and secure weatherproof building with a high-quality finish to fit in with the overall design of the development. This could be dealt with by way of condition if the Board is of a mind to grant planning permission.
- 7.6.6 With regard to access for waste collection, I refer the Board to drawing No. 2250-P-102-A "Proposed Site Plan General Arrangement" which shows that Ash Walk has a width of 6.2m and that a bin lorry can operate on Ash Walk and leave a passing distance of 3.5m. I am satisfied that the site could be service without impacting on the other road users on Ash Walk.
- 7.6.7 Finally concerns have been raised in relation to the footpath to the front of the site. I note that a footpath to the front of the site is shown but it does not connect to the developments to the north or south of the site. In this regard, I note that there are significant constraints in providing a footpath connection to the site to connect the site to the north. These constraints include an existing shared boundary wall and a ESB installation. The planning officer's notes that a new footpath has been completed on the opposite side of Ash Walk and that this footpath should be dished to accommodate the proposed development. In addition to this a condition was included which requires the dished footpath to comply with the recommendations of Site Development Works (published by the Department of Heritage and Local Government). I am satisfied that

the planning authority has considered this matter and that the proposal would be acceptable in this regard.

7.7 Design and Architectural Conservation Area

7.7.1 Concerns are raised that the proposed development would impact adversely on the Ardee ACA.

7.7.2 Appendix 12 of the Development Plan sets out the Ardee ACA Character Appraisal. Ash Walk is described as an access route to a large shopping centre that lies to the back of Market Street. Recent two-storey shops and commercial premises have replaced historic structures so that the only remaining historic frontage to the street are the much-altered side elevation of The Railway Bar. With regard to new and infill developments the Ardee ACA Character Appraisal notes that new buildings which depart from the proportions and façade arrangements typical of the context must be of a very high standard of architectural design and must positively contribute to the character of the area.

7.7.3 Having considered the Ardee ACA Character Appraisal and the fact that there have been a number of recent interventions which are contemporary in design in proximity to the appeal site, (including Ash Mews and the Aldi on the opposite side of Ash Walk), I am satisfied that the character of Ash Walk has been altered and that a contemporary design approach is acceptable on this site.

7.7.4 Notwithstanding this, I do have concerns in relation to the mono pitched roof profile of the southern side of Block A. In my opinion this profile has an unnecessary vertical emphasis, and I have concerns that the design would not successfully harmonise with the area or with the ACA. I am of the opinion that the mono pitched roof finish should be altered to match the flat roof of the northern section of the building. This would reduce the height of the maximum height of the building from c.12.5m to c.10.4m and would ensure that the building successfully integrates into the area and the overall ACA.

7.7.5 In addition to the above, I have concerns in relation to the smooth render finish to the northern side of the elevation of the Block B and the use of uPVC for the windows. In my opinion, these elements would be appropriate within the ACA and would not provide for a high-quality finish. I also have concerns in relation to the southern façade of Block A which would present as a large blank wall. Consideration should be given

to breaking up this façade by way of enhanced detail in the brickwork. These matters could be dealt with by way of condition if the Board were of a mind to grant planning permission.

7.7.6 Concerns are also raised by the third party that no Architectural Heritage Impact Assessment has not been provided with the planning application and that the proposal would have a detrimental impact on the Ardee Architectural Conservation Area.

7.7.7 I note that the planning statement supplied with the initial application includes a section which considers the impact of the proposed development on the Ardee Architectural Conservation Area. I am of the opinion that sufficient detail has been provided by the drawings and reports lodged with the application to allow the Board to consider the application in light of the Ardee Architectural Conservation Area.

7.7.8 The third-party appellant outlines concerns relating to the impact of the proposed development on protected structures in the area. The appeal specifically notes NIAH 13823099. This NIAH reference relates to RPS No. Lhs017-021 (Castle Street Townparks) which is an attached six-bay two-storey former house, built c. 1850, now in use as commercial premises which includes a two-storey return and extension to rear. A small portion of the southeastern boundary of the appeal site bounds the north-western edge of the overall site associated with the Protected structure. I am satisfied that, given the set back from the protected structure and its height that there would no undue impact on the character or setting of the protected structure identified as Lhs017-021.

7.8 Procedural matters

7.8.1 Concerns are raised that the decision of the local authority did not address the objections lodged against the initial application and that the decision of the local authority did not have due regard to the recommendations of the internal departments.

7.8.2 Having considered all of the material on file; I am satisfied that the planning report acknowledges the reports of the internal referral departments. In addition to this, I am satisfied that the planning officers report duly considers objections to the initial application. In any case, a full de novo assessment of the proposal has been undertaken.

7.8.3 The third-party outlines concerns that an up-to-date Uisce Eireann report was not on file when the decision was made. I have regard to Annual Environmental Report for Ardee by Uisce Eireann (2023) and note that Ardee is connected to a Wastewater Treatment Plant which has a plant capacity PE of 8,000. Ardee had a population of 5,478 in 2022. I make the Board aware that I have consulted the Wastewater Treatment capacity register for County Louth(<https://www.water.ie/connections/developer-services/capacity-registers/wastewater-treatment-capacity-register/louth>). I am satisfied that sufficient capacity exists in the Wastewater Treatment Plant to cater for the proposed development. This matter could be dealt with by way of condition which requires that applicant to make a connection agreement with Uisce Eireann prior to the commencement of development, should the Board be of a mind to grant planning permission.

8 Appropriate Assessment Screening

8.1 The Appellant states that the application material does not include an Appropriate Assessment Screening Report. The appellant questions how the planning authority concluded that the proposed development would not individually or in combination with other projects permitted in Ardee in recent years cause any adverse impact on a Natura 2000 site.

8.2 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

8.3 The designated sites within 15km of the subject site are outlined below:

- Stabannan – Braganstown SPA (004091), c. 5.5km from the appeal site.
- Dundalk Bay SPA (004026), c.12.9km from the appeal site.
- Dundalk Bay SAC (000455) c.12.9km from the appeal site.

8.4 In summary, the proposed development comprises the construction of 9 no. residential units and a retail unit. The surrounding area is urban in nature with a variety of uses, including retail, commercial units, residential, institutional, and community uses. The site is serviced by public water supply and foul drainage networks. The development

site is located in a heavily urbanised environment close to noise and artificial lighting. No flora or fauna species for which Natura 2000 sites have been designated were recorded on the application site.

- 8.5 The River Dee is located c. 204m south of the appeal site. There are no watercourses within the site and there is no hydrological connection between the appeal site and any of the designated sites. The site is located within an urban area and there is extensive buffer between the appeal site and the designated sites.
- 8.6 During the construction phase, standard pollution control measures would be put in place. These measures are standard practices for urban sites and would be required for a development on any urban site. In the event that the pollution control and surface water treatment measures were not implemented or failed I am satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in the zone of influence from surface water run-off can be excluded given the distant and lack of a hydrological connection and the nature and scale of the development.
- 8.7 I note that the scheme includes SUDS measures as outlined in the SUDS Design Report prepared by Joseph Cotter Engineer and Surveyor. I make the Board aware that SUDS are standard measures which are included in all projects and are not included to reduce or avoid any effect on a designated site. In addition to this, the inclusion of SUDS measures would be in accordance with the Greater Dublin Strategic Drainage Study and could not be considered as mitigation measures in the context of Appropriate Assessment.
- 8.8 The foul water discharge would drain via the public sewer to the Ardee wastewater treatment plant for treatment and then discharge to the Irish sea. In light of this, there is potential for an interrupted and distant hydrological connection between the appeal site and the Irish sea (i.e. Dundalk Bay SPA and Dundalk SAC) having regard to the wastewater pathway. In this regard I note that the appeal site is on land zoned for development purposes in the *Louth County Development Plan 2021-2027*. This adopted plan was subject to an AA by the local authority and concluded that its implementation would not result in adverse effects to the integrity of any Natura 200 sites. As previously note the Ardee WWTP has a plant capacity PE of 8,000 and Ardee had a population of 5,478 in 2022. In my opinion, the proposed development would not generate significant demands on the WWTP which has more than sufficient capacity to service the proposed development and that the discharge from the site

would be insignificant in the context of the overall licenced discharge at Ardee WWTP, and thus its impact on the overall discharge would be negligible. It is noted that Uisce Eireann did not make a response to a referral request in this application. I am satisfied that this could be dealt with by way of condition requiring a connection agreement between the applicant and Uisce Eireann in advance of works commencing.

- 8.9 The site has not been identified as an ex-situ site for qualifying interests of a designated site and I am satisfied that the potential for impacts on wintering birds, due to increased human activity, can be excluded due to the separation distances between the European sites and the proposed development site, the absence of relevant qualifying interests in the vicinity of the works and the absence of ecological or hydrological pathway.
- 8.10 It is noted that the planning authority were satisfied that the development is unlikely by way or direct, indirect, or secondary impacts, individually or in combination with other plans or projects to have any significant effect on any European Site.
- 8.11 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.
- 8.12 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 Recommendation

It is recommended that permission be granted subject to conditions.

10 Reasons and Considerations

Having regard to the provisions of the *Louth County Development Plan 2021-2027*, its location within the existing urban area and to the nature and scale of the proposed development and the prevailing pattern and character of development in the area it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not negatively impact on the built heritage of Ardee and would be acceptable in terms of traffic safety. The

proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11 Conditions

1. The development shall be 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 conducted and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows: -

- a) The roof profile of the southern section of Block A shall be altered to a flat roof to align with the roof of the northern section of Block A.
- b) The first floor of Block B shall be omitted from the scheme and the block shall be finished with a flat roof.
- c) The proposed smooth render finish of Block A shall be replaced with a high-quality finish such as brick.
- d) The finish of the southern elevation shall include an enhanced brickwork detailing.
- e) Upvc windows and doors shall be altered to a timber or coloured metal finish with appropriate detailing.
- f) provision of an accessible car parking space within the set back to the front of the property.
- g) The existing boundary walls shall be rendered and capped.
- h) The bicycle storage facility shall within a safe, secure, and weatherproof building to be constructed of high-quality materials.

Revised drawings and details showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenities of the area, the amenities of future occupants of the proposed development, to safeguard the

built heritage of the Architectural Conservation Area and to ensure the development accords with the provisions of the *Louth County Development Plan 2021-2027* and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities.

3. Prior to commencement of development the applicant shall agree in writing with the planning authority the final details of the dishing of the footpath on the opposite side of Ash Walk.

Reason: In the interests of pedestrian safety

4. (a) The permitted ground floor retail unit shall be used solely for retail purposes unless otherwise agreed in writing with the planning authority.
(b) The retail unit shall operate between the hours of 0.700 and 22.00 unless otherwise agreed to in writing with the planning authority.
(c) Prior to the commencement of the retail use details in relation to the signage for the retail unit shall be agreed in writing with the planning authority.

Reason: In the interest of visual amenity and to protect the character of the area

5. The site shall be landscaped in accordance with a comprehensive 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:

Reason: In the interest of visual amenity

6. The area to the front of the development excluding the area set aside for an accessible car parking space shall be reserved for public open space and this area shall be soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation unless otherwise agreed with the planning authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

7. Proposals for a naming / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

8. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs including any signs installed to be visible through the windows, advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the retail unit or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

9. The developer shall enter into water and wastewater connection agreements with Uisce Eireann, prior to commencement of development.

Reason: In the interest of public health

10. Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management

11. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity

12. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity

13. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the 'Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects,' published by the Environmental Protection Agency in 2021.

Reason: In the interest of sustainable waste management.

14. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021)

including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of public safety and residential amenity.

15. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

16. a) All ground works associated with the proposed development shall be monitored under licence by a suitably qualified archaeologist. Prior to construction all previously identified archaeological features and deposits should be conserved by record (full excavation) prior to any ground works under the terms of an agreed Method Statement agreed by the Department. All topsoil stripping associated with the archaeological monitoring should be carried out using a toothless flat grading bucket only.
- b) Should further archaeological material be found during the course of works, the work on the site shall be stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department with regard to any necessary mitigating action (e.g.

preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features, or other objects of archaeological interest

17. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

18. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge

19. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Ronan Murphy
Planning Inspector

21 February 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321228-24		
Proposed Development Summary	Construction of 2 buildings consisting of a retail unit and residential accommodation and all associated site works.		
Development Address	Ash Walk, 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)?			
Yes		10(b)(i): Construction of more than 500 dwelling units 10 (b)(iv): Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. 15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.	Proceed to Q3.

No	X		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	The proposed development comprises of a mixed-use development (9 residential units and 1 retail unit) on a site with an area of 0.104ha. The proposal is below the thresholds set out in Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended.	The proposed scheme falls below the applicable thresholds.

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____

Appendix 2 – Form 2 EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321228-24
Proposed Development Summary	Construction of 2 buildings consisting of a retail unit and residential accommodation and all associated site works.
Development Address	Ash Walk, Townparks, Ardee, Co. Louth
<p>The Board carried 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> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The construction of a mixed-use residential development of 9 residential units and 1 retail unit comes forward as a stand-alone project. The project includes hard and soft landscaping.</p> <p>The development does not require any demolition works but does require limited clearance of overgrown site.</p> <p>The development does not require the use of substantial natural resources or give rise to significant risk of pollution or nuisance.</p> <p>The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</p>
<p>Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is situated in an urban built-up serviced location within the Ardee ACA.</p>

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects, and opportunities for mitigation).	<p>There is no loss of trees, and no demolition is required as part of this application.</p> <p>The development is removed from sensitive designated sites and landscapes of identified significance in the County Development Plan.</p> <p>Having regard to the nature of the proposed mixed use development, consisting of a 9 residential units and 1 retail unit including landscaped area, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act .</p>
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Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or no
There is no real likelihood of significant effects on the environment.	EIA is not required.	No.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No.
There is a real likelihood of significant effects on the environment.	EIAR required.	No.

Inspector:

Date:

