



An
Bord
Pleanála

Inspector's Report ABP-321780-25

Development	Permission for 18 apartments in a three-storey building and all associated site works.
Location	Lands at the junction of The Laurels Road and Patrick Street, Dundalk, Co. Louth, A91 EK75
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2460312
Applicant(s)	STFA Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party vs. Refusal
Appellant(s)	STFA Limited
Observer(s)	None
Date of Site Inspection	25 th of March 2025
Inspector	Stephen Ward

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1.0 Site Location and Description

- 1.1. The site is located at the junction of The Laurels Road and Patrick Street on the northwest edge of Dundalk Town Centre. It consists of a generally flat triangular shaped plot with a stated area of 0.123 hectares. The site previously housed a laundry building but it is currently cleared and generally grassed over. There are areas of Japanese Knotweed at the centre of the northern site boundary and in the north-eastern site corner.
- 1.2. There is a solid metal construction-type hoarding bounding the surrounding roads to the south and west, which also extends partly along the east boundary together with an existing stone wall. To the north of the site is recreational space associated with St. Nicholas Monastery National School, which is separated by a stone wall with railings above.
- 1.3. Apart from the school to the immediate north, the surrounding area to the north and west of the site is predominantly characterised by single- and two-storey houses within a mature residential area. There is a greater mix of uses and commercial development in the town centre area to the east and south of the site.

2.0 Proposed Development

- 2.1. In summary, permission is sought for the construction of a three-storey building containing 18 apartments (10 no. 1-beds (55.56%), 6 no. 2-beds (33.33%), and 2 no. 3-beds 11.11%). As per the applicant's further information response, it is proposed that the main external finish would be red brick and (to a lesser extent) grey brick.
- 2.2. Communal open space (105m²) is proposed at ground level to the front (southeast) of the building. A small communal balcony (8.12m²) is also proposed on the rear (north) elevation at first floor level.
- 2.3. A total of 4 parking spaces are proposed along the adjoining road to the south and internal bicycle storage (34 spaces) is proposed at ground level. A communal bin store (14m²) is included at the northeastern corner of the ground level.
- 2.4. The site is to be serviced via the existing Irish Water foul and water networks. Surface water will be managed through two separate networks (SW1 and SW2) which will both connect into the existing surface water pipe along Laurel Brook

Gardens to the south. SW1 will include an underground attenuation storage tank, while SW2 will drain directly to the existing network.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 7th January 2025, Louth County Council made a decision to refuse permission. The reasons for refusal were as follows:

1. The design of the subject apartments is considered to be substandard having regard to "Design Standards for New Apartments - Guidelines for Planning Authorities (2023)" and specifically substandard in terms of the failure to provide functional private amenity space for the ground floor units, communal amenity space that is accessible to all residential units, an absence of storage provision for bulky goods and inadequate provision for adequate and convenient bin and bicycle storage for all residential units.

To permit the proposed development would be contrary to the aforementioned Guidelines and to the proper planning and development of the area, would allow for a substandard level of residential accommodation and would set an undesirable precedent for other similar substandard apartments in the area.

2. It is considered that the development represents overdevelopment of this site. The proposed layout, configuration and design of the proposed apartment building would produce a cramped and substandard form of development on this site at a density that cannot deliver the provision of qualitative residential amenities for future occupants of the proposed apartment units.

If permitted in the form proposed, the development would result in and would have the potential to set a precedent for similar buildings to provide a poor standard of residential units and would be contrary to both the policy objective provisions of the Louth County Development Plan 2021 -2027 (as varied) and the standards set out in the 'Sustainable Urban Housing Design Standards for New Apartments: Guidelines for Planning Authorities', 2023. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Further Information Request

After the initial examination of the application, the planning authority issued a further information request. The issues raised in the request can be summarised as follows:

1. Proposals for external finishes in keeping with the character of the area.
2. Proposals to reduce the visual dominance of the rear elevation.
3. Proposals to retain the existing stone wall along the northeast site boundary.
4. Proposals for refuse storage that is conveniently accessible to all residents.
5. Proposals for the storage of bulky items.
6. Proposals for improved quality of communal open space, including privacy and functionality, more central location, and conflict with the private amenity space of ground floor units.
7. Proposals for the quantum of bicycle spaces and a conveniently accessible location.
8. Proposals for improved separation of internal storage areas.
9. Demonstration that amenities will not be unacceptably impacted on respective sides of the interface between the school property and the proposed units.
10. Landscaping proposals to consist of native and pollinator friendly species.
11. Confirmation of the position of the proposed attenuation area.
12. Archaeological assessment of the site.
13. Revised public notices if necessary.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The assessment is outlined in two Planner's Reports, i.e., the initial report recommending a Further Information (F.I.) request and the subsequent report on the F.I. submitted. The assessment contained within the two reports can be cumulatively summarised under the following headings.

Principle of Development

- The proposal is consistent with the 'A1 Existing Residential' zoning and Policy HOU 11 as per the LCDP 2021-2027 and is acceptable in principle.

Layout, Design, and Height

- Concerns about the visual dominance of the rear elevation have not been satisfactorily addressed in the FI response. The overall scale, massing and appearance would appear as over-development of the site.

Residential Standards

Notwithstanding the FI response, there are outstanding concerns regarding:

- The location, size, and accessibility of refuse storage facilities.
- The scale and location of proposed bulky storage facilities.
- The quantity and quality of bicycle storage facilities.
- While the quantity of communal open space meets required standards, there are concerns about its interface with ground floor private amenity spaces and apartments; inadequate details of proposed space at roof level; disjointed layout; and overall accessibility, functionality and usability. A relaxation of standards is not warranted in this case.
- Inadequate separation between footpaths and ground floor apartment units.

Residential Amenity of Existing Properties

- Considering the scale, height and position of this proposal, it is not considered that this development will have an impact upon the amenity of neighbouring property through overlooking, overshadowing or other means.

Traffic and Transport

- Considering the site's location close to the Town centre, the proposed parking and access arrangements are considered to be satisfactory.

Archaeology

- Concerns raised in the submission from the Department of Housing, Local Government and Heritage could be dealt with by condition as necessary.

Water Services

- The site is not identified as being vulnerable to flooding and drainage details are acceptable.

- Uisce Eireann have no objections to the proposed water/wastewater connections.

Conclusion

The reports conclude that the proposal would not provide a satisfactory design quality and / or a quality residential environment for future occupants and would represent an overdevelopment of this site, which is signified by the request to relax requirements in relation to open space, parking, bicycle parking, bin storage and bulky goods storage.

It recommends that permission be refused, and this forms the basis of the LCC decision.

3.3.2. Other Technical Reports

Placemaking & Physical Development: No objections subject to conditions.

Environment: No objection subject to conditions.

3.4. Prescribed Bodies

Uisce Eireann: No objections subject to standard conditions.

Department of Housing, Local Government and Heritage: An initial submission recommended an Archaeological Assessment as Further Information. The subsequent submission recommends archaeological conditions for any grant.

An Taisce: Recommends that the communal areas should incorporate permeable surfacing and landscaping to promote net biodiversity gain.

3.5. Third Party Observations

None.

4.0 Planning History

P.A. Reg. Ref. 18/327: Permission granted (22nd October 2018) for demolition of an existing single storey launderette building, construction of a mixed development comprising of 3 blocks. Blocks A & B to include 2 no. two bedroom apartments and 2 no. one bedroom apartments over two floors with Block C to comprise of office /

retail units on ground floor with office accommodation on the first floor and all associated site development works.

P.A. Reg. Ref. 21/192: Permission granted (21st June 2021) to amend the granted planning application (Reg. Ref. 18327) to now provide 2 no. 1 bedroom apartments within Block C, including a private balcony at first floor, all in lieu of the previously permitted Block C retail/office units.

5.0 Policy Context

5.1. The National and Regional Context

- 5.1.1. The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. It contains a number of policy objectives that articulate the delivery of compact urban growth.
- 5.1.2. The Climate Action Plan 2025 builds upon and should be read in conjunction with the Climate Action Plan 2024. It refines and updates the measures and actions required to deliver carbon budgets and sectoral emissions ceilings and provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050. All new dwellings will be designed and constructed to Nearly Zero Energy Building (NZEB) standard by 2025, and Zero Emission Building standard by 2030. In relation to transport, key targets include a 20% reduction in total vehicle kilometres travelled, a 50% reduction in fossil fuel usage, and significant increases to sustainable transport trips and modal share. The Board is required to perform its functions in a manner consistent with the Climate & Low Carbon Development Act.
- 5.1.3. The National Biodiversity Action Plan 2023-2030 includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Board to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate

to the functions of the Board. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local Level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, EIA Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable. Biodiversity impacts are considered in sections 6, 8, and 9 of this report.

5.1.4. Having considered the nature of the proposal, the receiving environment, and the documentation on file, including the submissions received, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Department of Housing, Local Government and Heritage (hereafter referred to as the '*Compact Settlement Guidelines*').
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, (July 2023) (the '*Apartments Guidelines*').
- Urban Development and Building Heights Guidelines for Planning Authorities (2018) (the '*Building Height Guidelines*').

5.1.5. The Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 (RSES) recognises Dundalk's role as a Regional Growth Centre to act as a regional driver of city scale with a target population of 50,000 by 2031. It outlines that key to the success of Dundalk is targeted compact growth through the renewal and regeneration of underused, vacant and/or derelict town centre lands for residential and commercial development.

5.2. **Louth County Development Plan 2021-2027**

Relevant provisions of the LCDP are summarised hereunder.

Zoning

Under the Dundalk Zoning and Flood Zones Map the site is zoned as 'A1 Existing Residential', the objective for which is 'To protect and enhance the amenity and character of existing residential communities'. Residential development is listed as a 'Generally Permitted Use' in this zone.

Settlement Strategy for Dundalk

SS21 - To support sustainable high-density development, particularly in centrally located areas and along public transport corridors and require a minimum density of 50 units/ha in these locations.

SS22 - To support increased building heights at appropriate locations in Dundalk, subject to the design and scale of any building making a positive contribution.

SS26 - To support the implementation of the 2008 Urban Design Framework Plan.

Housing

HOU8 - To promote the sustainable development of vacant residential and regeneration sites.

HOU10 – To support the creation of sustainable communities.

HOU15 - To facilitate a higher, sustainable density that supports compact growth and the consolidation of urban areas, subject to local context.

HOU16 - To support increased building heights in appropriate locations in Dundalk.

HOU25 - Residential developments shall be designed in accordance with the Development Management Guidelines set out in Chapter 13 of the Plan.

HOU26 - To require the provision of an appropriate mix of house types and sizes.

Movement

MOV7 - To support a modal shift away from the private car to more sustainable forms of transport.

Natural Heritage, Green Infrastructure and Biodiversity

NGB12 - Prevent and control the spread of invasive plant and animal species.

NGB13 - Development sites must be investigated for the presence of invasive species, which if present must be treated and/or eradicated in accordance with best practice. Where appropriate, Invasive Species Management Plans will be prepared for such sites.

Built Heritage and Culture

Chapter 9 includes a range of policy objectives aimed at protecting archaeology.

Development Management Guidelines

Chapter 13 outlines a range of guidelines and standards, including those in relation to housing in urban areas.

Table 13.3 outlines recommended minimum density (50 uph) and plot ratio (2) standards for Dundalk town/village centre.

S. 13.8.9 outlines standards in relation to residential amenity and privacy.

S. 13.8.18 and Tables 13.11 and 13.12 outline car and cycle parking standards.

S. 13.8.19 deals with Bin Storage.

S. 13.8.27 outlines a range of standards for apartments in accordance with 'Design Standards for New Apartments' (2023).

S. 13.8.32 deals with infill development where standards may be relaxed in certain circumstances, particularly if it will result in the development of vacant or under-utilised lands in central areas of towns and villages.

S. 13.16.12 outlines that a reduction in the car parking requirement may be acceptable subject to certain specified criteria.

S. 13.16.16 outlines cycle parking standards.

5.3. Dundalk Local Area Plan 2025-2031

The Dundalk Local Area Plan was adopted by the members at a Special Council Meeting on the 6th March 2025. The Plan came into effect on the 17th April 2025. The main relevant provisions are outlined below.

Alignment with the CDP

Policy Objective DM3 is to publish and adopt a Variation to the CDP following the adoption of the LAP to ensure the alignment of the LAP with the CDP¹.

¹ Note that until this Variation has been adopted any text, policy objectives or maps relating to Dundalk in the CDP shall take precedence over the text, policy objectives, maps, and appendices in the LAP.

Zoning

Consistent with the CDP, the site is zoned as 'A1 Existing Residential'.

Sustainable Neighbourhoods & Communities

Section 5.6 defines a 'building of height' as being 4 storeys or higher, which does not apply to the proposed development.

Section 5.7 (Table 5.2) recommends minimum densities of 50 uph for the 'Town Centre and Urban Neighbourhood'.

Movement

Map 8.2 shows a 'Proposed Cycle Network (Phase 2)' along the adjoining roads to the south and west of the application site.

5.4. Natural Heritage Designations

The nearest Natura 2000 sites are the Dundalk Bay SPA (c. 300m to the north) and Dundalk Bay SAC (c. 840m to the east).

6.0 EIA Screening

See Appendix 1 and completed Forms 1 & 2 attached 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. Therefore, EIA is not required.

7.0 The Appeal

7.1. Introduction

The decision of LCC to refuse permission has been appealed by the applicant. The appeal is accompanied by 'revised details'. It requests that the Board determine the appeal on this basis and contends that no prejudice would be caused to third parties in this regard. The revisions include drawings showing proposals for:

- the omission of an apartment at ground floor level;
- additional/revised storage for bicycles, bins, and bulky items;
- additional communal space within the courtyard.

The appeal outlines the planning status and legislative context, including the suitability and importance of the zoning objective for the site; the site context and background; the project particulars; and responses to relevant national, regional, and local planning policy. It also makes references to several other cases and highlights the need for consistency and fair procedures in accordance with s. 6.7 of the Development Management Guidelines.

7.2. **Grounds of Appeal**

The grounds of appeal address the reasons for refusal and can be summarised under the following headings.

Refusal Reason 1

Private amenity space for ground floor units

- All ground floor units are provided with the required standard, although s. 3.39 of the Apartments Guidelines allows for relaxation in some cases.
- All spaces are south-facing and comply with daylight standards.
- Adequate privacy (including strips) has been incorporated into the design and the Apartments Guidelines do not specify a minimum depth for privacy strips.

Communal amenity space and accessibility

- Ground level space is directly accessible and associated with the main entrance.
- The quantum of ground level space meets the Apartments Guidelines, and 2 communal balconies are also available. Section 4.12 of the Apartments Guidelines also allows for relaxation in some cases.
- The space is south-facing and meets BRE standards for sunlight.
- The space achieves passive surveillance.
- The space for this linear block complies with paragraph 4.11 of the Apartments Guidelines.

- The space is separated from the public footpath by boundary treatment and will be landscaped to encourage usability.
- Maximum travel distance from apartments is within accepted parameters.

Bulky Storage

- S. 3.34 of the Apartments Guidelines allows for relaxation of internal storage standards in some cases. There is no requirement for bulky storage.
- The revised drawings show a dedicated storage locker for all units.

Bin Storage

- Proposals involve acceptable travel distances (30 metres) and also balance service/collection day requirements.
- The area is adequately sized and located for resident and service/collection needs. The Operational Waste Management Plan details appropriate sizing.

Bicycle Storage

- Revised proposals show adequate areas for residents and visitors.

Refusal Reason 2

Overdevelopment

- A density of 138 uph is proposed which is consistent with LCDP objectives to encourage higher densities at appropriate locations in Dundalk.
- The density strikes a balance between policy guidance for increased density and the protection of existing communities and character.
- The plot ratio (0.52) and site coverage (48%) are acceptable and comply with the LCDP parameters (Table 13.3).
- The height and density comply with national policy/guidance, including the Compact Settlement Guidelines provisions for 50-150 uph in this scenario.
- The LCC planner's report is silent on the Compact Settlement Guidelines policies and does not specify a particular policy objective in its refusal.

Layout, configuration, and substandard form of development

The proposal demonstrates compliance with key aspects such as:

- Unit sizes as per the Apartments Guidelines.
- 47% dual aspect units (>33% requirement in the Apartments Guidelines).
- Additional bulky storage provided at ground level.
- Apartment outlooks towards the street or communal space.
- All rooms comply with BRE Guidelines for daylight.
- All communal and private space amenity space is south-facing and exceeds BRE Guideline standards.
- The Daylight and Sunlight Assessment demonstrates no daylight reduction for surrounding residences and only imperceptible sunlight impacts. There will be a minimal reduction on the adjoining school yard. Overall, areas pertaining to adjacent properties will meet/exceed BRE Guidelines.

LCDP objectives and Apartments Guidelines standards

- The planning authority assessment is incorrect, does not specify the particular requirements not met, and the revised proposals fully meet the requirements of the LCDP and the Apartments Guidelines.

7.3. Planning Authority Response

The planning authority has responded to the appeal and the revised proposals included with same. The response can be summarised as follows:

- Issues relating to overdevelopment, including the overall visual dominance of the building, the provision of high-quality areas of open space, the accessibility and permeability of users and residential privacy have not been fully addressed.
- The key and pertinent issues are set out in the LCC Planners' Reports and the recommendation for refusal remains unchanged.
- The Board is respectfully requested to uphold the decision of LCC.

7.4. Observations

None.

8.0 Assessment

8.1. Introduction

- 8.1.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority and prescribed bodies, and I have inspected the site and had regard to the relevant local/regional/national policies and guidance.
- 8.1.2. I have previously outlined that this case involves several versions of the proposed scheme. The original application was revised by the 'further information response' and my assessment will be based on that revised version in the first instance, i.e., it being the scheme on which the LCC decision was based. It is also noted that the appeal is accompanied by a revised proposal (hereafter referred to as 'the appeal proposal') which involves the omission of one apartment and the provision of additional resident services and open space. This attempts to address the reasons for refusal and is not an uncommon practice in the appeal process. I do not consider that the appeal proposal would give rise to material considerations for third parties, and the planning authority has been afforded the opportunity to comment on the proposal. Accordingly, while I will be assessing the 'further information response' version in the first instance, I consider that the Board can have regard to the appeal proposal if necessary.
- 8.1.3. I consider that the principle of the development has been adequately addressed in the course of the application and the LCC decision. In particular, I consider that the proposal is in accordance with the 'A1' zoning objective for the site and CDP / LAP policies which support the reuse of underutilised land to facilitate additional residential development. And having regard to the nature, scale, and design of the development, I do not consider that there would be significant impacts on transport, water services/flooding, or social/community infrastructure.
- 8.1.4. Accordingly, I consider that the substantive issues to be considered in this appeal are as follows:
- Proposed Residential Standards
 - Density, building height, design, and visual impact.

8.2. Proposed Residential Standards

- 8.2.1. The planning authority has not raised concerns about the fundamental standards relating to apartment floor areas, the mix of units, or the dual aspect ratio. Consistent with this, I am satisfied that the proposals (i.e. both the 'further information response' and the 'appeal proposal') comply with the standards for these criteria as outlined in the CDP and the Apartments Guidelines. The design standards relevant to this appeal mainly relate to amenity space and communal storage facilities.

Private amenity space

- 8.2.2. While it has been acknowledged that the proposals comply with quantitative standards, concerns have been raised about the quality and privacy afforded to the ground floor spaces.
- 8.2.3. I note that the Apartments Guidelines outline recommendations on privacy protection for ground floor units adjoining communal or public areas. Section 3.41 states that where ground floor apartments are to be located adjoining the back of a public footpath or some other public area, consideration should be given to the provision of a 'privacy strip' of approximately 1.5m in depth. This should be influenced by the design, scale and orientation of the building and on the nature of the street or public area and if provided, subject to appropriate landscape design and boundary treatment. However, I would highlight that this applies to the apartments rather than the private amenity spaces. And having regard to the separation distances and boundary treatment between the proposed apartments and the public footpath, I am satisfied that adequate privacy will be afforded to the apartment units.
- 8.2.4. Section 4.10 of the Apartments Guidelines addresses the interface between private and communal amenity space. It confirms that while such spaces may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a 'privacy strip' between the two. It does not specify a minimum width for the 'privacy strip'. I acknowledge that the ground floor private amenity spaces adjoin communal footpaths and amenity space within the proposed development. However, given the limited size of the development and multiple circulation options, I consider that there would be only minimal conflict between the private and communal areas which would not result in unacceptable impacts. The appeal proposal includes proposals for improved privacy buffers around all private

ground floor spaces and I consider this to be acceptable subject to additional planting/screening between apartment no. 5 and the main communal space.

Communal Amenity Space

- 8.2.5. While it has again been acknowledged that the quantitative standard has been met, concerns have been raised about the quality of the space with regards to its accessibility and functionality.
- 8.2.6. In this regard the further information response proposed 105m² at ground level together with an 8m² communal balcony at 1st floor level (108m² required), while the appeal proposal is for 116m² at ground floor together with communal balconies at 1st and 2nd floor levels (103m² required). However, section 4.12 of the Apartments Guidelines confirms that in urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.
- 8.2.7. The Apartments Guidelines highlight that, in particular, accessible, secure and usable outdoor space is a high priority for families with young children and for less mobile older people. However, given that only a minority of apartments are greater than 1-bed or are of 'universal design', I do not consider that this 'high priority' is directly applicable in this case.
- 8.2.8. Consistent with section 4.11 of the Guidelines, I note that the main space is proposed to adjoin a linear apartment block. The main space is south-facing and will benefit from good levels of sunlight throughout the year. I acknowledge that the space is peripheral, but I consider that the wedge-shaped configuration of the site dictates that any redevelopment would likely require peripheral open space at the southeast/east end of the site. I also consider that the space is easily accessible given the limited size of the site, although I would acknowledge that its range of functionality/usability is compromised given its limited size. I acknowledge the proposals for 'secondary' communal balconies on the rear (north) elevation, but I do not consider that these to be appropriate given the close interface with the school property to the north.
- 8.2.9. Overall, I consider that communal open space proposals have been improved in the appeal proposal and that any grant of permission should be in accordance with same, subject to the omission of the communal balconies. I acknowledge that the

space is compromised in terms of its location, size, and functionality, but I consider that this is largely a result of the restricted site size and configuration and would again highlight that the Apartments Guidelines allow for complete or part-relaxation of communal space requirements on such sites. And having regard to the nature and scale of the proposed development, which is not likely to be heavily occupied by young children or less mobile older people, together with location of the site close to a range of public parks, I consider that the proposals are acceptable in this case. In the event that the Board is not satisfied with the proposals, I suggest that units 5, 11, and 17 (as per the appeal proposal) could be omitted by condition in order to facilitate an enlarged communal space at the eastern end of the site.

External bulky storage

- 8.2.10. The proposed development meets the internal storage requirements for individual units, notwithstanding that s. 3.34 of the Apartments Guidelines confirms that requirements may be partly relaxed in urban infill schemes on sites of up to 0.25ha. Section 3.32 of the Guidelines also states that schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Section 3.33 confirms that such space may be used to satisfy up to half of the minimum internal storage requirement, rather than being solely in addition to the internal standards.
- 8.2.11. I note that the further information response proposed to locate such storage together with bicycle storage and it was unclear as to how the storage would be divided/managed. However, the appeal proposal includes a designated storage room with separate space allocated to each apartment. It is secure and located close to the main entrance and I consider that these proposals would be acceptable.

Bin Storage

- 8.2.12. The application is accompanied by an Operational Waste Management Plan which calculated waste generation and storage requirements in accordance with relevant guidance and standards, resulting in an estimated requirement for dry mixed recyclables (1,100 litre), residual waste (1,100 litre), organic waste (360 litre), glass waste (240 litre), as well as electrical and bulky waste storage.
- 8.2.13. The further information response included proposals for a 14m² storage area at the northeast corner of the block, and I note that the planning authority had concerns about its location, size, and accessibility. However, the appeal proposal includes an

enlarged space of 19m² to accommodate 6 large bins, which is centrally located in relation to the main entrance and all apartment units. Accordingly, I consider that these proposals are acceptable.

Bicycle Storage

- 8.2.14. The CDP standards are consistent with the Apartments Guidelines in this respect, i.e. 1 space per bedroom and 1 visitor space per 2 units, and I acknowledge the importance of such facilities in cases such as this where reduced car-parking standards have been applied.
- 8.2.15. The further information response proposed 34 bicycle spaces in 2 separate internal ground level stores, and the planning authority had concerns about shortfalls relating to quantitative requirements (37 spaces) and the convenience/accessibility of same.
- 8.2.16. The appeal proposal now includes an increased provision of 36 spaces to cater for a reduced requirement of 35 spaces. The storage area is centrally located at ground floor level near the main entrance, and I am satisfied that this meets the relevant quantitative and qualitative requirements.

Conclusion

- 8.2.17. In conclusion, I have considered the nature and scale of the proposed development as well as the constraints of the site and its convenient edge of town centre location adjoining a wide range of services and amenities. I am satisfied that the appeal proposal has satisfactorily addressed the concerns raised in the LCC decision and that any grant of permission should be based on those revisions. However, in the event that the Board still has outstanding concerns about overdevelopment and/or a lack of quality communal open space, I consider that units 5, 11, and 17 (as per the appeal proposal) could be omitted by condition in order to facilitate an enlarged communal space at the eastern end of the site.

8.3. Density, Building Height, Design, & Visual Impact

- 8.3.1. Based on the original proposal, it is proposed to construct 18 dwellings within a site area of 0.123 hectares, resulting in a density of c. 146 units per hectare (uph). The appeal proposal for 17 units would result in a reduced density of c. 138 uph.

- 8.3.2. The CDP does not outline any maximum limits on density or building height for the subject site. It generally supports increased density and height (i.e. policies HOU15, HOU16, SS21, & SS22) subject to appropriate design and impact on the local area. Table 13.3 of the CDP outlines minimum densities of 50 uph for the 'Town/Village Centre' which adjoins the appeal site, and which the proposal would clearly exceed.
- 8.3.3. Table 13.3 also outlines recommended plot ratios of '2' for the 'Town/Village Centre' and '1' for the 'Edge of Settlement'. I note that the application has a stated plot ratio of c. 0.5. However, this appears to be incorrectly based on a building footprint of 644m² (i.e. site coverage) rather than the gross floor area. The gross floor area does not appear to be provided but I estimate it to be closer to c. 1800m², which would result in a plot ratio of c. 1.5. I consider this ratio to be appropriate for an edge of town centre location (i.e. roughly between the recommended ratios for the 'Town/Village Centre' and 'Edge of Settlement').
- 8.3.4. The CDP also widely references national guidance such as the Compacts Settlement Guidelines and the Building Height Guidelines in the consideration and assessment of density, height, and ultimately quality of design.
- 8.3.5. The LAP defines a 'building of height' as being 4 storeys or higher, which does not apply to the proposed development. Similar to the CDP, it recommends minimum densities of 50 uph for the 'Town Centre and Urban Neighbourhood'.
- 8.3.6. The proposal for a three-storey building would only marginally exceed the predominant 2-storey character of the area. I consider that this increase would be supported in an inner suburban / edge of town centre location in accordance with the general provisions of the Building Height Guidelines which support increased height/density in central and accessible locations.
- 8.3.7. In accordance with Table 3.4 of the Compact Settlement Guidelines, I consider that the site falls within the 'Regional Growth Centre – Centre and Urban Neighbourhood' category. It is a policy and objective of the Guidelines that residential densities in the range 50 dph to 150 dph (net) shall generally be applied at such locations, and the proposed development would be within that range.
- 8.3.8. Section 3.4 of the Guidelines deals with 'Refining Density'. Step 1 of this process is the consideration of proximity and accessibility to services and public transport. While densities within the ranges set out (i.e. 50-150 dph) will be acceptable,

planning authorities should encourage densities at or above the mid-density range at the most central and accessible locations in each area, densities closer to the mid-range at intermediate locations and densities below the mid-density range at peripheral locations.

- 8.3.9. Table 3.8 of the Guidelines sets out definitions for terms used to define accessibility based on urban public transport services. The Dundalk Town Bus Service offers three routes (174, 174A, 174B) at peak frequencies of 30 mins and the site would be deemed 'peripheral' based on Table 3.8 of the Guidelines. However, s. 3.4.1 of the Guidelines also confirms that the criteria are not exhaustive and that a local assessment will be required. Most relevantly, I would highlight this edge of town centre location which is within easy walking distance of a wide range of services and employment opportunities. It is also within 500m walking distance of the Long Walk Bus Station where a range of other inter-urban services are offered in addition to the town services and is within walking distance (1500m) of Dundalk Rail Station. Therefore, while urban public transport services are not available to comply with the Table 3.8 criteria, I am satisfied that the site can be considered central and accessible given its adjoining proximity to the town centre and its range of services, employment and wider public transport services.
- 8.3.10. Step 2 of the process involves considerations of character, amenity and the natural environment, which are discussed under the headings below.

Local Character

- 8.3.11. The immediate surrounding area is mainly characterised by smaller scale residential development and the larger school buildings to the north, with the widespread use of a red brick being a particular feature. The site previously included a single storey commercial unit which was of no architectural merit and appears to have been disused for a significant period.
- 8.3.12. I acknowledge that the proposed development would be different in character and scale to the individual houses in the area. However, the proposal for a linear block with a red brick finish would be reflective of the scale and character of the school buildings to the north and residential terraces to the east. It is proposed on a standalone site which has capacity to accommodate change, and I am satisfied that

it would strike a proportionate balance between the need to protect existing character while accommodating higher densities at central and accessible locations.

- 8.3.13. The planning authority's main concerns in this regard appear to centre on the impact of the rear (north) elevation. I consider that the proposed rear elevation was improved in the further information response and has been further improved in the appeal proposal through an increased variety of forms and finishes which help to break down its overall scale, form and massing. Accordingly, I do not consider that the development would seriously detract from local character.

Historic Environments

- 8.3.14. The site is not within or adjoining any Architectural Conservation Areas or Protected Structures. The potential archaeological sensitivities of the site have been acknowledged, and conditions should apply to any permission in accordance with the submissions from the Department of Housing, Local Government and Heritage.

Protected Habitats and Species

- 8.3.15. This is a small site within the built-up area which has been previously developed and subsequently cleared. There is evidence of Japanese Knotweed (Invasive Species) and this can be suitably managed as a condition of any permission. Otherwise, the site is not of biodiversity significance for protected habitats and species.
- 8.3.16. The nearest Natura 2000 sites are the Dundalk Bay SPA (c. 300m to the north) and Dundalk Bay SAC (c. 840m to the east). As will be outlined in Section 9 of this report, I am satisfied that the proposed development would not have the potential for significant effects on any habitats/species associated with these Natura 2000 sites.

Amenities of residential properties

- 8.3.17. The appeal site is separated from surrounding residential properties by the adjoining public roads. Consistent with the Compact Settlement Guidelines, the CDP (s. 13.8.9.1) outlines standards for separation distances of 16 metres between opposing windows serving habitable rooms at the rear or side of units above ground floor level. Distances of less than 16m can be accepted subject to design. It does not specify separation distances to the front of dwellings.
- 8.3.18. In this case the existing houses generally front onto the proposed development. And in limited circumstances where existing dwellings would face 'side' onto the

development, there would be no opposing windows within the specified 16m distance. Accordingly, I am satisfied that there would be no unacceptable privacy impacts on existing properties as a result of separation distances.

8.3.19. In addition to the adequate separation distances, the proposed building height is mainly c. 10.6m and this is not considered excessive for a residential area. Accordingly, I am satisfied that the combination of building height and separation distance will not result in any unacceptable overbearing impacts for surrounding residential properties.

8.3.20. The application is accompanied by a Daylight & Sunlight Assessments report based on relevant guidance in the form of the BRE Guidelines (2022), BS EN 17038:2018 & A1:2021 (the UK Annex), and IS EN 17037:2018. In summary, the report outlines:

- There will be no significant reduction in daylight to surrounding properties. All windows retain a Vertical Sky Component (VSC) value >27% or experience a reduction which is not below 80% of the existing value.
- There will be no perceptible reductions in sunlight to adjoining properties.
- No private residential amenity areas will be affected.

8.3.21. Having regard to the above, I would concur that there would be no significant daylight or sunlight impacts for surrounding residential properties. Similarly, having regard to the limited height and scale of the development, I do not consider that there would be any other significant microclimate impacts such as wind.

8.3.22. In addition to the existing residential properties, I note that the most significant interface for the proposed development is with the adjoining school property to the north. In that regard, I would acknowledge the limited separation distance (c.1.2m) between the northern elevation of the proposed building and shared boundary. However, I would highlight that:

- There are no existing school buildings at the southern end of the site. It is reserved for intermittent recreational use which provides a significant buffer between existing/proposed buildings.
- The existing recreational space is an important element of the school property, which is likely to be retained as such, i.e., as opposed to future building plans being compromised by the proposed development.

- Subject to the removal of the proposed communal balconies, there would be habitable room windows only at the extreme eastern and western ends of the proposed elevation, which would not result in unacceptable overlooking subject to screening mitigation.
- The Daylight and Sunlight report assessed sunlight impacts on the recreational space based on BRE Guidelines (2022) recommendations that 50% of such spaces should receive more than 2 hours of sunlight on the 21st of March. It outlines that 97.8% of the space currently meets that standard, which would be reduced to 89% with the proposed development. This would still retain a high standard of sunlight and 91% of the existing value.

8.3.23. Therefore, while such limited boundary separation distances would not normally be encouraged, I do not consider that the proposed development would significantly detract from the amenity of the existing recreational space or significantly compromise the future development potential of the school property.

Water supply and wastewater networks

8.3.24. As evidenced by the Uisce Eireann submission on file, I am satisfied that there will be adequate infrastructural capacity to service the development.

8.3.25. In addition to the 'Step 1' and 'Step 2' considerations outlined above, Section 4.4 and Appendix D of the Compact Settlements Guidelines outline 'Key Indicators of Quality Design and Placemaking' to be applied in accordance with Policy and Objective 4.2. The 'Key Indicators' are considered under the following headings.

Sustainable and Efficient Movement

8.3.26. This is an edge of town centre site which is within easy walking distance of a wide range of services and amenities, including the main bus station. It includes only 4 car-parking spaces which appropriately supports the transition away from private car use and has been suitably designed to support universal access. The development is not of sufficient scale to accommodate new streets etc. but it includes a range of pedestrian circulation options which appropriately connect to the adjoining streets. Adequate bicycle storage facilities have also been provided to support active travel.

Mix and Distribution of Uses

8.3.27. The development will benefit from a range of existing mixed uses in the town centre and is not of sufficient scale to necessitate a mix of non-residential uses. However, it does provide a mix of apartment units which would complement the existing predominant mix of terraced and semi-detached houses. The development will help to revitalise an under-utilised site, and the limited extent of parking will ensure that the public realm is not dominated by car usage/parking.

Green and Blue Infrastructure

8.3.28. This is a brownfield site that does not include significant green/blue infrastructure or biodiversity features. In the event of a grant of permission I am satisfied that the existing Japanese Knotweed (invasive species) can be suitably managed and appropriate additional planting will be carried out to address the recommendations outlined in the An Taisce submission. Having regard to the restricted nature of the site, I am satisfied that open space proposals are acceptable and that surface water proposals including underground attenuation will ensure greenfield run-off rates.

Public Open Space

8.3.29. The application outlines that public open space is not proposed having regard to the urban infill nature of the site and the availability of local public parks. Consistent with Policy and Objective 5.1 of the Compact Settlement Guidelines, section 13.8.15 of the CDP allows for setting aside or reducing the public open space requirement (normally 10-15% of the site), particularly on infill and brownfield sites in centrally located areas in towns and villages where the plot size and/or site dimensions can reduce the opportunities for such space. Accordingly, I consider that the omission of public open space in this case is acceptable in accordance with CDP standards.

8.3.30. Policy and Objective 5.1 of the Guidelines allows planning authorities to seek a financial contribution within the terms of Section 48 of the Planning and Development Act 2000 (as amended) in lieu of provision of public open space within an application site. However, neither the CDP nor the LCC Development Contribution Scheme 2023 include specific provisions for such instances. Accordingly, I do not consider that any such specific condition should apply in the event of a grant of permission.

Responsive Built Form

8.3.31. The layout, orientation and scale of the development contributes to the creation of a legible urban structure. It would provide increased height and scale at this prominent junction location which would form a local landmark feature at this western entrance to the town centre. The building elevations address the adjoining streets to the east, west and south, and include several pedestrian/cycle entrances and communal space at ground level which helps to provide surveillance and animation/activity. The scale and finishes of the building respond to the school buildings and adjoining terraces and facilitate an appropriate transition to other smaller scale buildings. Overall, I am satisfied that the development provides a coherent design strategy that will ensure the development is sustainable, distinctive, complements the urban structure, and promotes a strong sense of identity.

Conclusion

- 8.3.32. In conclusion, I consider that the proposed density is within the quantitative recommendations of the Compact Settlement Guidelines (50-150 dph). I acknowledge that the proposals are at the upper end of the recommended range (i.e. 146 uph in the 'further information response' and 138 uph in the 'appeal proposal'). However, notwithstanding the absence of high frequency urban bus services, I consider that the site can be considered a central and accessible location given its proximity to the town centre and a wide range of services, amenities, employment, and wider public transport services etc. Furthermore, having considered the other relevant criteria outlined in local and national policy/guidance, I consider that the proposed design and layout is acceptable and would not seriously detract from the character or amenities of the area or adjoining property. Accordingly, I consider that the quantum and design of the proposed development is appropriate for the site.
- 8.3.33. In the event that the Board has outstanding concerns about overdevelopment of the site, I consider that units 5, 11, and 17 (as per the appeal proposal) could be omitted by condition as previously suggested in this report.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is small (0.123 ha) and is located within the built-up and serviced urban area. It is distanced c. 300m from Dundalk Bay SPA (to the north) and c. 840m from Dundalk Bay SAC (to the east). There are no watercourses in the vicinity of the site.
- 9.2. The proposed development comprises the construction of 18 no. apartments in a 3-storey building, together with associated siteworks and services. It is proposed to connect to the existing public water supply, wastewater, and surface water networks. Apart from the presence of Japanese Knotweed (invasive species) no significant nature conservation concerns were raised in the planning application or appeal.
- 9.3. 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:
- The simple nature and limited scale of the proposed works.
 - The distance from the nearest European sites and lack of connections.
 - The AA Screening information submitted with the application and the outcome of the screening report/determination by Louth County Council.
- 9.4. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on Dundalk Bay SPA, Dundalk Bay SAC, or any European Site, either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

I recommend that permission be **GRANTED** for the proposed development, subject to conditions, and for the reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to the provisions of the Dundalk Local Area Plan 2025-2031 and the Louth County Development Plan 2021-2027, including the zoning of the site as 'A1 – Existing Residential' where residential development is a generally permitted use; the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage (January 2024); the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage (July 2023); the Urban Development and Building Height Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government (December 2018); the pattern and character of development in the area and the design and scale of the proposed development; the Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable quantum and quality of residential development at this location, would not seriously injure the amenities of surrounding properties or detract from the character of the area, would be adequately served by existing and proposed infrastructure, and would be acceptable in terms of traffic safety and convenience. The Board considered that the proposed development would be compliant with the provisions of the Dundalk Local Area Plan 2025-2031 and the Louth County Development Plan 2021-2027 and would be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 29th day of January 2025 comprising a total of 17 apartments, 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, or as otherwise stipulated by conditions

hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The communal balconies on the northern elevation shall be omitted.
 - (b) Screening shall be provided on the northern side of balconies serving apartments 6 and 12 to prevent direct overlooking of the school property.
 - (c) Screening shall be provided for the north-facing windows of habitable rooms to prevent direct overlooking of the school property.
 - (d) Additional planting/screening shall be provided between the private amenity space for apartment 5 and the adjoining communal space.

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

Reason: To protect the amenities of existing properties and future residents.

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

5. The interface of the proposed development with the adjoining road network, including parking areas, facilities for electric vehicles, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works, and shall comply, in all respects, with the standards set out in Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended. Details of same shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of amenity and of traffic and pedestrian safety.

6. 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.

7. Drainage arrangements including the attenuation and disposal 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.

8. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

9. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each unit shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

10. 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 site offices at all times.

Reason: In the interest of sustainable waste management.

11. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. It shall provide details of intended construction practice for the development, including:
 - (a) Location of area(s) identified for the storage of construction refuse, site offices and staff facilities;

- (b) Details of site security fencing and hoardings;
- (c) Details of on-site car parking facilities for site workers during the course of construction;
- (d) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (e) Measures to obviate queuing of construction traffic on the adjoining road network;
- (f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (g) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (h) Provision of parking for existing properties during the construction period;
- (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety, and environmental protection.

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 amenities of property in the vicinity.

13. All areas not intended to be taken in charge by the local authority, shall be maintained by a legally-constituted management company. Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

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

14. (a) The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The AIA shall involve an examination of all development layout/design drawings, completion of documentary/cartographic/photographic research and fieldwork, the latter to include archaeological testing (consent/licensed as required under the National Monuments Acts).
- (b) The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA.

(c) Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

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

15. The Japanese Knotweed on site shall be managed and mitigated in accordance with the Japanese Knotweed Report submitted to the planning authority on the 5th day of December 2024.

Reason: To control invasive species in the interests of nature conservation.

16. Prior to commencement of development, the applicant 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 transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall 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 for the area.

17. 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.

18. 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.

Stephen Ward
Senior Planning Inspector

25th April 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321780-25		
Proposed Development Summary	Construction of 18 apartments in a three-storey building and all associated site works.		
Development Address	Junction of The Laurels Road and Patrick 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	✓
		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	✓	Part 2, Class 10(b)(i) – Construction of dwelling units. Part 2, Class 10(b)(iv) - Urban Development.	
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	✓	Part 2, Class 10(b)(i) – More than 500 dwelling units. Part 2, Class 10(b)(iv) - 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	

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	Class 10(b)(i) – The development involves construction of just 18 dwellings, i.e., less than 500. Class 10(b)(iv) – The development involves an area of just 0.123 hectares, i.e., less than the lowest threshold of 2 hectares for a ‘business district’.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	✓	Preliminary Examination required
Yes		

Inspector: _____

Date: _____

Appendix 1 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321780-25
Proposed Development Summary	Construction of 18 apartments in a three-storey building and all associated site works.
Development Address	Junction of The Laurels Road and Patrick Street, Dundalk, 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>	
Characteristics of proposed development	<p>The development is on a very small site of 0.123 hectares and is a standalone development. The residential nature of the development is consistent with existing development.</p> <p>The development does not involve significant demolition works. It does not require the use of substantial natural resources, and the water supply requirements are typical of residential development. The construction stage would be relatively simple and short and would not give rise to significant nuisance or pollution. The main emissions are surface water and wastewater, and they would be managed appropriately through connections to the existing public systems.</p> <p>The development, by virtue of its type, does not pose a risk of major accident and/or disaster, and would not be vulnerable to climate change. It presents no significant risks to human health.</p>

Location of development	<p>The site is located to the northwest of Dundalk Town Centre and is surrounded by a mix of residential, community, and commercial uses. The site is currently unused.</p> <p>The nearest Natura 2000 sites are the Dundalk Bay SPA (c. 300m to the north) and Dundalk Bay SAC (c. 840m to the east). Impacts on European Sites can be addressed under Appropriate Assessment Screening (See Section 9 of this report).</p> <p>There is evidence of Japanese Knotweed (Invasive Species) on site, but this can be suitably addressed as part of the normal planning assessment. Otherwise, the site is not of biodiversity significance.</p> <p>The area is not of significant built heritage value and impacts on the character of the area can be suitably considered as part of the normal planning assessment.</p> <p>The site is located in close proximity to Recorded Monument LH007-119033: 'Children's burial ground' and impacts on same can be suitably considered as part of the normal planning assessment.</p>
Types and characteristics of potential impacts	<p>The construction stage will not be significant in terms of duration or complexity and would be typical of previous local development. An Outline Construction Management Plan has been included.</p> <p>The main operational effects relate to surface water and wastewater emissions. However, these will be directed to the existing public systems and will have only negligible impacts on networks and emissions.</p> <p>Having regard to the modest nature of the proposed development, 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>

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.	Yes
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: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)