



An
Coimisiún
Pleanála

Inspector's Report

PL-500455-LH-25

Development

Permission for the construction of ninety-nine residential units, comprising of ninety-one 2, 3 and 4 bedroomed two-storey houses, two by three storey duplex blocks each comprising of two by one bedroomed apartments and two by two bedroomed apartments, ancillary open space; associated car and cycle parking; boundary treatment, public open space and landscaping; 1 no. ESB sub-station; 2 no. vehicular access points off Armagh Road; a shared pedestrian / cycle facility along Armagh Road; and all associated site and infrastructural works A Natura Impact statement accompanied the planning application.

Location

Armagh Road, Dundalk, Co. Louth.

Planning Authority

Louth County Council

Planning Authority Reg. Ref.

2560399

Applicant

Lajona Ltd.

Type of Application	Permission
Planning Authority Decision	Grant planning permission
Type of Appeal	Third Party(s) v Decision
Appellant	1) Kevin Shields
Observer(s)	None
Date of Site Inspection	27 th day of March 2026
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The appeal site has a stated area of 3.26 hectares and is located on the eastern side of the Armagh Road (R177), Dundalk, c. five hundred and sixty metres north-west of the junction (Lisdoo junction) with the R215 (Newry Road). The appeal site is located c. two kilometres north-west of Dundalk town centre.
- 1.2 The appeal site is broadly rectangular in shape with a dog leg section to the south-west of the main body of the site which would provide for a widened combined footpath/cyclepath that would provide improved connectivity to the existing town footpath further south-east along the Armagh Road. The subject site forms part of a larger landholding comprising a total of 24 hectares located further, north, east and south of the subject site. Further north-west and west of (on the opposite side) of the Armagh Road are a number of individual dwellings on generous plot sizes. There are a pair of semi-detached single storey dwellings located further north of the subject site on the same side of the Armagh Road. Further south-east of the appeal site on the same side of the Armagh Road is the Lios Dubh residential development which comprises a mix of two storey terraced, semi-detached and detached dwellings. The appeal site is bound by the Armagh Road, the R177 to the west, and undeveloped residential zoned and community facilities zoned lands to the north, east and south of the subject site. The two proposed access points to the subject site are located within the 60 kilometre per hour speed control zone.
- 1.3 Site boundaries are open to the lands which are in pasture to the north, east and south of the subject site. The subject lands and the wider land holding is presently in pasture. The western boundary along the Armagh Road comprises a concrete post and rail fence with a height of approximately 1.5 metres. There is a two-metre footpath along the full extent of the roadside boundary of the subject site. There is no streetlighting along the roadside boundary. There are low voltage electricity wires which run in a north-south direction and parallel with the Armagh Road within the subject site.
- 1.4 The topography of the site falls from c. 7.06 metres OD Malin in the north-western portion of the site to c. 4.86 metres OD Malin in the south-western portion of the site and there is a very gradual fall in levels from south-west to south-east within the subject site from 4.86 metres OD Malin to 4.07 metres OD Malin. There was evidence

of surface water ponding in the eastern and southern sections of the site on the day of my site inspection.

2.0 **Proposed Development**

2.1 The development as initially proposed comprised.

- Planning permission for the construction of ninety-nine residential units including ninety-one two storey houses in the form of 4 x two bed houses. 57 x three bed houses and 30 x four bed houses and 8 duplex units in 2 no. three storey blocks each providing for 4 x one bed apartments and 4 x two bed apartments,
- Ancillary open space,
- Associated car and cycle parking,
- Boundary treatment, public open space and landscaping,
- ESB substation
- 2 no. vehicular access points off Armagh Road.
- A shared pedestrian/cycle way along the Armagh Road.
- All associated site and infrastructural works.

2.2 The initial planning application was accompanied by the following reports/studies.

- Planning Statement.
- Engineering Services Report.
- Soakaway Design/Capacity details
- Design Statement
- Building Lifecycle Report
- Housing Quality Assessment,
- Photomontages/Computer Generated Images of Development,
- Schedule of accommodation
- Community facilities Audit
- Traffic and Transport Assessment Report

- Stage 1 Road Safety Audit.
- Appropriate Assessment (AA) Screening Report
- A Natura Impact Statement (NIS)
- Ecological Impact Assessment (EclA)
- Sunlight/daylight Analysis Report
- Construction and Environmental waste Management Plan
- Operational waste management Plan
- EIA Screening
- Flood Risk Assessment
- Archaeological Scoping Report
- Landscape Report. Design Statement.

2.3 Following a request for Further Information, the applicants submitted amended proposals for the development as follows.

- Incorporation of Active travel measures within the layout providing for connectivity within the site and the wider masterplan area providing for optimal safety for pedestrians, cyclists and drivers alike. Provision is also made for a bus stop along the eastern site of the Armagh Road frontage. Cycle parking, storage and bicycle charging facilities as well as EV parking and charging facilities will be provided as part of a mobility hub.
- Swept path analysis within the internal layout demonstrating sightlines at internal junctions and driveways within residential development and to provide for fire tender/bin lorry access.
- A DMURS statement of compliance for the development.
- Provision of a 30km/h speed control zone within the development through the use of traffic calming measures including raised tables, pedestrian crossings, shared surface treatments and signage.
- Undergrounding of existing ESB wires that traverse the site.
- Public lighting layout within the residential development and along the Armagh Road.

- All of the recommendations as set out with in the RSA have been incorporated within a revised Site Layout.
- Updated two-week traffic survey recoding traffic movements at three locations in proximity to the subject site.
- Traffic capacity within local junctions assessed.
- Proposals for upgrade of traffic lights at the Lisdoo junction, that between the Armagh and Newry Roads.
- Revised surface water management proposals incorporating SuDs measures and Nature based water solutions (NBWS).
- A site-specific flood risk assessment (SSFRA) and recommends minimum FFL.s for the proposed dwellings which provides an allowance for climate change.
- An archaeological management plan has been submitted and sets out a comprehensive archaeological mitigation strategy following consultation with the National Monuments Service (NMS). Best practice guidance as set out by the NMS will be implemented.

2.4 The Planning Authority carried out an Appropriate Assessment (AA) screening exercise and concluded 'it is considered that the proposed works do not have the potential to significantly affect the conservation objectives or the Qualifying interests of the SAC/SPA. Therefore, I consider it reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a determination, that the proposed development, individually or in combination with other plans and projects would not be likely to have a significant effect on any European sites, in view of the sites' conservation objectives'.

2.5 The Planning Authority carried out an Environmental Impact Assessment (AA) screening exercise and concluded 'Given the scale of the development i.e. below 500 units for a mandatory EIA, is considered sub-threshold. From an examination of the information provided in the EIA screening Report (as submitted by the applicants) and having considered the nature, size and location of the development,

there is no real likelihood of significant effects on the environment and as such the need for an EIAR can be ruled out'.

2.6 The Coimisiún sought comments from the Louth County Childcare committee (LCCC). The LCCC issued a response and this will be referenced within Section 7.5 of the assessment below.

3.0 **Planning Authority Decision**

3.1 Following on from the request for Further Information as referenced in Section 2.3 above. the Planning Authority issued a Notification of Decision to GRANT Permission on the 2nd day of December 2025 subject to 24 no. conditions. The following conditions are of particular relevance to this appeal.

Condition no. 2-Occupancy agreements regarding first occupancy by individual purchasers,

Condition no. 3- Social/affordable housing agreement,

Condition no 4- Development contributions,

Condition no. 5- Cash deposit,

Condition no. 6- Establish a property management company

Condition no. 9- Uisce Eireann service agreements

Condition no. 10- Construction hours,

Condition no 13-Ground vibration levels,

Condition no 15-Noise monitoring,

Condition no 16- landscaping,

Condition no. 18-Sightlines, road surface materials and textures, upgrade of Lisdoo junction,

Condition no 19- Surface water management and flood mitigation measures,

Condition no 20-Finishes on all internal roadways, car parking bays, shared surfaces and footpaths and operation of street lighting

Condition no 21-Electric vehicle charging stations and ducting

Condition no 22-Implementaion of EclA and NIS mitigation measures,

Condition no 23- Construction and Environmental Waste Management Plan

Condition no 24-Archaeological monitoring

3.2 Planning Authority Reports

Planning Reports

The first report of the Planning Officer generally reflects the issues in the Further Information request. I refer to Section 2.3 of this report.

Further Information Recommended.

The second report of the Planning Officer was of the opinion that the development as amended as part of the further information response was in accordance with the provisions of the current Louth County Development Plan (LCDP) 2021-2027 as varied and the Dundalk Local Area Plan (LAP) 2025 and with national and regional planning policy and with the proper planning and sustainable development of the area.

The report of the Planning Officer recommended a grant of permission consistent with the Notification of Decision which issued.

3.3 Other Technical Reports

Major Capital plans and Infrastructure Delivery Department - No objections, subject to conditions.

Environment Department - No objections, subject to conditions.

3.4 Prescribed Bodies

Department of Housing, Local Government and Heritage: No objections subject to conditions.

3.5 Third Party Observations

The report of the Planning Officer summarises the main issues raised in the four third-party observations as follows:

- The adjoining regional route, the R177-Armagh Road, already experiences a high volume of traffic.
- Adequate sightlines at the entrance points are not achievable.
- Is there adequate capacity in the existing piped services to cater for the proposed development?
- Overdevelopment of the lands in this rural area.

- Is there adequate physical and social infrastructure in this area to cater for this scale of development?

4.0 **Planning History**

Appeal Site:

Planning Authority. Ref. 08/1013– Planning permission granted by Louth County Council for the development of eighty residential units, comprising of two, three, four and five bedrooms terraced, semi-detached and detached dwellings and 8 no. duplex units comprising one, two and three bedroomed units in a three-storey building. An extension of duration of planning permission was granted by LCC under planning reference 18/1060. Planning permission was since lapsed.

Planning Authority. Ref. 08/520189– Planning permission granted by Louth County Council for the development of three hundred and ninety-two residential units comprising of a mix of two, three, four and five bedrooms terraced, semi-detached and detached dwellings and, apartment and duplex units comprising one, two and three bedroomed apartment units in two and three-storey buildings. An extension of duration of planning permission was granted by LCC under planning reference 18/1061. Planning permission has since lapsed.

Lands east of subject site

Planning Authority Ref. 21/1055– In September 2022, Planning Permission was granted for the development of 36 residential units, which forms part of the unfinished Lismullen Grove residential development.

Planning Authority Ref. 21/1056– In September 2022, Planning Permission was granted for the development of 14 residential units, which forms part of the unfinished Lismullen Grove residential development.

Planning Authority Ref. 24/60321, ABP ref no. 320664-24– In December 2024, ABP granted permission for an LRD comprising 205 residential units and creche facility. To date no works have commenced on site.

Planning Authority reference number 25/60215–In February 2026 Louth County Council refused planning permission for the development of 44 no. residential units. This decision has been appealed to ACP and is presently awaiting decision.

Lands west of subject site

Planning Authority Ref. 22/976– In August 2023, Planning Permission was granted for a ten-year permission for the development of a 26.478 hectare site including for the proviso of infrastructure for the development of fourteen warehouse/logistics/light industrial buildings with ancillary offices, plant, parking and yards. To date development has not commenced on foot of this permission.

5.0 Policy Context

5.1 National Planning Context

The national policy context guiding future growth in Dundalk town is determined by frameworks, plans and guidelines including the National Planning Framework (NPF), Housing for All, Climate Action Plan, National Biodiversity Plan, and several section 28 Ministerial Guidelines.

National Planning Framework, Project Ireland 2040 (NPF)-First Revision 2025

Several national policy objectives (NPOs) are applicable to the proposed development, a new residential scheme within a built-up area of a county town

I identify those objectives which support development in existing settlements such as Dundalk town, NPO 3, NPO 5, NPO 7, and NPO 9, NPO 37 and NPO 42 as being applicable to the proposed development.

National Policy Objective 3 Eastern and Midland Region: approximately 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million

National Policy Objective 5 The regional roles of Athlone in the Midlands, Sligo and Letterkenny in the North-West and the Letterkenny-Derry and Drogheda-Dundalk Newry cross-border networks will be supported in the relevant Regional Spatial and Economic Strategy and in Regional Enterprise Plans.

National Policy Objective 7 Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

National Policy Objective 9 Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

National Policy Objective 37 Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

National Policy Objective 42 To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.

Housing for All 2021

Specifies four pillars by which universal access to quality housing options is to be achieved. Of relevance to the proposed development is the achievement of Pillar 1, increasing new housing supply.

Climate Action Plan 2024

Outlines measures and actions by which the national climate objective of transitioning to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050 is to be achieved. These include the delivery of carbon budgets and reduction of emissions across sectors of the economy. Of relevance to the proposed development, is that of the built environment sector.

National Biodiversity Plan 2023-2030

This plan includes five objectives by which the current national biodiversity agenda is to be set and the transformative changes required to ensure nature is valued and protected is delivered. Of relevance to the proposed development, are the targets and actions associated with Objective 2 on achieving the conservation and restoration needs of environmental designations.

Section 28 Ministerial Planning Guidelines

Several national planning guidelines are applicable to the proposed development (increased residential densities and building heights at certain types of locations, achievement of certain standards for apartment and duplex development). The relevant guidelines include the following:

Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024, (SRDCSG's).

Applicable policy for the proposed development includes:

- Section 3.3: contains Table 3.4 which defines categories of urban areas within 'Regional Growth Centres'. 'Regional Growth Centres – Suburban/ Urban Extension' are areas comprised of low-density car orientated residential areas constructed at the edge of the town/ greenfield lands at the edge of the existing built-up footprint that are zoned for residential development. Densities in the range of 35dph-50dph should be applied to such locations.
- Section 3.4: outlines a two-step density refining process, based firstly on a determination of accessibility (as per definitions in Table 3.8) and secondly on site-specific criteria (impacts on character, historic environment, protected habitats and species, daylight/ sunlight of residential properties, and water services capacity).
- Section 3.4: contains Policy and Objective 3.1 which requires that the recommended density ranges set out in Section 3.3 are applied in the consideration of individual planning applications, and that these density ranges are refined further, where appropriate, using the criteria set out in Section 3.4.

- Section 4.4: contains Policy and Objective 4.1 which requires the implementation of principles, approaches and standards in the Design Manual for Urban Roads and Streets, 2013, including updates (DMURS).
- Section 5.3: includes achievement of housing standards as follows:
 - SPPR 1 – Separation Distances which requires a minimum of 16m between opposing windows serving habitable rooms at the rear or side of houses and apartment units above ground floor level.
 - SPPR 2 – Minimum Private Open Space specifies new standards for houses (1 bed 20sqm, 2 bed 30sqm, 3 bed 40sqm), and private open space for apartments/ duplexes remains as per the Apartment Guidelines.
 - Policy and Objective 5.1 which recommends a public open space provision of between 10%-15% of net site area, exceptions to this range are outlined.
 - SPPR 3 – Car Parking specifies the maximum allowable rate of car parking provision based on types of locations (e.g., 2 no. spaces per dwelling for intermediate and peripheral locations (exclusive of visitor spaces)).
 - SPPR 4 – Cycle Parking and Storage which requires a general minimum standard of 1 no. cycle storage space per bedroom (plus visitor spaces), a mix of cycle parking types, and cycle storage facilities in a dedicated facility of permanent construction (within or adjoining the residences).
 - Section 5.3.7 – Daylight indicates that a detailed technical assessment is not required in all cases, regard should be had to standards in the BRE 209 2022, a balance is required between poor performance and wider planning gains, and compensatory design solutions are not required.
- Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities, 2023 (Apartment Guidelines).

Applicable policy for the proposed development includes:

- Standards and requirements of SPPR 3 (minimum floor areas, and by reference to Appendix 1, minimum storage, private open space areas for 1-3 bedroom units), SPPR 4 (50% to be dual aspect units in intermediate/suburban areas), SPPR 5 (minimum 2.7m requirement for ground level floor to ceiling height), and SPPR 6 (maximum of 12 apartments per floor level per core).
- Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018 (Building Height Guidelines). Applicable policy for the proposed development includes:
 - Section 1.9 requires building heights of at least 3 to 4 storeys, coupled with appropriate density, in locations outside town centre areas to be supported in principle at development management level.
 - SPPR 4 requires:

It is a specific planning policy requirement that in planning the future development of ... edge of town...locations for housing purposes, planning authorities must secure:

 - 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 ...;*
 - 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and*
 - 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.*
- Childcare Facilities, Guidelines for Planning Authorities, 2001 (Childcare Guidelines). Applicable policy for the proposed development includes:
 - Appendix 2 recommends the provision of a childcare facility with a capacity of 20 childcare spaces per 75 dwellings units.
 - Section 2.4 outlines facilities may not need to be provided in developments with high numbers of single bedroom apartments (reiterated in section 4.7

of the Apartment Guidelines which allows 1 and 2 bedroom units to be discounted from childcare calculations).

- The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009 (Flood Risk Guidelines). Applicable policy for the proposed development includes:
 - Table 3.1 which provides a classification of vulnerability of different types of development (e.g. residential as highly vulnerable, local transport infrastructure as less vulnerable, amenity open spaces as water compatible).
- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021, updated 2023 (Commercial Institutional Investment Guidelines).
 - Section 3 requires restrictions on the first occupation of houses and duplexes to individual purchasers or persons eligible for social and/ or affordable housing, excludes corporate entities.
- Development Management, Guidelines for Planning Authorities, 2007 (Development Management Guidelines).

5.2 Regional Planning Context

Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES)

The RSES provides a development framework for the Mid-East Region within which Dundalk is located. Reiterating NPF population projections, the RSES indicates a maximum population increase for the region up to 2031 of c.124,500 persons.

Chapter 4 People and Places of the RSES includes a settlement hierarchy with different urban typologies. Dundalk town is identified as a Regional Growth Centre (second highest level in the hierarchy) in a Gateway Region. Accordingly, RSES settlement strategy policy applicable to the proposed development includes:

- Table 4.2 Settlement Hierarchy describes 'Regional Growth Centres' as large towns with a high level of self-sustaining employment and services that act as

regional economic drivers and play a significant role for a wide catchment area.

- Table 4.3 Settlement Typologies and Policy Responses states the policy response for Regional Growth Centres is for commensurate population and employment growth, on high quality public transport corridors coupled with investment in services, amenities and sustainable transport.
- In respect of density, the RSES guides that higher densities should be applied to higher order settlements including the regional centres.

5.3 Local Planning Context

5.3.1 Dundalk Local Area Plan 2025-2031

The Dundalk Local Area Plan (LAP) 2025-2031 was adopted in March 2025 and came into effect on the 17th day of April 2025.

Table 5.2 Recommended density for suburban area/Urban extension for Dundalk is 35 units per hectare.

Policy objective SC 7 To promote development that facilitates a higher, sustainable density in accordance with Table 5.2 of this Plan which will be appropriate to the local context of the town and enhance the environment in which it is located in accordance with the 'Sustainable Residential and Compact Settlements Guidelines (DHLGH, 2024)'.

Policy Objective SC 8 To promote the concept of a '10-minute neighbourhood', where high quality housing and well-designed, safe and inclusive public spaces served by local services, amenities and sustainable modes of transport are available.

Policy Objectives SC 11 To support the initiatives and pathways proposed under 'Housing for All – A New Housing Plan for Ireland' or any future policy document, in providing a suitable mix of housing types and tenures, such as Cost Rental, to meet the housing needs of the community.

Policy Objective SC 15: To support Government policy and targets under 'Housing for All – A New Housing Plan for Ireland' or any future policy document, and Local Authority actions that contribute to the delivery of affordable housing and social

housing, reduction of homelessness and building of homes on public and private lands.

Policy Objective SC 25 To require the provision of childcare facilities as an integral part of proposals for new residential or mixed-use developments. This requirement shall have regard to the 'Childcare Guidelines for Planning Authorities (2001)' and 'Childcare Regulations (2006)' and shall be in consultation with the Louth Childcare committee.

Policy Objective MOV 4 To encourage a modal shift from use of the private car towards more sustainable modes of transport including walking, cycling, and public transport and to support any initiatives that would assist in the attainment of the Climate Action Plan 2024 mode share targets for 2030: 53% (Car), 19% (Public Transport) and 28% (Active Travel).

Section 8.5.1 Walking and Wheeling: This Plan recognises the benefits of walking and wheeling as part of an active and healthy lifestyle and supports the delivery of projects that will encourage more people to walk or wheel.

Policy Objective MOV 8 To support the retrospective provision of walking and cycling infrastructure, where feasible, to achieve growth in sustainable mobility and strengthen and improve the walking and cycling network.

Policy Objective MOV 11 To encourage the provision of secure bicycle parking provision for all types of bicycles (including cargo bikes, trikes, family bikes, and adapted bikes) within the Plan area, including on/off street parking and at key public transport interchanges.

Section 9.4-Sustainable Urban Drainage Systems (SuDS)

5.3.2 Louth Development Plan 2021-2027, as varied

The Louth County Development Plan (LCDP) CDP contains map-based designations and policy in several chapters which establish the context for the proposed development (a residential scheme comprising houses and duplexes on lands with biodiversity and archaeological value).

Key map-based designations include the following:

Map Based Designations

- The site is subject to Zoning Objectives:
 - A2 – New Residential Phase 1: *To provide for new residential neighbourhoods and supporting community facilities.*
- A 'Flood Zone C' designation is applicable to the subject lands. A flood Zone B designation applies to lands further south of the subject site along the Armagh Road and associated with a tidal flood risk in the Castletown Estuary (0.1% AEP, a 1 in 1,000-year event).
- The site is located in the Landscape Character Area: Lower Faughart, Castletown and Flurry River basin (CDP Table 8.5, indicated as being of local importance).
- No recorded archaeological monuments within the subject site, but two recorded monuments within the wider land holding, namely a burial ground - LH007-187 and a ringfort-LH007-192.

Applicable Policy and Objectives¹

- Chapter 2: Core Strategy and Settlement Strategy. Table 2.11 Population Projections by Settlement (annual growth of 696 persons for Dundalk) and Table 2.17: Core Strategy Table (housing allocation of 2,606 units in Dundalk in CDP lifetime, i.e., annual growth of c.372 dwellings). Objective CS 1- Implement the core and settlement strategies, Objective CS 4-Development will generally only be permitted on Phase 1 lands. Objective CS 10-Direct and consolidate majority of future population growth to Drogheda and Dundalk. Objective CS 11-Support the Regional Growth Centres of Drogheda and Dundalk as regional economic drivers targeted to grow to city scale with a population of 50,000 by 2031.
- Section 2.14.5-Residential Development- Residential development will focus on the delivery of high-quality designed buildings and spaces that can meet the housing needs of all members of the community, regardless of age or ability, and provide connectivity and permeability between existing and future neighbourhood areas..... The Plan supports the delivery of affordable homes

including a mix of house types and tenure suitable for all life stages. Objective SS 25-Manage growth in Dundalk to create a compact settlement with attractive and inclusive neighbourhoods).

- Chapter 3-Housing: Policy Objective HOU 3-To apply a 10% social housing requirement, pursuant to Part V of the Planning and Development Act 2000 (as amended), to land zoned for residential use, regeneration, or for a mixture of residential and other uses. Policy Objective HOU 10-To continue to support the creation of sustainable communities throughout the County for people across all the life stages by facilitating the creation of attractive neighbourhoods where there are strong links and connections to local services, community facilities and employment areas and where walking, cycling, and public transport is prioritised. Section 3.11-Density. The recommended density for edge of settlement sites is 35 units per hectare for Dundalk and Drogheda. Policy Objective HOU 17-To promote and facilitate the sustainable development of a high-quality built environment where there is a distinctive sense of place in attractive streets, spaces, and neighbourhoods that are accessible and safe places for all members of the community to meet and socialise. Policy Objective HOU 23-To require the layout of residential developments to take account of the Design Manual for Urban Roads and Streets (2019) in the provision of pedestrian and cycling infrastructure and crossing points and the design of estate roads and junctions. Policy Objective HOU 24-To require the provision of high-quality areas of public open space in new residential developments that are functional spaces, centrally located, and passively overlooked. Policy Objective HOU 26-To require the provision of an appropriate mix of house types and sizes in residential developments throughout the County that would meet the needs of the population and support the creation of balanced and inclusive communities. Policy Objective HOU 28-To encourage innovation in design that delivers buildings of a high quality that positively contribute to the built environment and local streetscape.
- Chapter 4: Social and Community-Section 4.7.2-Play facilities for children and Section 4.11-childcare facilities.

- Chapter 7: Movement; Policy Objective MOV 25 To support the retrospective provision of walking and cycling infrastructure in existing settlements, where feasible, to achieve growth in sustainable mobility and strengthen and improve the walking and cycling network.
- Chapter 8: Natural Heritage, Biodiversity and Green Infrastructure contains Section 8.3-Europea Sites in County Louth. Objective NBG 3-Protection and conservation of European sites and NBG6-To ensure AA screening a Stage 2 AA is conducted where appropriate.
- Chapter 10: Infrastructure and Public Utilities contains Policy Objective IU 6 To require all new developments connect to the public supply where public water and wastewater infrastructure is available or likely to be available and which has sufficient capacity. Policy Objective IU 19 To require the use of Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures be incorporated in all new development (including extensions to existing developments). All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run off quality and impacts on habitat and water quality. Policy Objective IU 20 To require all development proposals meet the design criteria, (adjusted to reflect local conditions), and material designs contained in the Greater Dublin Strategic Drainage Study (GDSDS) and demonstrate how runoff is captured as close to source as possible with subsequent slow release to the drainage system and watercourse. Objective IU 26 (flood risk management for new developments).
- Chapter 13: Development Management Guidelines, contains Table 13.3: Recommended Density and Plot Ratio (Dundalk: edge of settlement, 35dph and 1), policy in Section 13.8.6 (building heights, defers to the Building Height Guidelines), 13.8.13 (mix of building types, heights and finishes encouraged), 13.8.28 (apartments, defers to the Apartment Guidelines), 13.16.9 (electric vehicles, minimum of 20% of spaces dedicated to EV parking/charging spaces), Table 13.10: Parking Tiers (Area 2: includes accessible locations in Dundalk (i.e., town centre, locations 500m to high frequency urban bus service), Area 3: includes other locations (the appeal site comes within the

scope of Area 3 due to locational factors), Table 13.11: Car Parking Standards (Area 3: 2 spaces per house max, 2 per apartment), and 13.21.2 Land Use Zoning Acceptability: defines generally permitted use, open for consideration use, and uses not listed.

5.3 National Policy

National Planning Framework 'Project Ireland 2040'-First Revision- 2025

The NPF sets out a targeted pattern of growth for Eastern and Midlands Region of 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million;

Relevant Policy Objectives include:

- National Policy Objective 7 Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.
- National Policy Objective 12 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 43: 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 45: 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.
-

Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).

Section 4.4-Key Indicators of Quality Design and Placemaking

Responsive Built Form- Placing an emphasis on the creation of a coherent urban structure and design approach that responds to local character and is attractive.

- New development should respond in a positive way to the established pattern and form of development and to the wider scale of development in the surrounding area. The height, scale and massing of development in particular should respond positively to and enhance the established pattern of development (including streets and spaces).
- The urban structure of new development should strengthen the overall urban structure and create opportunities for new linkages where possible.
- Buildings should generally present well-defined edges to streets and public spaces to ensure that the public realm is well-overlooked with active frontages.
- New development should embrace good modern architecture and urban design that is innovative and varied, and respects and enhances local distinctiveness and heritage.

SPPR 1 - Separation Distances. It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level.

SPPR 2 - Minimum Private Open Space Standards for Houses. It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:

- 1 bed house 20 sq.,
- 2 bed house 30 sq.,
- 3 bed house 40 sq.,
- 4 bed + house 50 sq.

Semi-private open space is distinct from public open space. While there is no requirement to provide semi-private open space for a house, these Guidelines provide an option under SPPR 2 to provide semi-private open space in lieu of private

open space as part of a more flexible design approach. Semi-private spaces shall be for the exclusive use of the residents of a housing development and be directly accessible and integrated into the development. They should be secure and usable spaces with a range of suitable landscape features to meet the needs of intended residents.

Policy and Objective 5.1 - Public Open Space

It is a policy and objective of these Guidelines that statutory development plans include an objective(s) relating to the provision of public open space in new residential developments (and in mixed-use developments that include a residential element). The requirement in the development plan shall be for public open space provision of not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area save in exceptional circumstances.

Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities, 2023 (Apartment Guidelines).

Applicable policy for the proposed development includes:

- Standards and requirements of SPPR 3 (minimum floor areas, and by reference to Appendix 1, minimum storage, private open space areas for 1-3 bedroom units), SPPR 4 (50% to be dual aspect units in intermediate/suburban areas), SPPR 5 (minimum 2.7m requirement for ground level floor to ceiling height), and SPPR 6 (maximum of 12 apartments per floor level per core).

5.4. Ministerial Guidelines

5.4.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023).
- Design Manual for Urban Roads and Streets (2019).

- Urban Development and Building Height Guidelines, Guidelines for Planning Authorities (2018).
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities, 2010.

5.4 **Natural Heritage Designations**

- Dundalk Bay SAC (Site Code: 000455) is located approximately 1.1 kilometres south-east of the appeal site.
- Dundalk Bay SPA (Site Code: 004026) is located approximately 440 metres south of the appeal site at the Castletown Estuary

5.5 **EIA Screening**

(See appendix 1 at the end of this report). Having regard to the nature and scale of development on residentially zoned and fully serviced lands site and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

5.6 **Water Framework Directive Screening**

The subject site is located along the eastern side of the R177-Armagh Road and approximately two kilometres north of Dundalk town centre. There is a drainage ditch to the south of the subject site and on lands within the wider land holding of the applicants. This drainage ditch in turn outfalls to the Castletown River approximately 440 metres south of the subject site which in turn hydrologically connects to Dundalk Bay approximately seven kilometres downstream.

The development seeks permission for the construction of ninety-nine residential units, and all associated site works in its place.

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where

necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, relatively modest scale and location of the project, I am satisfied that it can be eliminated from further assessment as I consider there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The relatively modest scale and nature of the development,
- The distance from the nearest water bodies and the absence of direct hydrological connections from the development site.

Conclusion

I conclude that on the basis of objective information, that the development would not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

6.0 The Appeal

6.1 Grounds of Appeal

One third party appeal submission from a local resident has been received by the Coimisiún. The issues raised in the appeal can be summarised as follows:

Access, traffic capacity and pedestrian safety:

- The development would be premature pending a solution to the traffic issues in the area.
- The Coimisiún refused planning permission for an interchange on the Armagh Road in 2006.
- The R177 is not capable of facilitating any additional development.

- Traffic congestion occurs at the Lisdoo junction (Junction of R215 with the R177) located approximately 560 metres south-east of the subject site between 7am and 7pm daily.
- There is a railway bridge located further out of town (on the Armagh Road) where HGV's struggle to traverse under it.
- The development should only be permitted upon construction of a link road to the M1 Motorway in the interest of pedestrian safety.
- The Coimisiún has already permitted a large residential, development in Lisdoo which are not yet commenced and would be dependent on the existing inadequate roads infrastructure.

6.2 Planning Authority Response

None received.

6.3 First party response to the third-party appeal submission

The applicants issued a response to the issues raised within the third-party appeal submission. The issues raised relate to the following matters:

- There has been residential development permitted within the subject lands and within the adjoining landholding (also belonging to the applicants) since 2009 and these permissions were extended in 2018 but neither scheme was ever developed.
- A Traffic and Transport Assessment (TTA) was submitted as part of the planning documentation and updated following a request for further information and this report concludes that the R177, Armagh Road has adequate capacity to cater for the proposed residential development and would not give rise to a material adverse impact on traffic flow, road safety or the operation of the surrounding transport network.
- The Major Capital Projects and Infrastructure Delivery Section within Louth County Council issued a report on the 12th November 2025 following the receipt of the further information response and outlined no objections to the

proposals from an access and traffic safety perspective, subject to a number of conditions.

- The 2006 refusal of permission by the Coimisiún referenced by the appellants regarding the development of a northern link interchange predates the current planning policy context. The current proposals have been assessed by the Local Authority on their merits in the context of up to date traffic survey data, contemporary transport design standards, national, regional and local planning policy.
- The TTA submitted demonstrates that the proposed development can be accommodated without reliance on a northern interchange and without giving rise to traffic or road safety concerns.
- The Planning Authority (PA) did not identify the absence of a northern interchange as a reason for refusal.
- The appellants reliance on a historic refusal of planning permission does not undermine the PA's reasoned and evidence-based assessment of the proposals nor does it provide a valid basis for refusing planning permission in this instance.
- The upgrade of the Lisdoon junction has already been secured by means of planning specific planning conditions as set out with planning references 25/60399 (condition no. 18d) and planning reference 22/976 (planning condition 20) which require upgrades to the traffic lights at this junction prior to the commencement of development.
- The applicants' Consulting Engineers have set out that the railway bridge on the Armagh road has a clearance height of 4.64 metres and it is not considered that the proposed development would adversely impact upon the bridge structure. A residential development site generates practically no high sided or HGV traffic. The bridge clearance height is not a relevant consideration in this instance.
- The proposals are in accordance with the provisions of the current Louth County Development Plan, LCDP, the National Planning Framework as revised 2025, the Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031 and relevant Section 28 Ministerial Guidelines, would accord with the proper planning and sustainable

development of the area and, therefore, the decision of the Planning Authority to grant planning permission should be upheld

6.4 **Observations**

None received.

7.0 **Assessment**

7.1 The main issues are those raised within the grounds of the third-party appeal submission and the Planning Report, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development
- Density, Design and Layout
- Access and traffic.
- Other Issues.
- Appropriate Assessment

7.2 **Principle of Development**

7.2.1 Within the National Planning Framework (NPF), Dundalk is identified as being an important driver of national growth and as being a key regional centre. Section 2.2 in relation to compact growth is 'Targeting a greater proportion (40%) of future housing development to be within the existing 'footprint' of built-up areas' and NPO 3 identifies the Eastern and Midlands region to experience significant population growth of 'approximately 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million persons'. NPO5 references the importance of regional development including supporting the cross border network of Drogheda-Dundalk and Newry. Targeting a greater proportion (40%) of future housing development to be within the existing 'footprint' of built-up areas is specifically referenced within NPO7.

7.2.2 The RSES provides a development framework for the Mid-East Region within which Dundalk is located. Reiterating NPF population projections, the RSES indicates a

maximum population increase for the region up to 2031 of c.124,500 persons (extrapolated from Table 4.1). Chapter 4 People and Places of the RSES includes a settlement hierarchy with different urban typologies. Dundalk town is identified as a Regional Growth Centre (second highest level in the hierarchy) in a Gateway Region. Accordingly, RSES settlement strategy policy applicable to the proposed development includes:

- Table 4.2 Settlement Hierarchy describes 'Regional Growth Centres' as large towns with a high level of self-sustaining employment and services that act as regional economic drivers and play a significant role for a wide catchment area.
- Table 4.3 Settlement Typologies and Policy Responses states the policy response for Regional Growth Centres is for commensurate population and employment growth, on high quality public transport corridors coupled with investment in services, amenities and sustainable transport.

In respect of density, the RSES guides that higher densities should be applied to higher order settlements including the regional centres. At least 50% of all new homes are to be delivered within the existing built-up footprint, and Dundalk is identified as a 'Strategic Growth area' within the RSES for the Eastern and Midlands Region.

7.2.2 The Core Strategy within Chapter 2 of the current LCDP 2021-27 envisages that Dundalk will cater an additional population of 7,660 persons during the plan period, 2021-2027, which will necessitate the development of 2,606 residential units during this period. The appeal site is located on lands that are zoned R1-residential phase 1 within the Dundalk Local Area Plan 2025-2031. The Core Strategy sets out that residential (phase 1) zoned lands are to be prioritised and, therefore, the current proposals would be consistent with the sequential approach to residential development as recommended within the Sustainable Residential Development and Compact Settlement Guidelines 2024.

7.2.3 Within the National Planning Framework (NPF) Dundalk is identified as being an important economic driver of national growth and as being a regional growth centre within the Eastern and Midlands region. The NPF targets a significant proportion of future urban development within the existing built-up footprint of existing urban

areas. Therefore, I consider that the current proposals for the development of a greenfield site on phase 1 residential zoned and serviced lands within an identified 'Regional Growth Centre' of Dundalk would be acceptable in principle, having regard to the established and permitted residential character of the area. Therefore, I consider that the current proposals would be consistent with the sequential approach to residential development as recommended within the Sustainable Residential Development and Compact Settlement Guidelines 2024.

7.2.4 The subject site is zoned as A2 – New Residential Phase 1, as per the current Dundalk Local Area Plan 2025. The A2 zoning objective is 'To provide for new residential neighbourhoods and supporting community facilities', residential uses are listed as being generally permitted on A2 zoned lands, within the land use zoning matrix, and is, therefore, considered acceptable.

7.2.5 I acknowledge the context of the appeal site lands, which are located approximately two kilometres north-west of Dundalk town centre, although I note that the Armagh Road is not presently serviced by the Dundalk town bus service. However, this service does extend along the Newry Road, along the R215, which is located approximately 560 metres south-east of the subject site. I note that there is existing footpath connectivity in the form of a two metre footpath along the road frontage of the appeal site that connects the site to the town centre and to the local shops and facilities in the Lisdoon area and along the adjacent Newry Road. I note the applicants proposals to upgrade the connectivity from the site towards the town centre with the provision of a combined, upgraded and widened cycle and footpath which would tie into the existing footpath further south along the Armagh road at the adjacent Lios Dubh residential development, located further south of the subject site, but adjoining the overall land ownership, under the control of the applicants, further south along the Armagh Road. I consider from a sequential perspective, the appeal site would be suitable for development, given its A2-proposed residential zoning status and given that the subject lands are located adjacent to established and permitted residential development. The current County Development Plan provides for development of the site given its zoning and, therefore, is not constrained by Core Strategy provisions.

7.2.6 In conclusion, Policy objective DS2 seeks to support and facilitate the provision of housing and the projected population increase and policy objective SC7 in relation to

achieving densities in compliance with the Compact settlement guidelines and policy objective SC11 in terms of providing a suitable mix of housing types and tenures. The appeal site, located within the north-western suburbs of the Dundalk town on residentially zoned lands that are serviced and would be consistent with the Core and Settlement Strategies as set out in the current Louth County Development Plan 2021-2027.

7.3 Density and Layout

Density:

- 7.3.1 Section 3.11 of the current LCDP 2021-27 recommends that a density of 35 residential units per hectare within edge of settlement sites with Drogheda and Dundalk. The applicants set out that the net density of the residential development as proposed is 35 residential units per hectare and, therefore, would comply with the Development Plan provisions and standards. The appellant considers that the current proposals would represent an overdevelopment of the site and result in the generation of significant additional traffic congestion in the area, particularly at the junction of the R177 and the R215, the Lisdoon junction.

The Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) provides guidance in respect of the density of residential development at different locations/scales. Table 3.4 (Area and Density Ranges for Regional Growth Centres) provides two density ranges. In my opinion, the 'Suburban – Urban Extension' range is the most relevant typology to the appeal site. This typology is described as including: 'Suburban areas are the low-density car orientated residential areas constructed at the edge of the town, while urban extension refers to greenfield lands at the edge of the existing built up footprint that are zoned for residential or mixed use (including residential development. It is a policy and objective of these Guidelines that residential densities in the range of 35-50 dph (net) shall generally be applied at suburban and edge locations of Regional growth Centres'.

The proposed density results in a scheme which is consistent with the character of the existing area (appropriate design, layout and building height), does not cause loss of daylight and sunlight to adjacent properties (sufficient separation distances

and favourable orientations), and does not generate excess demands on services (sufficient capacity in the existing/ planned public water services networks) or cause/ increase flood risk (proposed site coverage generates manageable surface water run-off levels).

I acknowledge that the proposed residential density of c.35dph is at the lower end of the applicable range, and the Coimisiún may consider that a denser form of development is necessary at the site (i.e., more towards the top of the applicable density range of c.50dph). However, in undertaking the two-step refining process, I am satisfied the proposed density is appropriate for the appeal site and a denser scheme may adversely impact on the three criteria identified in the paragraph above.

Further, the proposed density aligns with the direction in the guidelines (lower range for edge of town/ suburban location, limited accessibility in terms of public transport), and that of the current LCDP (as per Table 13.3, assisting in achieving population and housing allocation targets in Dundalk (annual growth rates of 629 persons and of c.408 dwellings) and securing the highest densities (i.e., those of c.50dph) in the most appropriate locations (i.e., town centre, public transport corridors).

While the appellant opposes the increase in the number of residential units and consequent increase in the number of people within the area and the associated increase in traffic generation. I consider the housing mix of two, three and four bedroom houses as well as 4 no. one bed and 4 no. two bed duplex units to be well within acceptable parameters for Dundalk town, which offers a multitude of local services and facilities in proximity to the subject site.

Of relevance to this subsection, is the assessment of capacity in social infrastructure, and in particular capacity of local schools and childcare facilities. I note the comments received from the Louth County Childcare Committee (LCCC) who have highlighted the shortfall in early years childcare capacity available within Dundalk and that permitting an additional ninety nine residential units and no additional childcare capacity would add to the pressure on the existing childcare services, which are overstretched in terms of capacity with the existing and permitted level of residential development. The LCCC have recommended that some level of childcare facility should be provided by the developers in this instance. Having regard to the

provisions of policy objective SC35 in the current LCDP 2021, in terms of ‘supporting and facilitating the sustainable provision of childcare facilities in appropriate and suitable locations and seek their provision concurrent with new residential development’, the provision of adequate childcare provision in tandem with new residential development is promoted and encouraged. The LCCC are a key local organisation in terms of assessing childcare capacity. It is in this context, I consider it appropriate, that in the event that a grant of planning permission is being recommended, that a condition be included providing for on-site childcare facilities within the subject site or provide for the use of a number of the proposed dwelling units as a childcare facility.

The appeal site is located c. 1.5 kilometres from the nearest bus stop serving the local Dundalk town bus service, that being route 174A which has a number of bus stops located along the Castletown Road, 1.5 kilometres distant from the subject site. The town service presently has a 30 minute frequency to and from the town centre (as per the TFI website [TFI Local Link - Transport for Ireland](#)) There is presently a bus every thirty minutes connecting the bus stops along the Castletown Road with the town centre and the main bus station in the town, along the Long Walk Avenue. In the context of accessibility, I note that Table 3.8 within the Sustainable Residential Development and Compact Settlement Guidelines (SRDCSG;s) for Planning Authorities (2024) refers to locations within 500 metres walking distance of an existing or planned Bus Connects ‘Core Bus Corridor’ stop. I note that the appeal site is outside this range. The Guidelines also require consideration of the character, amenity and natural environment when considering density. In this regard I note that the appeal site is located in a suburban greenfield area, however is within a 1.7 kilometre distance of the town centre, with footpath connectivity to the centre. The issue of access and connectivity will be addressed in greater detail within Section 7.4 of this assessment below.

SPPR 4 (1) of the Urban Development and Building Heights: Guidelines for Planning Authorities (December 2018) provides that ‘is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure - the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the

Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines. The Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) have replaced the Sustainable Residential Development in Urban Areas (2007) Guidelines and in this regard, I consider that the density ranges set out in Table 3.2 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) is, therefore, the appropriate guidance in this instance.

The developable area of the site is stated to comprise 2.83 hectares. and on the basis of a proposal for 99 residential the resultant density is c. 35 dwellings per hectare (dpha). In my opinion the appeal site is analogous with the ‘Regional Growth Centre – Urban extension’ range as set out at Table 3.4 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) and as such I consider that a density of 35 dpha is acceptable at this location. I note that a Large scale residential development (LRD) was permitted by both Louth County Council and An Coimisiún Pleanála approximately 300 metres south-east of the subject site under reference number 320664-24 and a net residential density of 35 residential units was accepted in that instance, on a site which is located in closer proximity to the town centre. I note that the Planning Authority and the Comisiún considered the residential density to be appropriate for the subject lands. Having regard to the location of the site on the northern perimeter of the settlement of Dundalk, I consider that the residential density as proposed is acceptable in this instance.

In conclusion, I am satisfied that the proposal represents a suitable form of new residential development at an appropriate density on residentially zoned and serviced lands. The proposal will ensure an increase in population, the provision of new homes, and a greater mix and variety of residential typologies available in Dundalk, designated as a key regional settlement centre, thereby complying with a range of applicable policy objectives at the national, regional, and local levels (in particular LCDP Objectives CS 1, CS 10, and SS 25).

7.3.2 Character of the Area

With regard to the character of the receiving area, I find this to be edge of town/ outer suburban, comprising a mix of residential developments and single residential units on generous plot sizes (opposite the appeal site and further north of the appeal site along the Armagh road (R177) which is reflected in the range of building heights and architectural styles. The site itself is greenfield and has generous frontage onto the Armagh Road, being part of a larger land holding of residential zoned lands, located further north, east and south of the subject lands and the Armagh road located west of the subject site. block and having limited street frontages.

There is no development located immediately adjoining the subject site, However, there are a number of adjacent residential developments located further south of the subject site and accessing onto the Armagh Road. The nearest development, Lios Dubh is located approximately 175 metres south of the subject site and there are other residential developments further south and west of Lios Dubh including Lismullen Grove and Coulter Park. These residential developments comprise predominantly low-rise (two and three storey), low to medium density developments comprising terraced, semi-detached and detached dwellings. To the west and north of the subject site, facing onto the Armagh Road are conventional single and two storey detached dwellings on generous plot sizes.

Overall, I consider the character of the receiving area to be varied and divergent,. As such, I consider the character of the receiving area is only vulnerable where the site fronts onto the Armagh Road streetscape, given there is no development, residential or otherwise which is immediately contiguous with the site boundaries of the subject site. These are two proposed vehicular access points to the development from the Armagh Road and a proposals to develop a widened and combined footpath/cyclepath along the Armagh Road frontage as far as the adjacent Lios Dubh development, thereby providing for active travel connectivity in the area, albeit there are no other existing cycle lanes along the Armagh Road.

I am satisfied that the proposed residential development will not be injurious to or adversely impact on the character of the receiving environment. Indeed, conversely, I consider the development of this greenfield site, presently open, underutilised, and

weak in urban definition, to be a positive intervention, strengthening the urban block and defining the urban grain of this edge of town/ outer suburban location.

Design

I have reviewed the applicant's Architectural and Urban Design Rationale, the photo montage/computer generated imagery and all plans, elevations, and cross-section drawings, contiguous elevation drawings and positively note the design approach taken for the proposal. The scheme comprises conventional residential buildings (own-door housing in terraced, semi-detached pairs and detached dwellings) and a modest number of denser residential typologies (two no. three storey duplex apartment blocks). The layout provides for a diverse range of dwellings types, ranging from the small one and two bed apartments and terraced dwellings to larger three and four bed roomed units. The breakdown of the unit types provides for 4 x two-bedroom dwellings with a floor area of 86 sq. m, 57 no. three bedroomed dwellings with floor area ranging from 106-114 sq. m and 30 no. four bedroomed dwellings with floor areas ranging from 130-139 sq. m. In terms of the apartments, there are 4 no.1 bed apartments with a floor area of 55 sq. m and 4 no. two bed apartments with floor areas of 98sq m. I am satisfied that there is an appropriate range of residential unit types and sizes being provided and that in terms of floor areas and layouts, they would achieve and exceed in many instances the minimum qualitative and quantitative standards as set out within the SRDCSG's and the Apartment Guidelines

The development would provide for an inclusive scheme capable of accommodating the varying family unit types. There are a range of public open space areas, include one large space to the east of the site and providing for a dedicated children's play space and a number of smaller pockets of public open space. Overall, the quantum of public open space is stated to comprise 12% of the net site area, when the roads and services are discounted from the overall site area. The quantum, quality and disposition of passive and active public open space areas are considered to contribute positively to the overall high quality of layout that is proposed and would provide for a good standard of residential amenity for future occupants of the residential development. The areas of public open space are directly overlooked by many of the residential units within the scheme, thereby optimising passive surveillance of these spaces. I also note that the public open space associated with

the residential units, in terms of private garden spaces and the gardens spaces associated with the ground floor apartments and terrace areas associated within the upper floor apartments accord with the quantitative and qualitative tabards as set out within the national planning guidance and would afford future residents a good standard of residential amenity.

I consider that the architectural style, elevational treatment, and external finishes of the dwellings to be appropriate, and the boundary treatments (public interfaces, between individual properties, framing open spaces) to be suitable and well deigned and laid out. I consider the height, scale and massing of the proposed buildings within the scheme to be consistent and complimentary to each other (the tallest and largest blocks are centrally located, with buildings stepping down in height and reducing in massing towards the site boundaries), to complement the design styles of adjacent residential development (e.g., proposed dwellings are primarily 2-2.5 storeys when directly opposing existing properties along the Armagh Road and adjacent to the site perimeter), and to contribute to the creation of the character of the area.

As outlined above, I consider that the character of the receiving area is only sensitive to change in certain locations. These include the street frontages onto the Armagh Road whereby dwellings both front onto and gable onto the R177. These elevations provide for active street frontage. The residential scheme itself is divided into a number of areas with some of the residential units facing directly onto main internal streets, some onto local streets and some centred around homezone areas, providing for shared surface areas where traffic is calmed to allow the local children to recreate along these particular streets. I consider the design and architectural treatment within the scheme to be satisfactorily managed.

In the street frontage along the Armagh Road, the two vehicular entrance points to the residential scheme and areas of open space are proposed. I positively note that there are no buildings proposed immediately within the frontage, a green landscaped corridor is proposed within the layout facing onto the R177, thereby the existing open character at this part of the streetscape is largely maintained.

Layout

With regard to the layout of the scheme, I note that due to the configuration and context of the site, there are limited options for access and building arrangement. Accordingly, I find the proposed dwellings to be arranged logically and functionally, with conventional houses predominantly otherwise laid out back-to-back and/ or back to gable-end with many dwellings fronting onto open spaces and pathways within the scheme. The duplex apartment blocks are arranged centrally, partially framing the main area of public open space within the scheme.

I am satisfied that the layout of the scheme has adequately considered the issue of permeability with pedestrians and cyclists well catered for. New paths are proposed through the scheme connecting to the existing public footpaths and/ or roads of the wider urban block along the Armagh Road to the west.

The appeal grounds include opposition to the extent of development and the volume of traffic that the proposals would generate along the Armagh Road, particularly at the Lisdoo junction and also further out (north) along the Armagh Road at the railway bridge. While I acknowledge the appellants' concerns, I note and concur with the positions of the planning authority (planning report and Transportation Section Report) and the applicant (application documentation, first party appeal response) which, respectively, require and support opportunities for increased permeability. In any event, I highlight that the planning authority has zoned the subject lands and the adjacent lands to the north, south and east of the subject site for residential development in the current LCDP, and the development of same will be subject to future applications, public consultation, and assessment. The applicants have shown an indicative Framework Plan for all of the lands within their wider ownership and how the proposed scheme (phase 1) would tie in with future phases of development to the north, east and south of the subject site.

In respect of public open space provision (quantitative and qualitative standards) for the scheme, I have reviewed the applicable plans (Site Connectivity & Open Space Analysis, Proposed Landscape Masterplan, and particulars included within (Landscape Design and Access Statement, Landscape Management and Maintenance Plans).

In the interests of clarity for the Coimisiún , I find that the applicants are proposing a the total provision of public open space of 3,490sqm (c. 12% of the net site area).

Of qualitative standards, I note the public open spaces are well located throughout the scheme (accessible, directly overlooked and of visual interest), vary in size (meeting different user needs), range in function (passive and active recreation), and provide for hard and soft landscaping proposals. The Landscape Report, including the landscape drawings and the Hard and Soft landscaping materials report present the detailed landscaping and planting programme for the scheme, which I consider to be of high quality, well-considered, and satisfactory.

The site is an open greenfield one with no trees or hedgerows located within its bounds or perimeter. Therefore, the landscaping proposals will be of crucial importance in terms of softening the impact of the development of the residential proposals.

In conclusion, in respect of the appeal ground that the proposal constitutes overdevelopment of a relatively small site, I do not concur. The key metrics for the scheme, i.e., the residential density, plot ratio, and site coverage figures, indicate otherwise being low to medium in their nature. The proposal would accord with the quantitative and qualitative metrics as set out within the SRDCSG's and within the current LCDP and, therefore, would accord with the proper planning and sustainable development of the area.

Height

I have reviewed the applicant's Architectural and Urban Design Statement, photomontage/CGI imagery, and all plans, elevations, and cross-section drawings. As outlined above in respect of layout, the proposed houses would be of 2 storeys in height are primarily sited around the perimeter, opposing existing single and two storey residences, and the duplex apartment blocks of 3 storeys in height are centrally located within the development, directly overlooking the primary area of public open space and set back from adjacent boundaries towards the centre of the site as they increase in height and scale.

I consider a building height of 3-storeys (as is being partially proposed for the 2 no. duplex apartment Blocks, principal height of c.12.1 metres) to be a building height which is appropriate for this location having regard to the context of the site and

building heights of adjacent properties. I also note the innovative architectural approach to building heights in the scheme, with the taller buildings centrally located, addressing areas of open space, and stepping down in height, scale and massing towards the edge site boundaries which are characterised by single, 2 and 3 storey dwellings.

I have reviewed the provisions of the current LCDP and confirm to the Coimisiún that the site is not within a designated landscape or any protected views. The development of the site as proposed would not be acceptable if the character of the area and/ or the quality of the landscape were being adversely affected. As I have outlined above, I do not find this to be the case.

While I acknowledge the appeal grounds, the houses, duplex and apartment blocks are relatively modest in building height (with a maximum ridge height of 12.1 metres in the three storey duplex buildings. Indeed, had the site been more accessible and better served by public transport, a higher density with taller buildings may have been deemed appropriate having regard to the provisions of the Compact Settlement Guidelines.

On balance, due to the relatively modest principal heights proposed, the notable separation distances between the proposed blocks and the existing adjacent properties, and they being separated by roads, open spaces, landscaping, and intervening undeveloped residentially zoned lands, I do not consider that the proposed building heights will have an overbearing effect on or injure the visual amenities of the area nor the residential, amenities of existing adjacent residential properties. Impacts associated with overlooking and overshadowing are considered in the assessment below in terms of residential amenity.

Conclusion

In conclusion, I am satisfied that the design and layout of the proposed development will result in the delivery of a quality residential scheme. The proposal is acceptable in terms of building height, scale, and massing, complies with applicable national planning guidelines (Compact Settlement, Apartment, Building Height, DMURS) and local policy requirements (CDP Chapter 13, several development management objectives and standards), is provided with sufficient quantitative and qualitative public open space, and ensures an adequate level of amenity for future residents. I

am satisfied that the proposal is an appropriate design solution for this site and will not have adverse impacts on the character or visual amenities of the receiving area.

Residential Amenity:

The appeal submission received from a local resident of the town did not raise any issue in relation to the potential for the proposed development to adversely impact the amenities of adjacent residential properties by reason of overshadowing and overlooking. The applicants contend that the proposed development would not adversely impact the residential amenities of the adjacent residential properties.. I will address each in turn.

Overlooking:

SPPR 1 within the SRD&CS sets out that ‘when considering a planning application for residential development, separation distances of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. The proposed development is located along the eastern side of the Armagh Road on a greenfield site. The nearest development to the south is the Lios Dubh residential development, located approximately 175 metres south of the nearest boundary of the subject site. The R177 is located to the west of the development. The nearest proposed dwellings to the R177 are located approximately 12 metres set back from the carriageway edge and would be located approximately 30 metres from the dwellings on the opposite (western) side of the R177 and in excess of 67 metres from the dwellings located further north of the subject site along the Armagh Road. Therefore, I consider, that due to the generous intervening separator distances between the proposed dwellings and those nearest the subject site, and with the implementation of suitable boundary treatment and landscaping, that no adverse impact upon adjacent residential amenities by reason of overlooking would arise in this instance.

Overshadowing:

The applicant submitted a daylight and sunlight assessment including a Shadow Analysis Study of the proposed development. The report sets out that 100% of the

units achieve the target values set out within the recommended guidance, that being the BRE Guidelines 2022. In terms of sunlight, again the report sets out that 100% of the units will achieve the minimum standards of 1.5 direct sunlight hours in line with the BRE guidance. I consider that the proposed scheme is well laid out in this regard and will afford future occupants a good quality of residential amenity.

Overbearance:

As noted above, the residential units are located a minimum of 30 metres removed from the existing established and nearest residential properties. Having regard to the considered design of the proposed development, its height at two and three storeys and the separation distance to the adjacent neighbouring dwellings, I am satisfied that the proposed development would not result in significant overbearance of the existing adjacent neighbouring dwellings along the Armagh Road.

7.4 Access and Traffic

- 7.4.1 The third-party appellant raised issues in relation to traffic safety and capacity within the road network in the vicinity of the site during the construction and operational phases of the proposed residential development. The applicants submitted a Traffic and Transport Assessment (TTA) and a Road Safety Audit (RSA) Stage 1 prepared by Traffic Consultants as part of their planning documentation. The Consultant Traffic Engineers submitted a specific response to the issues raised in the third-party appeal submission and was appended to the first party planning response to the third-party appeal submission.
- 7.4.2 I note that the appeal site along the eastern side of the Armagh Road is located within the 60 kilometre per hour speed control zone. There is a two-metre-wide public footpath along the full frontage of the appeal site linking the subject site towards the Lisdoon junction and ultimately to the town centre. The Traffic and Transport Assessment (TTA) Report submitted by the applicants is stated to have been prepared in accordance with TII guidance (2014) and addresses the issue of roads capacity in the vicinity of the subject site. The TTA has also taken into consideration the traffic volumes associated with the Dundalk North Business Park, located further north of the subject site, out the Armagh Road. The assessment has been conducted based on a weekday am and pm peak traffic flow survey results.

The TTA have forecast the traffic levels in the area associated with the development of the full extent of the subject site and the adjoining Framework Plan lands and the development of the Business Park. The applicants have also submitted accompanying supporting documents in the form of a Mobility management Plan (MMP) and a Stage 1 Road Safety Audit.

7.4.3 The TTA confirms that the subject site is located within the 60 kilometre per hour speed control zone and that the traffic survey recorded carries an am peak hour two-way flow of 402 passenger car units (PCU's) and a weekday pm peak hour two-way flow of 467. The R177 has a link capacity of between 1,600 and 1,800 PCU's per direction per hour. The TTA confirms that the R177 is, therefore lightly-moderately trafficked based on the traffic survey results. The TTA acknowledges that the capacity of any road is typically determined by the capacity of terminal junctions along its length, and the applicable junction in this instance is the Lisdoon junction, between the R177 Armagh Road and the R215-Newry Road, located approximately one kilometre south-east of the subject site. The applicants used the Trip Rate Information Computer System (TRICS) database to ascertain trip generation associated with the subject site, the permitted and existing Business Park development and the wider Framework Plan residential site, when and if permitted. The opening up of the subject site in 2028 is selected as the base year and have predicted traffic growth rates for the years 2033, 2043 2045. The 5% threshold has been applied to the assessment and the traffic increase generated by the subject site and that none of the junctions assessed, including the junctions of the subject site with the Armagh road or at the Lisdoon junction would exceed the 5% threshold, with the traffic increases associated with the ninety-nine residential units ranging from a 0.2 to 2.8% am peak hour increase at the Lisdoon junction, which is significantly below the 5% threshold.

7.4.4 The TTA sets out that the traffic modelling for all of the adjacent junctions, including that of the R177/R215-Lisdoon junction 'has more than adequate capacity to accommodate the worst case traffic conditions with the following the construction of the residential development within the subject site and the existing and permitted development within the adjacent Business Park up to and including the year 2048, providing that the improvement works at the Lisdoon junction are put in place. And that no significant queueing at any junction in the vicinity would arise following

construction of proposed and committed development along the Armagh Road. The TTA concludes 'that the occupation of the proposed residential development together, with the already permitted development of the adjacent Business Park combined, will have an acceptable impact upon the operation of the adjacent road network'.

7.4.5 The RSA submitted (Appendix K within the TTA report) by the applicants included a number of recommendations including the provision of suitable visibility from the northern most access onto the Armagh Rad -R177, that internal shared surface streets only be provided in quiet cul-de-sacs and not in areas with passing traffic, that a raised entry point, colour contrast materials and warning signage be provided at the entry points to all shared surface streets, that pedestrian crossings not be provided to the rear of perpendicular parking spaces to optimise pedestrian safety, that suitable radius bends be provided for the carriageway width and design speed of the internal road network to avoid side-swipe collisions that suitable tactile paving be provided where footpaths join to shared footpath/cyclepath infrastructure, that a swept-path analysis be conducted providing for Refuse vehicles entering/exiting from the south-west. That a continuous footpath be provided along the southern site boundary prior to the occupation of the residential units and that a suitable tie-in point be provided for cyclists accessing the subject site from the shared footpath/cyclepath proposed along the R177. I note that the PA have included a condition, specifically condition number 18(m), requiring the submission of an RSA Stage 2, prior to the commencement of development, following on from a recommendation from the MCPID Section in LCC. I would concur with the inclusion of this specific planning condition which would optimise the future safety of pedestrians, cyclists and drivers alike within the scheme and leading from the scheme to the R177 and the adjacent road, cyclepath and footpath infrastructure.

7.4.6 The applicants also submitted a Mobility Management Plan (MMP) as Appendix J within the TTA Report. The MMP outlines the current and proposed alternative transports services and sets out strategies that will be deployed to encourage future residents to use alternative modes of travel to the private motor car. The MMP seeks to reduce the attractiveness of the private car and to promote and support the use of more sustainable transport modes such as walking, cycling, public transport and/or shared transport.

- 7.4.7 The applicants state that LCC in conjunction with the National Transport Authority (NTA) are progressing the 'Dundalk Active Travel Scheme', parts of which have already been subject to public consultation and is progressing to detailed design. Within a two kilometre radius of the site, which is considered to be within a reasonable walking distance from the subject site, many local facilities and services including employment, retail, schools and colleges within the northern part of the town centre are easily accessible and within an 8 kilometre radius of the site, considered to be within a reasonable cyclable distance of the subject site all of the services and facilities within the town centre and south of the town including the southern suburbs of Blackrock and Knockbridge are accessible from the subject site. The subject site could support sustainable living in terms of walking and cycling accessibility with many services and facilities available within the catchment area of the subject site.
- 7.4.8 The appeal site is located c. 1.5 kilometres from the nearest bus stop serving the local Dundalk town bus service, that being route 174A which has a number of bus stops located along the Castletown Road, 1.5 kilometres distant from the subject site. The town service presently has a 30 minute frequency to and from the town centre bus station, the Longwalk bus station (as per the TFI website [TFI Local Link - Transport for Ireland](#)) There is presently a bus every thirty minutes connecting the bus stops along the Castletown Road with the town centre and the main bus station in the town, along the Long Walk Avenue. In the context of accessibility, The Long walk bus station is located approximately two kilometres south of the subject site, considered to be in walking distance. I note that Table 3.8 within the Sustainable Residential Development and Compact Settlement Guidelines (SRDCSG;s) for Planning Authorities (2024) refers to locations within 500 metres walking distance of an existing or planned Bus Connects/Core Bus Corridor' stop. I note that the appeal site is outside this range. The Guidelines also require consideration of the character, amenity and natural environment when considering density. In this regard I note that the appeal site is located in a suburban greenfield area, however, is within a 1.7 kilometre distance of the town centre, with footpath connectivity to the centre
- 7.4.9 The applicants set out within the Mobility management Plan (MMP) that the Management Company would provide welcome packs to each of the residents upon moving into their new homes advising them of walking opportunities and walking and

cycling connectivity to local services and facilities well as details of public transport services and timetables. The main focus of the MMP is to promote and support the use of alternative travel modes to the private car. A detailed travel questionnaire will be issued to residents to establish travel patterns between work/school and home among other demands. The results of the travel questionnaire will allow for the Travel Plan coordinator to set realistic modal-split targets for the development. It is anticipated, given the location of the site to the north of an in proximity to the town centre that there would be a high percentage of use of public and alternative transport modes. The MMP will seek to maintain the positive modal split and improve it, where possible. The successful implementation of the MMP will ensure, in so far as is possible, the impacts of the traffic are reduced and minimised where practical, while providing a number of health, environmental and economic advantages.

7.4.10 The appointment of an MMP coordinator is crucial to the success of implementing the MMP upon occupation of the development. The coordinator would work closely with the residents to promote and market the MMP. The coordinator will draw the attention to the benefits of participation and support for the implementation of the MMP. Various communication tools and networks will be used to communicate about various modes of active travel. It is recognised that material incentives assist greatly in introducing people to alternative modes of transport, in terms of reduced tax (tax-saver tickets), identifying health benefits of walking/cycling, reducing traffic congestion and noxious emissions. The MMP should also be subject to regular review. The MMP should evolve and develop taking into account changing residents and their travel preferences and needs. Annual reviews of the MMP should occur and include a full stakeholder survey and the initial 12 to 18 months of the Plan should be used for calibration of the plan for targets setting in terms of modal shifts and splits.

7.4.11 I consider that the recommendations set out within the RSA and MMP which include the upgrade of the existing footpath and incorporating a cyberpath along the Armagh road frontage to provide for a combined cycle and footpath as well as optimising visibility at the junction of the development with the Armagh Road at a point within the 60 kilometre per hour speed control zone and immediately adjacent to the 50 kilometre per hour speed control zone. The RSA sets out a number of recommendations which have informed the layout of the development including the

provision of raised surfaces, signage and coloured surfaces within the shared surface area within the internal road network within the development. I consider that the residential layout as proposed would improve pedestrian/vehicular safety in this area and slow vehicular traffic during the construction and operational phases of the development and provide for the inclusion of active travel measures. The recommendations of the MMP and RSA are matters that can be included by means of appropriate planning conditions, if the Coimisiún deem appropriate.

7.4.12 I consider that the recommendations included within the RSA would provide for improved safety for pedestrians, and vehicle drivers within the development through the provision of safer pedestrian crossing points and proposed footpath/cyclepath tie-ins along the Armagh Road, These measures will benefit future residents within the appeal site and the existing adjacent residents along the Armagh Road. As per Table 4.2 of the Design Manual for Urban Roads and Streets (DMURS) Guidance, 2013 (as updated in 2019) sightlines of 65 metres are required for access points where the 60 km/h speed control zone applies from a 2.4 metre set back from the edge of the carriageway. I am satisfied that adequate sightlines would be achieved in accordance with the DMURS standards.

7.4.13 I acknowledge that there would be increased HGV movement along the Armagh Road area during the construction phase. I note the comments from the Major Capital Projects and Infrastructure Delivery (MCPID) Section within LCC who outlined no objections to the proposals from a traffic perspective following the receipt of the additional information response on the 17th day of October 2025, subject to a number of conditions. Based on the information submitted and having regard to the content of the internal; referral response received from the MCPID Section within LCC. I note the content of the Traffic and Transportation Assessment Report (TTAR) submitted by the applicants which assesses capacity of the adjacent road network up at least the year 2045. The TTAR concludes that there is adequate capacity within the adjacent road network to cater for the traffic that would be generated by the proposed residential development, during construction and post completion, once fully inhabited. The TTAR also has considered the impact of the traffic associated with the adjacent Business Park, the access to which is located further north along the Armagh Road and also the development of the adjoining Framework Pan lands, in the ownership of the applicants. Based on the information submitted and having regard to the internal

report received from the MCPID section within LCC, I consider that there is adequate capacity within the adjacent regional road network and junctions to cater for the construction and operational phases of the development. The development would be subject to best practice traffic management practices especially during the construction phase which would include the erection of warning signage in the vicinity of the appeal site and that construction works would be conducted during normal construction hours, these are matters that would be agreed as part of a Construction and Environmental Management Plan (CEMP), which would be agreed in writing with the PA prior to the commencement of development. The conditioning of a construction environmental and traffic plan is something that can be included, if the Board are minded to granting planning permission.

7.4.14 The appellant raised the issue of the capacity of the Lisdoon junction, located south-west of the appeal site. The appellant states that with the extent of development that has been permitted and the existing development residential and commercial development along the Armagh Road, that the junction and traffic lights at this junction are operating at above capacity and would require an upgrade. The Lisdoon junction on approach from the Armagh Road provides for two lanes of traffic, the right hand lane serves traffic going towards the town centre and the left traffic lane serves traffic turning left out the Newry Road (R215) and towards junction 18 (Dundalk north) on the M1 Motorway linking Dublin with Belfast. I note that the MCPID section within LCC did not raise any objection to the development from a traffic and transportation perspective and I consider that with the implementation of the recommendations as set out within the Road Safety Audit, that the development would be in compliance with best practice Road safety standards, including incorporating the principles as set out within DMURS. The appellant has referenced a number of other developments in the vicinity and permitted by LCC have been permitted and conditioned to provide for an upgrade to the traffic lights at the Lisdoon junction, and a similar condition can be included by the Coimisiún in this instance, if they deem appropriate.

7.4.15 I also note that the PA included a specific condition (condition 18(d)) relating to the improvement works to the traffic lights at the Lisdoon junction being completed prior to the commencement of development and being subject to the written approval of LCC. This is something that was raised by the appellant and was also specifically referenced by the applicants within their TTA. Therefore, a condition to this effect can

be included by the Coimisiún, if they deem appropriate in the event that a grant of planning permission is being recommended.

7.4.16 The applicants have proposed dedicated on-site car parking in the form of 187 on site car parking spaces and in accordance with the LCDP standards of 2 spaces per three and four bedroomed houses and 1 no. space per two bedroomed house and 1 no. space per one and two bedroomed apartment units in addition to a single visitor parking space for the apartments and 315 bicycle parking spaces are proposed at various locations throughout the development. Details of the bicycle parking spaces and their coverings are matters that can be addressed by means of an appropriate planning condition in the event that the Coimisiún are considering a grant of planning permission. I consider the car and bicycle parking provision proposed to be acceptable in this instance. The MCPID Section within LCC did not raise any objections to the car/bicycle parking provision on site.

7.4.17 In conclusion, I am satisfied that the scale of the development would not result in excessive traffic levels being generated and that the proposals are designed in accordance with the Design Manual for Urban Roads and Streets standards (DMURS) best practice standards and therefore, safety of pedestrians and drivers is optimised in accordance with best practice as promoted by Transport Infrastructure Ireland and Louth County Council within Section 8.4.6 of the current Louth County Development Plan in relation to sustainable transport infrastructure and encouraging a modal shift towards active travel patterns which encourages measures that make a positive contribution towards the improvement of active travel in this vicinity.

7.5 Other Matters

7.5.1 I note that the Louth County Childcare Committee (LCCC) made an observation to the Coimisiún regarding the absence of a childcare facility to serve the proposed residential development. LCCC state that there is an 'urgent need for early years childcare provision in the Dundalk area and that current childcare services in Dundalk are operating at full capacity, particularly for children aged 0-3 years, with waiting list remaining extensive across the area'. LCCC state that 'demand for early years care continues to exceed supply, and ongoing population growth further increases pressure on existing facilities. LCCC contend that given the development of ninety-nine residential units, the inclusion of childcare provision to meet the needs

of families within the development and the wider community. The absence of a dedicated facility in a development of this size would exacerbate existing capacity issues and place further strain on local services. LCCC strongly supports the provision of a childcare facility as part of the development and considers it a priority given the scale of housing proposed'. The inclusion of a childcare service would 'align with national and local policy objectives to ensure adequate early LCCC requests that the Commission consider the need for a creche as a key element of this development, due to the significant and ongoing demand for childcare services in the Dundalk area'.

7.5.2 I consider that given the identified shortage of childcare facilities in Dundalk, as set out within the LCCC submission and having regard to the provisions of Policy Objective SC 35 which seeks 'To support and facilitate the sustainable provision of childcare facilities in appropriate and suitable locations and seek their provision concurrent with new residential development, all having regard to the Childcare Facilities Guidelines for Planning Authorities (2001) and Childcare Regulations (2006) and any subsequent guidelines, in consultation with the Louth County Childcare Committee'. Given the identified need for additional childcare capacity as identified in the LCCC submission, I consider it appropriate that a planning condition be included as part of any recommendation to grant planning permission, if the Coimisiún deem appropriate, that a suitable childcare facility should be provided on site by the applicants in accordance with policy objective SC35.

7.5.3 The applicants submitted an Archaeological, Architectural and Cultural Heritage Assessment Report in June 2025 and an Archaeological Management Plan Report (phase 1) as part of their further information response to the PA in October 2025. An on-site meeting with the National Monuments Service took place in September 2025 which guided the approach adopted by the applicants in relation to archaeological testing. The Assessment report presented the results of two stages of geophysical surveying (completed in 2009) and archaeological testing within the site. The assessment found that there were two recorded archaeological sites within the overall land holding, a burial ground -LH007-187 and a ringfort-LH007-192. A portion of three other zones of notification of three other recorded monuments, comprising two ringforts and a souterrain were all recorded within the overall land holding.

7.5.4 However, all of the recorded monuments are located outside of the phase 1 (subject site) lands and therefore, would not be impacted by the development. A more recent geophysical survey within the overall lands and the subject site was conducted in 2025 (25RO18) brought further potential sub-surface archaeological features to light, including within the phase 1 lands, and subsequent archaeological test excavations indicated that these features were natural ones and not of archaeological potential. The Archaeological Assessment recommended that an archaeologist be appointed to oversee the construction phases of the project and that an appropriate archaeological management plan for the site should be developed and include archaeological monitoring of topsoil stripping and excavation of any archaeological features under licence from the National Monuments Service, with provision for post excavation analysis and publication of results. These are matters that can be addressed by means of appropriate planning conditions, in the event that a grant of planning permission is being recommended.

8.0 **Appropriate Assessment**

8.1 In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the Dundalk Bay SAC and Dundalk Bay SPA in view of the conservation objectives of a number of qualifying interest features of those sites.

The AA Screening report identified the potential for adverse impacts upon water quality and some of the qualifying interest features within the two nearest Natura 2000 sites by virtue of the direct hydrological connectivity from the site to an adjacent land drain, located further south within the applicants' overall land holding and which outfalls to the Castletown River located approximately 440 metres south of the subject site and which in turn outfalls to Dundalk Bay SPA and SAC further south east of the subject site.

It was, therefore, determined that Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) of the proposed development was required. Please refer to Appendix B.

Following an examination, analysis and evaluation of the NIS and all associated material submitted, I consider that adverse effects on site integrity of the:

- Dundalk Bay SAC (Site Code: 000455)
- Dundalk Bay SPA (Site Code: 004026)

can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed including supervision and monitoring and integration into CEMP ensuring smooth transition of obligations to eventual contractor.
- Application of planning conditions to ensure application of these measures.

9.0 Recommendation

I recommend that planning permission be granted subject to the following conditions.

10.0 Reasons and Considerations

Having regard to the location of the site within the 'existing built up area' of Dundalk on Phase 1 residentially zoned and serviced lands, the provisions of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024), specifically Table 3.4-Regional Growth Centres including Dundalk, the Dundalk Local Area Plan 2025, specifically Policy objectives DS2 in relation to the provision of housing and the projected population increase as set out within the Core Strategy, Policy Objective SC7 in terms of promoting sustainable densities in accordance with the Sustainable Residential Density and Compact Settlement Guidelines, the Louth County Development Plan 2021-2027, **specifically Policy objectives** Objective CS 1, to implement the core and settlement strategies, CS 4, that development will generally only be permitted on Phase 1 residential zoned lands. CS 10, to direct and consolidate majority of future population growth to Drogheda and Dundalk, HOU 10, to continue to support the creation of sustainable communities and HOU 17-To promote and facilitate the sustainable development of a high-quality built environment, the established and permitted pattern of residential development in the area, and the nature and scale of

the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the Core Strategies of the current Louth County Development Plan 2021-2027, that the proposed density and layout of development is appropriate and that the development would not result in the creation of a traffic hazard or adversely impact the capacity of the adjoining road network or junctions, would not seriously injure the amenities of adjacent properties within the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

- 1 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 26th day of June 2025 and as amended by the further plans and particulars submitted on the 17th day of October 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

- 2 Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, proposals for increased on-site attenuation in accordance with the *Greater Dublin Regional Code of Practice for Drainage Works*, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

- 3 The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann prior to the commencement of this development.

Reason: In the interest of public health.

- 4 Details of the materials, colours, and textures of all the external finishes to the proposed development, including external lighting throughout the development, 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.

- 5 (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs and car parking bay sizes shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii within the development shall be in accordance with the guidance provided in the National Cycle Manual.

(b) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interests of pedestrian, cyclist, and traffic safety.

6. a) Prior to commencement of development, the developer shall submit to the planning authority for written approval, a drawing(s) and traffic light signalling (phasing/ sequencing) for the main junction of the Armagh Road (R177) with the Newry Road (R215). All construction work associated with the junction and traffic signals shall be undertaken at the developer's expense and completed to the satisfaction of the planning authority prior to the occupation of any dwelling units.

b) Final details of the setting back of the appeal site along the western boundary of the appeal site along the Armagh Road shall be submitted for thee written

agreement of the Planning Authority prior to the commencement of development.

c) The developer shall apply for and be issued with a road opening licence from Louth County Council prior to the commencement of any works along the perimeter of the Armagh Road.

Reason: In the interest of public safety and sustainable transportation.

7 a) Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

b) Perimeter screens to a height of 1.8 metres and comprising obscured glazing shall be erected along the perimeter of all above ground floor balcony areas associated with each residential unit.

8 a) Mitigation and monitoring measures outlined in the plans and particulars, including the Construction and Environment Management Plan, Ecological Impact Assessment, Natura Impact Statement, Landscape Management and Maintenance Plan and Flood Risk Assessment, submitted with this application shall be implemented in full, except where otherwise required by conditions attached to this permission.

b) Prior to the commencement of development, the developer shall submit a comprehensive list of mitigation and monitoring measures from the named reports and a corresponding timeline/ schedule for implementation of same to the planning authority for its written agreement.

Reason: In the interest of natural heritage, protecting the environment, public health, and clarity.

9 Details of all boundary treatments 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 amenity

10. Proposals for a naming 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 signs, and numbers shall be provided in accordance with the agreed scheme.

Reason: In the interests of amenity and of the proper planning and sustainable development of the area.

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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

12. The landscape masterplan proposals, as submitted to the planning authority on the 26th day of June 2025, shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

13. All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

14. All of the houses with on-curtilage parking shall be provided with electric connections to the exterior of the houses to allow for the provision of future

electric vehicle charging points. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

15. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.

16. The construction of the development shall be managed in accordance with a Construction Traffic and Environmental Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, environmental control measures, including noise, dust and vibration management measures, working hours, construction traffic and parking, management of laying of independent foul sewer line, liaisons with neighbours during the construction period, measures for managing construction sediment run-off and off-site disposal of construction/demolition waste.

17. Prior to the commencement of development, 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) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. 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 proper planning and sustainable development.

18. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority full details of the proposed public lighting along the Armagh Road and throughout the residential scheme, including the lighting levels within open space areas of the development.

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

19. 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 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 for the area.

20. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit 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 Coimisiún Pleanála for determination.

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

21. 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 Coimisiún 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.

- 22 a) The management and maintenance of the development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being so taken in charge.
- b) The communal open spaces, hard and soft landscaping, car and cycle parking areas, access ways, refuse/ bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by the legally constituted management company.
- c) 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: In the interests of orderly development and to provide for the satisfactory future maintenance of this development.

23 House number(s) 5 and 6 shall be omitted. A separate planning application shall be lodged for a childcare facility with or without an attached residential component on that part of the site thereby released.

Reason: To comply with the provisions of Childcare Facilities: Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in June 2001 and in the interest of the amenities of the area.

24 a) Prior to commencement of development, the developer shall engage the services of a suitably qualified archaeologist to carry out under licence archaeological excavation/ conservation by record of the features and deposits identified in the Archaeological Assessment Report as submitted to the Planning Authority on the 26th day of June 2025. All ground works associated with the proposed development shall be monitored under licence by a suitably qualified archaeologist.

b) Should further archaeological material be found during the course of the ground 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 of Housing, Local Government & Housing with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

c) Having completed the work, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the Department of Housing, Local Government & Housing.

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

25 A minimum of 20% of all car parking spaces shall be provided with functioning electric vehicle charging stations/ points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle

charging points/ stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations/ points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development.

Reason: To provide for and/ or future proof the development such as would facilitate the use of electric vehicles.

- 26 All of the permitted house and duplex units in the development, when completed, shall be first occupied as a place of residence by individual purchasers who are not a corporate entity and/ or by persons who are eligible for the occupation of social or affordable housing, including cost rental housing. Prior to commencement of development, the applicant, or any person with an interest in the land shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect. Such an agreement must specify the number and location of each house or duplex unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

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.

Fergal Ó Bric
Planning Inspectorate

11th day of May 2026

**Appendix 1 - Form 1
EIA Pre-Screening**

An Bord Pleanála Case Reference	PL-500455-LH-25		
Proposed Development Summary	Construction of residential development comprising ninety-nine residential units and all associated site works		
Development Address	Armagh Road, Dundalk, Co. Louth.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>	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			
No	√		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	√		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	√	Class 10 - Construction of more than 500 dwelling units	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	√	Screening determination remains as above (Q1 to Q4)
Yes		

Inspector: _____ Date: _____

Appendix 1 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	PL-500455-LH-25
Proposed Development Summary	Construction of residential development comprising ninety-nine residential units and all associated site works
Development Address	Armagh Road, 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>	
<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>Site measuring 3.26 ha.</p> <p>There are no other developments under construction in proximity to the site.</p> <p>Proposal comprises the construction of residential development comprising ninety nine residential units, and all associated site works The proposal would be connected to all public services and utilities.</p> <p>The development comes forward as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development does not pose a risk of major accident and/or disaster, or</p>

	is vulnerable to climate change. It presents no risks to human health.	
<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 site is not located within or immediately adjoining to any European Site. The closest European Sites are the Dundalk Bay SPA (Site Code: 004026) and the Dundalk Bay SAC (Site Code: 000455), the nearest of which is located approximately 450 metres south of the subject site.</p> <p>It is considered that the proposed development would not be likely to have a significant effect individually, or in combination with other plans and projects, on a European Site and Appropriate Assessment is, therefore, not required.</p>	
<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>	<p>Having regard to the relatively modest scale 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: _____

Appendix 1: Appropriate Assessment – Stage 1 and Stage 2

Appropriate Assessment Stage 1 Screening Determination

Description of the Project

I have considered the proposed residential development in light of the requirements of section 177U of the Planning and Development Act 2000, as amended.

Subject Site

The subject site is located at Lisdoon, in Dundalk, approximately c.1.7km north of the town centre. The site is greenfield in nature with significant road frontage onto the adjoining Regional Route, the R177-Armagh Road, being located within a wider urban block. Surrounding land uses include residential, commercial and services. Castletown River, the closest watercourse to the project, is located c.440m to the south of the site and flows in an easterly direction discharging to Dundalk Bay (Irish Sea), c.7km to the east of the site.

There are two European site designations associated with Dundalk Bay, Dundalk Bay SPA (site code: 004026) and Dundalk Bay SAC (site code: 000455). At closest proximities, Dundalk Bay SPA (which includes part of Castletown River) lies c.440m to the south of the site, and Dundalk Bay SAC is c.1.1 kilometres to the east of the subject site

Project

The project seeks the construction of a residential development comprising ninety-nine residential units, and all associated site development including preparatory works (excavation, infilling with imported material, raising finished floor levels of residential units by c.1.42 metres as per recommendations within the SSFRA).

The project seeks to develop two new vehicular access points to/from the Armagh Road incorporating junction upgrade works, a new footpath/cyclepath along the Armagh Road frontage, internal access roads and footpaths, car and cycle parking spaces, bin storage facilities, public lighting, and plant. Also included for are public and communal open spaces, hard and soft landscaping with regrading of site levels, and boundary treatments, all infrastructural works associated with water supply and wastewater drainage, surface water drainage, and electrical services including a new ESB substation (with connections to public systems). Wastewater arising from the proposal will be discharged to Dundalk WWTP for treatment.

The proposal includes a surface water management system featuring full infiltration of stormwater, providing on-site attenuation (two underground attenuation tanks to manage the surface water run-off from the two identified catchment areas within the subject site. It is also proposed to incorporate several SuDS features (permeable paving, silt traps in road and roof gullies, swales, filter drains sediment sumps in manholes, and hydrocarbon interceptors), constructing filter drains in the garden spaces of houses around the site's perimeter to prevent stormwater leaving the site, and replacing the outfall valve of the existing surface water pipe at Castletown River with a specialist non-return valve to prevent tidal flow reaching the site.

Submissions and Observations

The planning authority stated that two prescribed bodies and four of third parties made submissions to them during the consideration of the proposals. A third-party appeal was made by a local resident to An Coimisiún The appellant did not raise any particular issues in relation to natural heritage within his appeal submission.

Uisce Eireann indicates connections by the project to water supply and wastewater networks are feasible. The water supply connection requires an upgrade of the local network (which is being undertaken by Uisce Eireann and scheduled to be completed by Q2 2027). Connection to the wastewater network does not require an upgrade of the local infrastructure.

Department of Housing, Local Government and Heritage (Development Applications Unit) provides heritage related recommendations on archaeology. The issues raised are not of consequence to this appropriate assessment.

The planning authority undertook an appropriate assessment of the project. The applicant's AA screening report and NIS were relied upon, and it was concluded that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European sites, in view of the conservation objectives.

Potential Impact Mechanisms from the Project

Site Surveys

Site surveys confirm the site is not under any wildlife or conservation designation. The site is comprised of three habitats including agricultural grassland, scrub and drainage ditches.

No rare or protected flora species were recorded (. Protected fauna species recorded include bats (three species of population commuting and foraging) and birds (variety of species including one special conservation interest (SCI) species (the Curlew) associated with Dundalk Bay SPA using

the subject site for flying over, however, no recordings of roosting or foraging by the Curlew species within the site were identified as part of the winter bird survey

European Sites

The Appropriate Assessment Screening Report (AASR) identifies two European sites in the zone of influence of the project (Conclusions, pg. 27). These are Dundalk Bay SPA (site code: 004026) and Dundalk Bay SAC (site code: 000455).

Table 2 lists the qualifying interests (QIs)/ special conservation interests (SCIs) and the conservation objectives for Dundalk Bay SPA and SAC. The AASR identifies (as direct) hydrological and hydrogeological pathways between the project and the SPA, and hydrological and hydrogeological pathways to the SAC. The pathways are associated with:

- Surface water run-off from the project via the public network to Castletown River and in turn to the European sites.
- Noise, vibration, and dust deposition from the project to Dundalk Bay SPA (c.440m to the south).

Table 2 presents a summary of the potential impact assessment of the project on Dundalk Bay SPA and SAC, indicating that there is potential for likely significant effects associated with potential for adverse impacts upon water quality by virtue of contaminated surface water-run-off from the site to a drainage ditch which in turn outfalls to the Castletown River 440 metres south of the site disturbance of protected bird species.

The AA screening concludes: *'...Given the fact that surface water discharge to the existing surface water drainage ditch at the south of the site, which ultimately outfalls at the Castletown Estuary, in which the Dundalk Bay SAC and SPA are located downstream of the proposed development. Out of an abundance of caution, in the absence of mitigation measures, it is considered that there is the potential for petrochemicals, contamination, or silt laden material to enter the fresh water and estuarine environment and result in effects on these sites. Acting on a strictly precautionary basis, an NIS is required in respect of the effects of the project on the Dundalk Baly SAC and SPA because it cannot be excluded on the basis of best objective scientific information following screening, in the absence of control or mitigation measures that the plan or project, individually and/or in combination with other plans or projects, will have a significant effect on the named European site/s'.*

Having regard to the characteristics of the project in terms of the site's features and location and the project's scale of works, I consider the following impacts and effect mechanisms require examination for implications for a likely significant effect on two European sites, Dundalk Bay SPA (site code: 004026) and Dundalk Bay SAC (site code: 000455).

- A. Surface water pollution during the construction phase.
- B. Disturbance effects to QI/ SCI species during the construction phase.

European Sites at Risk

Table 1: European Sites at risk from impacts of the proposed project

Effect mechanism	Impact pathway/ Zone of influence	European Site(s)	Qualifying/ Conservation interest features at risk
A) Surface water pollution during construction phase.	Impact via an indirect hydrological pathway.	Dundalk Bay SPA (site code: 004077)	Great Crested Grebe (Podiceps cristatus) [A005] Greylag Goose (Anser anser) [A043]
B) Disturbance effects to QI/ SCI species during construction phase.	Impact via a direct air pathway.		Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Mallard (Anas platyrhynchos) [A053] Pintail (Anas acuta) [A054] Common Scoter (Melanitta nigra) [A065] Red-breasted Merganser (Mergus serrator) [A069] Oystercatcher (Haematopus ostralegus) [A130] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Knot (Calidris canutus) [A143] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156]

			<p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Herring Gull (<i>Larus argentatus</i>) [A184]</p> <p>Wetland and Waterbirds [A999]</p>
(A) Surface water pollution during construction phase.	Impact via an indirect hydrological pathway.	Dundalk Bay SAC (site code: 002165)	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p>

Identification of likely significant effects on the European site(s) 'alone'

Table 2: Could the project undermine the Conservation Objectives 'alone'					
European Site and qualifying feature Dundalk Bay SPA (site code: 004077)	Conservation objective	Could the conservation objectives be undermined (Y/ N)? Effects A-C set out in Table 1 above			
		Effect A	Effect B	Effect C	Effect D
Bird species listed in Column 4 of Table 1 above... Wetland and Waterbirds [A999]	To maintain the favourable conservation condition of winterbird, waterbirds and Wetland habitats and ...	Y	Y	N	N
European Site and qualifying feature	Conservation objective	Could the conservation objectives be undermined (Y/ N)?			

Dundalk Bay SAC (site code: 000455)		Effect A	Effect B	Effect C	Effect D
Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140]	<i>To maintain the favourable conservation condition of estuaries, mudflats and sandflats ...</i>	Y	Y	N	

Effect Mechanism A (surface water pollution during construction phase)

- Surface water run-off from the project via the public network to Castletown River and in turn to the European sites.

Effect Mechanism B (disturbance effects to QI species during construction phase)

- Adverse effects on SCI bird species associated with Dundalk Bay SPA due to noise/ vibration/ dust during the construction phase.

Appropriate Assessment: Stage 1 Conclusion – Screening Determination

In accordance with section 177U of the Planning and Development Act 2000 as amended, and on the basis of objective information, having carried out Appropriate Assessment screening (Stage 1) of the project, it has been determined that the project may have likely significant effects on Dundalk Bay SPA (site code: 004077) and Dundalk Bay SAC (site code: 002165) in view of the sites' conservation objectives and qualifying interests. An Appropriate Assessment (Stage 2) is, therefore, required of the implications of the project on the qualifying interests of the SPA and SAC in light of their conservation objectives.

The possibility of likely significant effects on other European sites has been excluded on the basis of the nature and scale of the project, separation distances, and the absence of meaningful pathways to other European sites.

No measures intended to avoid or reduce harmful effects on European sites have been taken into account in reaching this conclusion.

Appropriate Assessment Stage 2

Aspects of the Proposed Development

Construction Phase

The project would involve preparatory site works of excavation (removal of top and subsoils), infilling (with imported material), and reprofiling within part of the subject site (raising finished floor levels by c.1.42m). Construction works also include laying of piped services infrastructure, pouring of concrete for foundations and the introduction other hard surfaces.

During construction works, especially during periods of wet weather, there is potential for an increase in siltation and sediment and pollution of surface water run-off with hydrocarbons, cement and concrete. There is the potential for contaminated run-off to be discharged to the drainage ditch located further south of the subject site and in turn to Castletown River which could have (a) significant effect(s) on the European site(s).

Construction activities at the site will likely result in an increase in noise, vibration, illumination, airborne pollutants, and dust deposition from the current baseline levels. Such activity could potentially impact upon the QIs/ SCIs associated with Dundalk Bay SPA and SAC, due to the close proximity, c.450 metres to the south of the subject site, and via direct air pathway.

Operation Phase

Once operational, the project will be served by and connected to the public piped water networks and will be operated and maintained in accordance with the requirements of Uisce Eireann and the Planning Authority. The on-site surface water system incorporates attenuation and treatment stages prior to discharge to the adjacent drainage ditch. Given the project will directly discharge to the adjoining drainage ditch located south of the subject site, there is potential for pollution events to surface water, potential for significant effects on the QIs/ SCIs of the adjacent European sites is reasonably anticipated.

The project will result in an increase in human activity (noise, light, dust) during the occupation of the development, following its construction phase. However, having regard to the likely levels of activity, the separation distances between the subject site and the European sites, and the built-up nature and uses of the intervening lands, no likely significant effects on the QIs/ SCIs of the European sites are reasonably anticipated.

Mitigation Measures

The description and consideration of the impacts of the proposed development are the subject of the ER, CMP, EclA, AASR, and NIS. A range of mitigation measures are identified during the construction and operation phases of the project to protect surface water quality and prevent pollution events to groundwater, primarily in the EclA, NIS and CEWMP.

The mitigation measures relevant to protecting the European sites are included in the NIS (within Tables 7 and 8.

- Surface Water Protection Measures
- Silt and Sediment Control
- Disturbance to protected bird species

Where relevant, likely significant effects on the European site(s) 'in-combination with other plans and projects'

Table 3: Plans and projects that could act in combination with effect mechanisms of the proposed project (e.g. approved but uncompleted, or proposed)

Plan / Project	Effect mechanism
Listed in Table 7 and 8 of the NIS	A-B as per Table 1 above

I have had regard to the information included in the Screening Report, the Natura Impact Assessment NIS and EIASR,. I have also had regard to planning applications (proposed/ decided) in Dundalk Town (see Table 9 of the NIS-in combination effects). I do not identify any significant in-combination effect from same.

In respect of relevant plans, I identify that SEA was undertaken by the planning authority in respect of the Louth County Development Plan 2021-2027. The current LCDP 2021-2027 includes policies and objectives seeking environmental protection and pollution prevention and requiring projects to be constructed to/ operate within industry standards with connection to/ servicing by public water services infrastructure.

Table 4: Could the project undermine the Conservation Objectives in combination with other plans and projects?

European Site and qualifying feature	Conservation objective	Could the conservation objectives be undermined (Y/ N)?
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		Effect A	Effect B	Effect C	Effect D
Dundalk Bay SPA (site code: 004026) As per Table 1 above	As per Table 2 above	N	N		
Dundalk Bay SAC (site code: 000455) As per Table 1 above	As per Table 2 above	N	N		

Appropriate Assessment: Stage 2 Conclusion

The project has been considered in light of the assessment requirements of sections 177U and 177V of the Planning and Development Act 2000, as amended. On the basis of objective information, I have assessed the implications of the project on Dundalk Bay SPA and Dundalk Bay SAC in view of the sites' conservation objectives. I have had regard to the applicant's Natura Impact Statement and all other relevant documentation and submissions on the case file. I consider that the information included in the case file is adequate to allow the Board to carry out of an Appropriate Assessment.

Following the Appropriate Assessment (Stage 2), it has been concluded that the project, individually and/ or in-combination with other plans or projects would not adversely affect the integrity of Dundalk Bay SPA (site code: 004026) and Dundalk Bay SAC (site code: 000455) in view of the sites' conservation objectives and qualifying interests.

This conclusion is based on:

- An assessment of all aspects of the project including proposed mitigation measures in relation to the conservation objectives of Dundalk Bay SPA and Dundalk Bay SAC.
- An assessment of in-combination effects with other plans and projects including historical and current plans and projects.
- There being no reasonable scientific doubt as to the absence of adverse effects on the integrity of Dundalk Bay SPA and Dundalk Bay SAC.

Inspector: _____

Date: __11th day of May 2026__