



An
Coimisiún
Pleanála

Inspector's Report PL-500583-LH-26

Development	New dwelling house, new site entrance, and associated site works
Location	Seafield Road, Blackrock, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2560534
Applicant(s)	Brendan and Roisin Mc Verry
Type of Application	Outline
Planning Authority Decision	Grant Outline Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Jan Van Diyk
Observer(s)	None
Date of Site Inspection	16 th of March 2026
Inspector	Karen Hamilton

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	5
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History.....	6
5.0 Policy Context.....	7
5.1. National.....	7
5.2. Regional.....	7
5.3. Local	7
5.4. Natural Heritage Designations	8
6.0 EIA Screening.....	8
7.0 Water Framework Directive Screening	8
8.0 Appropriate Assessment Screening.....	9
9.0 The Appeal	9
9.1. Grounds of Appeal	9
9.2. Applicant Response	10
9.3. Planning Authority Response.....	11
9.4. Observations.....	11
10.0 Assessment.....	11
10.1. Validity of the Appeal Submission	11

10.2.	Principle of Development.....	12
10.3.	Established pattern of development in the area	12
10.4.	Impact on Biodiversity	14
11.0	Recommendation	15
12.0	Reasons and Considerations.....	15
13.0	Conditions	15
14.0	Appendix 1 - Form 1: EIA Pre-Screening	19
15.0	Appendix 2 Form 2: EIA Preliminary Examination.....	21

1.0 Site Location and Description

- 1.1. The site (0.076ha) is the front garden of a detached dwelling, located along the Seafield Road, Blackrock, Dundalk, Co. Louth. Seafield Road is a residential area which comprises of large single dwellings set within individual plots, each with own access onto the main road. The style of the dwellings ranges along the road.
- 1.2. The front garden, the site, forms part of a larger garden of a single storey dwelling, with private access off the Seafield Road. There are a number of mature trees and hedgerows along the front of the site, part of the private open space.

2.0 Proposed Development

- 2.1. The development includes outline permission for a new dwelling house, new site entrance and associated works. The works include the widening of the existing access to provide a new vehicular access for the proposed dwelling.

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission subject to 6 no conditions of which the following of note are summarised:

C2: Details of design, orientation, layout, height and external appearance shall be submitted to and approved by the Planning Authority, as a permission consequent to this outline permission.

C3: The infrastructure section requirements shall be complied with:

- (i) Adequate visibility shall be made available and maintained for a minimum of 49 metres on either side of the entrance from a point 2.4m metres back in from the edge of the road carriageway over a height of 1.05 metres to 0.6 metres above road level and no impediment to visibility shall be placed, planted or allowed to remain within the visibility triangle. Where it is necessary to remove hedges/banks/walls to provide adequate sightline visibility, this must be completed prior to the development on site, and any

new boundary wall/fence/hedge shall be located behind the visibility splay. Any pole, column, tree or sign materially affecting visibility must also be removed.

- (ii) No work shall commence on site until the visibility splays have been provided. The area within the visibility splay shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and shall be retained and kept clear thereafter.
- (iii) (iii) Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property. At Permission Consequent on Outline stage, the "Soakaway Design BRE 365 Digest" report by Paul Martin dated 19th August 2025 shall be updated, where necessary, to reflect any proposed changes in the total impermeable area and/or required soakaway volume.

C4: Section 48 Development Contribution.

C5: Landscaping plan to be carried out in accordance with the Landscaping Plan submitted at the Permission Consequent on outline. Species to include thorn, beech, oak, beech, ash, hazel, sycamore and holly.

C6: Details of the roadside boundary treatment and common boundary treatment with A91 HH51 shall be submitted at the Permission Consequent on Outline stage.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the area planner reflects the grant of outline permission following a request for further information on the following:

- Confirmation from Uisce Éireann that a water and wastewater connection is feasible with infrastructure upgrades.
- Submission of an Exemption Certificate application which was granted by the planning authority (EC 2025/28). The application was exempt from the provisions of Section 96 of the Planning and Development Act, 2000, as amended.

The planning authority considered

3.2.2. Other Technical Reports

Placemaking and Physical Development (Infrastructure) (29th September 2025): No objection, subject to conditions.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Three third party submissions received from residents of dwellings in the vicinity of the site. The issues raised are summarised below:

- The established building line would be disrupted.
- The dwelling will be out of character with the area.
- There is no detail of the design of the dwelling.
- There are concerned with the septic tank treatments.
- Sightlines onto Seafield lane are not suitable.

4.0 Planning History

4.1. Reg Ref 1387 (year 2007)

Permission granted for extension and alterations of existing dwelling including a change in façade, demolition of existing garage and associated site works.

4.2. Reg Ref 1900 (year 2007)

Permission granted for extension and alterations of existing dwelling including a change in façade, demolition of existing garage and associated site works.

4.3. Reg Ref 39 (year 1986)

Permission granted for 2 dwellinghouses.

5.0 Policy Context

5.1. National

- Project Ireland 2040 National Planning Framework.
- Design Manual for Urban Roads and Streets (DMURS) (2013).
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024
- Housing for All – A New Housing Plan for Ireland to 2030 (2021).

5.2. Regional

Eastern & Midland Regional Spatial & Economic Strategy (RSES)

- Dundalk is identified as a regionally important larger settlement
- Promote sustainable and compact growth to ensure Dundalk can grow to a city scale

5.3. Local

5.3.1. Louth County Development Plan 2021-2027

Chapter 2: Settlement Strategy

- Support and promote Dundalk as a regional growth centre to increase population.
- Increase population targets through urban regeneration and infill/ brownfield sites.

5.3.2. Dundalk Local Area Plan 2025-2031

The site is located on lands zoned as A1: Existing Residential where it is an objective to *“To protect and enhance the amenity and character of existing residential communities”*

Chapter 2: Development Strategy

DS 4: To achieve compact growth through the delivery of at least 30% of all new homes in urban areas within the existing footprint of Dundalk, by developing infill, brownfield, regeneration, and town centre sites and redeveloping under-utilised lands in preference to greenfield lands.

Chapter 5: Sustainable Neighbourhoods and Communities

Policy SC 5: To achieve compact growth in Dundalk through the delivery of at least 30% of all new homes within the existing built-up footprint of the town, by supporting the development of infill, brownfield, underutilised, and regeneration sites

5.4. Natural Heritage Designations

None of relevance

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 Water Framework Directive Screening

Having regard to the modest nature and scale of the proposed development, it is concluded on the basis of objective information, that the proposed development will 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.

8.0 Appropriate Assessment Screening

Having regard to the nature and scale of the proposed development and the nature of the receiving environment, within an urban area with access to services, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site (Special Area of Conservation or Special Protected Area) and as such an Appropriate Assessment (Stage 2 AA) is not required.

9.0 The Appeal

9.1. Grounds of Appeal

The grounds of appeal are submitted by a resident in the vicinity of the site and the issues raised are summarised below:

- The house is directly in front of an established building line and is completely out of character.
- Seafield Road is a long-established residential roadway with substantial well planted front gardens. There is a green ecologically and environmentally valuable corridor.
- The proposed development would sever this green corridor and affect biodiversity and small mammal movement through the village
- A map of the surrounding area accompanied the appeal which includes green shading highlighting a biodiversity corridor created by well-established gardens. The proposed location of the dwelling has been highlighted in the drawing.
- The urban pattern of development is that of low density. Higher density estates are located beside the thoroughfares.
- The proposed development would act as a precedent for the destruction of the established urban pattern. (map submitted with the appeal to highlight the pattern).

- There are a series of large houses fronting onto this historic roadway through the village.
- The proposal would disrupt the immediate context from the character and built form viewpoint.
- If ACP are of a mind to grant permission, the height of the dwelling should be restricted to a single storey.

9.2. Applicant Response

The applicant has submitted a response from an agent on their behalf and the submission is summarised below:

- The appellant alleges the appeal in his name and that of his neighbour. The neighbour has confirmed that they did not intend to appeal the decisions and the appeal has been lodged without their consent.
- This is a vexatious appeal designed to prevent any sort of development in the vicinity of the appellants property. The adjoining dwelling is set on a large plot, and the proposal will have no impact on their residential amenity.
- The appellants claim that there is a 'biodiversity corridor' on the front garden which should be preserved is a ruse to provide justification to prevent development. There is no evidence that the proposal will impact biodiversity.
- The Dundalk Local Area Plan includes various areas of importance for biodiversity and the gardens along Seafield Road is not included within these areas.
- Policy CH16 of the development plan required an ecological assessment if the planning authority considered the development would have an impact on the sites of biodiversity value. It is clear this site was not considered to have such value.
- Due to the scale of the proposal, there is ample room to preserve and enhance the biodiversity value.
- The Maps submitted by the appellant does not contain other relevant information such as the landscaping, boundary lines and boundary

treatments, etc. They do very little other than illustrate the diverse range of buildings typical of a suburban environment.

- There is no planning reason to preserve low density development on serviced sites. The applicant's site and surrounding area was built at a time when the sites were serviced by septic tanks and needed large areas.
- The applicants intend to build a smaller dwelling to move into and sell their own house as it is too large for them.

9.3. **Planning Authority Response**

Submission received from the PA noting the grounds of appeal, referring to the residential land use zoning on the site and requesting that the Commission uphold the grant of permission.

9.4. **Observations**

None.

10.0 **Assessment**

Having considered the contents of the planning application and appeal, the submissions on file, having regard to relevant local planning policy, and having undertaken an inspection of the subject site and surrounding area, I consider that the key issues arising for assessment in this case include:

- Validity of the Appeal Submission
- Principle of Development
- Established Pattern of Development
- Impact on Biodiversity

10.1. **Validity of the Appeal Submission**

10.1.1. The appeal has been submitted by a neighbour of the applicant. The initial submission to the planning authority (PA) was a joint submission between the appellant and another neighbour and the letter of confirmation from the PA includes

both neighbours. The appeal has only been submitted by one of the neighbours, although includes the initial PA confirmation on the planning application submission which refers to both parties.

- 10.1.2. The applicant notes that, in discussion with the other neighbour (named on the third-party submission), they have not given consent to the appeal. They request the appeal is dismissed. I note the appellant does not content that the appeal has been submitted by both parties, rather they have signed the submission on behalf of themselves. I am satisfied that the appellant has used the PA documentation as evidence of their participation in the process and not as a submission on behalf of another neighbour.
- 10.1.3. I note the information contained in the appellant's submission relates to planning issues which I consider to be relevant in the assessment of the proposed development.
- 10.1.4. Therefore, having regard to the appeal documentation and the issues raised in the third-party submission I do not recommend that the appeal is dismissed.

10.2. **Principle of Development**

- 10.2.1. The proposal relates to an outline permission for one dwelling located within the front garden of an existing detached dwelling. The overall site with the existing dwelling is large and typically characteristic of other sites along the Seafield Road. The site is (0.076ha) of the front garden is also substantial and is located on land zoned as "A1 Existing Residential" in the Dundalk Local Area Plan 2025-2031 where residential use is generally permitted. Having regard to the characteristics of the area, the size of the site and the zoning on the lands the principle of development is acceptable in principle, subject to other planning considerations discussed in detail below.

10.3. **Established pattern of development in the area**

- 10.3.1. The objective for the A1 residential zoning is "To protect and enhance the amenity and character of existing residential communities". The grounds of appeal, submitted from a resident of a neighbouring property, is concerned the proposal will disrupt the character of the area. They note the location of the proposed dwelling in the front garden of the dwelling, which they consider will be in front of the building line.

- 10.3.2. The PA report notes the concerns raised by the third party although having regard to the size of the front garden they do not consider the proposal would undermine the zoning objective for the land use zoning.
- 10.3.3. I note the size and scale of the residential plots along this side of Seafield Road which are large in comparison to those plot sizes now required to meet compact settlement standards for urban areas. The applicant, in their response to the grounds of appeal, notes the size of the sites for the existing dwellings along Seafield Road these were a scale necessary to meet standards for integrating septic tanks. The proposal and those within the vicinity can now connect to public water and wastewater services.
- 10.3.4. Whilst there may be an established pattern of larger sites in the vicinity, I noted from a site inspection there is no established building line, with the dwellings located at various distances from the Seafield Road. The Commission should be aware of national, regional and local policy which promotes the use of brownfield and infill sites in urban areas to accommodate a growing population. Dundalk is designated as a regional growth centre for the northeast region of the country and Policy DS 4 and Policy SC 5 both refer to the delivery of 30% of all new homes in urban areas in infill, brownfield, underutilised, and regeneration sites. I note the larger site sizes of the current dwellings along Seafield Road are not supported by National, regional or local planning policy as they are not considered to be an efficient use of urban zoned and serviced lands.
- 10.3.5. Although the character of the sites along this section of Seafield Road is primarily larger plots, the design of these dwellings, whilst all large, vary in appearance and style. There is a range of single storey, two storey and dwellings finished with different materials. The location of an additional dwelling will not, in my opinion, significantly alter the character of the area.
- 10.3.6. Should the Commission be of a mind to grant permission, the appellant has requested that the design of the dwelling is single storey. This proposal is for outline permission and as such the applicant is required to submit a separate standalone application for permission consequent. Condition No 2 of the PA grant of permission requires all details of the design, orientation, layout, height and external appearance to be submitted as part of the permission consequent. I consider this a reasonable

condition to ensure that the merit of any design is assessed, in particular the potential impact on any residential amenity.

10.3.7. Therefore, having regard to the proposal for outline permission, the need to accommodate a growth of population within urban areas and the characteristics of the surrounding area, I do not consider the proposal for a dwelling at this location is inappropriate or have a negative impact on the character of the surrounding area.

10.4. **Impact on Biodiversity**

10.4.1. There is a significant number of mature trees and planting along the front of the site adjoining the Seafield Road, substantially more than other front boundaries. The proposal includes a new entrance into the site, beside the existing entrance and a driveway along the front of the site, adjacent to the front boundary. No details of any tree removal or planting have been submitted with the planning application and condition No 5 of the grant of permission requires a landscaping plan to be submitted with the permission consequent to outline. The conditions require the species of planting to include thorn, beech, oak, ash, hazel, sycamore and holly.

10.4.2. The grounds of appeal are concerned about the impact of the tree removal on the biodiversity of the area and submits that the removal will upset an environmental valuable biodiversity corridor. A map, which accompanies the appeal includes green shading along the front of dwellings fronting onto Seafield Road, which the appellant states highlight this corridor.

10.4.3. Upon site inspection the current mature planting along the front of the subject site was evidence. I noted there was a lot more landscaping along the subject site than other sites, although much of this is non-native with large Cypress trees. I do not consider the removal of much of the boundary planting and replacement with mature planting would have a significant negative impact on the biodiversity of the area.

10.4.4. In relation to the appellant's assertion of green corridors, I note no such formal designation in the development plan and upon site inspection I noted there no evidence of any connected linear planning scheme along the entirety of the Seafield Road, therefore I do not consider fragmentation to be a significant issue along this site.

10.4.5. The Commission will note the proposal is for outline permission, a separate permission consequent will require full details of landscaping etc, which I consider reasonable. Third parties have the right to submit further concerns on the impacts at that juncture.

10.4.6. Having regard to the proposal for outline permission, the characteristics of the site and the inclusion of a condition to require a landscaping plan with further consideration of any tree removal and a requirement for native, semi-mature planting, I do not consider the proposal will have a significant negative impact on the biodiversity of the area.

11.0 Recommendation

11.1. I recommend that planning permission be **GRANTED**, subject to condition below.

12.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development for a new dwelling, in a residential area and on lands zoned as “A1 Existing Residential”, it is considered that the nature and scale of the proposed development would be acceptable within the context of the site. The proposed development would be in accordance with the policies and objectives of the Louth County Development Plan 2021-2027 and the Dundalk Local Area Plan 2025-2031, supporting the efficient use of urban zoned and serviced lands and would be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1	<p>The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions.</p> <p>Reason: To clarify the plans and particulars for which permission is granted.</p>
---	---

2	<p>The plans and particulars to be submitted by way of a separate application for permission consequent shall include details of the design, orientation, height, external materials, colours and textures of all the external finishes to the proposed dwelling.</p> <p>Reason: In the interest of visual and residential amenity, to ensure an appropriate high standard of development and to enable the application for permission consequent to be fully assessed.</p>
3	<p>The plans and particulars to be submitted by way of a separate application for permission consequent shall include a comprehensive scheme of landscaping to include the following:</p> <p>(a) A plan to scale of not less than [1:500] showing –</p> <ol style="list-style-type: none"> I. Existing trees, hedgerows, shrubs specifying which are proposed for removal and/ or retention as features of the site landscaping II. The measures to be put in place for the protection of these landscape features during the construction period III. The species, variety, number, size and locations of all proposed trees and shrubs [which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder] [which shall not include prunus species] IV. Details of screen planting [which shall not include cupressocyparis x leylandii] V. Details of roadside/street planting [which shall not include prunus species] VI. Hard landscaping works, specifying surfacing materials and finished levels. VII. Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment VIII. A timescale for implementation [including details of phasing]

	<p>IX. The finished ground floor level of the house by reference to existing site levels and road level at the proposed entrance.</p> <p>All planting shall be adequately protected from damage until established.</p> <p>Any plants which die, are removed or become seriously damaged or diseased, within a period of [five] years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity and to enable the application for permission consequent to be fully assessed.</p>
4	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
5	<p>The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
6	<p>The plans and particulars to be submitted by way of a separate application for permission consequent shall include details of the existing and proposed entrance shall be in accordance with the requirements of the Planning Authority.</p> <p>Reason: In the interest of traffic safety</p>

7	<p>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.</p> <p>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.</p>
---	---

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Karen Hamilton
 Planning Inspector
 18th of March 2026

14.0 Appendix 1 - Form 1: EIA Pre-Screening

[EIAR not submitted]

An Coimisiún Pleanála Case Reference	5000583-26		
Proposed Development Summary	Outline permission for a dwelling in the front garden of an existing dwelling.		
Development Address	Seafield Road, Blackrock, Co. Louth		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No			Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No		N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

15.0 **Appendix 2 Form 2: EIA Preliminary Examination**

Case Reference	500583-26
Proposed Development Summary	Construction of one house and all ancillary works.
Development Address	Seafield Road, Blackrock
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The application relates to the construction of 1 no. dwelling and all associated works in the front garden of an existing residential site.</p> <p>The development would not be out of scale with the surrounding dwellings.</p> <p>The development would not result in the production of significant waste, pollution and nuisance.</p>
<p>Location of development</p> <p>(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 located within a suburban area, an urban environment.</p> <p>The subject site is not located within or adjacent to any Natura 2000 sites.</p> <p>The development would not have the potential to significantly impact any European sites or areas.</p>
<p>Types and characteristics of potential impacts</p> <p>(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>There is no potential for significant effects on the environment.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)