



An
Coimisiún
Pleanála

Inspector's Report

PL-501192-LH-26

Development	Demolition of existing single-storey rear return and outbuilding, to be replaced with new two-storey extension, along with all associated site development works
Location	10 McDermott's Terrace, Dundalk, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2660052
Applicant	Denyse Hughes
Type of Application	Permission
Planning Authority Decision	To grant permission with conditions
Type of Appeal	Third Party
Appellant	Annette McGuinness
Observers	None
Date of Site Inspection	18 th June 2026
Inspector	Trevor Rue

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1.0 Site Location and Description

- 1.1. The application site is on the northern side of Carrickmacross Road, about 1.2 kilometres to the west of the town centre of Dundalk. It has a stated area of 0.009 hectares and comprises a two-storey mid-terrace house with a small area of amenity space to the front and a yard to the rear.
- 1.2. A single-storey return, which accommodates a kitchen and toilet, abuts the boundary wall adjoining the rear of 11 McDermott's Terrace. Most of the remaining yard area is laid out as a patio. There is a small boiler house in the rear corner of the site, abutting the boundary with 9 McDermott's Terrace. No. 11 also has a single-storey return and there is a separate structure at the northern end of its yard.
- 1.3. There is an alleyway along the rear of the terrace, beyond which long linear back gardens provide amenity spaces for the houses. The gardens serving Nos. 10 and 11 both have sheds next to the alleyway. The surrounding area is mainly residential.

2.0 Proposed Development

- 2.1. It is proposed to demolish the single-storey rear return and boiler house. The total floor area to be demolished is stated as 15.5 square metres.
- 2.2. It is also proposed to construct an L-shaped rear extension with a gross floor space of 27.5 square metres. The western part of the extension would be partly two-storey and partly single-storey. The ground-floor element would cover the full length of the yard, which is about 6.45 metres, and its height would be 3.05 metres. The first-floor element would extend out from the existing dwelling by about 4 metres and would rise to 5.74 metres. The eastern part of the extension would be about 4 metres long and 3.45 metres in height. Each element of the extension would have a flat roof. The remaining open area of the yard would be laid out as a patio, which would be enclosed by a top-hung sliding steel gate.
- 2.3. The extension would accommodate a kitchen, a utility room and toilet on the ground floor and a bathroom on the first floor. It would have small east-facing and north-facing unplasticised polyvinyl chloride windows on both floors. External wall finishes would consist of sand and cement render.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On 23rd March 2026, Louth County Council decided to grant permission, subject to six conditions. Conditions 1 and 2 required conformity with the submitted plans and particulars. Condition 3 required the house and the proposed extension to be jointly used as a single dwelling unit. Condition 4 required bathroom windows on the ground and first floors to be permanently fitted with obscured glazing. Condition 5 restricted working hours during construction. Condition 6 was to do with protection of the adjoining public road, surface water disposal and undergrounding of service cables.

3.2. Planning Authority Reports

- 3.2.1. A **planning report** dated 20th March 2026 provided the reasoning for the authority's decision. The main points were as follows:
- An extension associated with an existing dwelling is acceptable in principle.
 - The proposed rear extension would sit below the eaves line of the main house, which would make it subordinate to the original pitched roof. The contemporary design of the extension is acceptable.
 - The extension would be visible from the rear alleyway and neighbouring yards to the east and west, however the flat roof profile would help to minimise any potential overbearing impact. Rear extensions are already present along McDermotts Terrace. The layout of the proposed development is acceptable.
 - The proposed extension would be positioned to the north of the existing dwelling, where it is likely that rear rooms already receive a limited amount of direct sunlight. The increased height along the western shared boundary is unlikely to result in a significant loss of direct sunlight to living areas.
 - Some additional overshadowing of the adjoining rear yards may occur, particularly in the early morning. However, given the relatively modest depth of the extension at first-floor level and the established pattern of similar rear additions, this is not considered excessive or materially detrimental to

neighbouring residential amenity. Occupants have access to additional rear garden space beyond the existing alleyway.

- Should planning permission be granted, it is recommended that a condition be attached requiring bathroom windows to have opaque glazing to prevent any problems of overlooking.
- The current proposal involves a more modest form of development than the previous proposal for No. 9 which was refused planning permission.

3.2. Third Party Submission

3.2.1. The Council received a submission from Annette McGuinness, the substance of which was, for the most part, repeated in her grounds of appeal. The submission also included the following points:

- Extending the party wall of the applicant's dwelling upwards would create a boxed-in atmosphere in the appellant's yard and likely have a negative effect on any future valuation of her property.
- She also objected to any alterations to the party wall due to fears of excessive noise, dust and access problems.

4.0 Planning History

4.1. Application Site

4.1.1. None

4.2. Adjoining Site

4.2.1. **19749:** On 1st November 2019, permission was refused to convert a two-storey house at 9 McDermott's Terrace into two apartments, including alteration to the rear garden with provision of two car-parking spaces. The refusal reasons may be summarised as (i) the substandard design of the apartments; (ii) injury to the residential amenity of the present application site at No. 10 by reason of overshadowing, overbearance and overlooking of its rear yard; and (iii) material contravention of the zoning objective.

5.0 Policy Context

5.1. Development Plan

5.1.1. Map 1.2 of the Louth County Development Plan 2021-2027 places McDermott's Terrace, including the application site, within Land Use Category A1, Existing Residential. It is stated in Section 13.21.5 of the Plan that the objective of this zoning is to protect and enhance the amenity and character of existing residential communities. Extensions and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties.

5.1.2. Section 13.8.35 of the Plan states that the extension or renovation of dwellings is generally encouraged and supported as it results in the upgrade and/or improvement to an existing building, maximises the existing building stock, and is often more sustainable than the construction of a new dwelling unit. It says that any application for the extension to or renovation of a property shall consider the following:

Scale. The scale of the extension shall normally be ancillary to the main dwelling. There are, however, circumstances where an existing property is limited in size (for example, a single-bedroom cottage) and a large extension is required to allow it to be brought up to modern living standards. Such developments will be considered on a case-by-case basis and will require a sensitive design to ensure that the proposal will not dominate the local streetscape and has a plot size that can absorb the development.

Design. Whilst the design of extensions shall normally reflect the character of the existing property, contemporary and innovative designs that would make a positive contribution to the local streetscape will be considered.

Privacy. Extensions shall not result in any new opportunities for overlooking into properties where no previous overlooking existed unless appropriate separation distances can be achieved and the extent of overlooking from an existing property will not be significantly increased because of the extension.

Daylight. Extensions shall not result in a significant decrease in daylight or sunlight entering a property. There may be instances where a daylight and sunlight

assessment will be required. This shall be carried out in accordance with the recommendations of the BRE [Building Research Establishment] Guidance '*Site Layout Planning for Daylight and Sunlight*': A Guide to Good Practice (2011).

Private Open Space. An adequate area of functional private open space shall be retained.

5.2. Natural Heritage Designations

5.2.1. The application site is not within any Natura 2000 European site of nature conservation importance. The nearest Natura 2000 sites to the site are:

- Dundalk Bay Special Area of Conservation (SAC), about 2 kilometres to the north west of the site, designated for estuaries, mudflats and sandflats, perennial vegetation of stony banks, annuals colonising mud and sand, and salt meadows;
- Carlingford Mountain SAC, about 8 kilometres to the east, designated for heaths, species-rich grasslands, blanket bogs, transition mires and quaking bogs, alkaline fens, siliceous scree, calcareous rocky slopes, and siliceous rocky slopes;
- Dundalk Bay Special Protection Area [for birds] (SPA), about 1.75 kilometres to the north west of the site; and
- Stabannon-Braganstown SPA, about 12 kilometres to the south of the site.

5.2.2. There are 24 proposed National Heritage Areas in Louth, some of which overlap with SACs and SPAs. The nearest non-overlapping areas to the application site are Trumpet Hill; Ravensdale Plantation; Drumcah, Torprass and Cortial Loughs; and Stephenstown Pond.

6.0 Environmental Impact Assessment Screening

6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The statement submitted by the appellant may be summarised as follows:

- The extension would cause significant overshadowing and loss of daylight to the appellant's kitchen and living room at 11 McDermott's Terrace; photographs were submitted to show this. The party wall would be extended upwards and this would completely block out the early-morning eastern sunshine and midday sun. The lack of sunshine early in the day would cause the yard to remain damp after any rain.
- A similar development at 9 McDermott Terrace was refused in 2019 so there is a precedent for her objection.
- She requested that the application be refused or significant amendments put in place to address her concerns.

7.2. Applicant's Response

7.2.1. The response submitted on behalf of the applicant may be summarised as follows:

- The house was originally constructed as two-up, two-down residence, with a small single-storey return housing a scullery and ancillary space and an external toilet accessed through a small yard. The current bathroom is located at ground floor, accessed through the kitchen and utility room. The proposal seeks to introduce modern convenience standards by providing a bathroom accessible at first floor.
- The extension at first floor would be kept to a minimum, measuring 2.5 metres by 4 metres externally (6.5 square metres internally). A replacement staircase is proposed, which would enable the first-floor extension to be accessed off the half landing. This would enable the height of the extension to be minimised and ensure that it would be subservient to the massing of the terrace row.
- In assessing the potential for overshadowing and loss of light, the planning officer took a balanced approach, taking into consideration that the massing

would be diminutive and that the design has sought to minimise impact on neighbouring property.

- The previous planning decision 19749 relating to No. 9 does not correlate sufficiently with the present application to be considered as a precedent, as it related to change of use and development of the site in its entirety.
- There are taller, mostly two-storey returns, to the rear of McDermott's Terrace and an adjacent terrace [to the west]. These returns have been added over time to modernise the dwellings, generally by providing functional kitchens and sanitary facilities. There are long, intensively used gardens [further] to the rear.

7.3. Planning Authority Response

7.3.1. None

8.0 Assessment

8.1. Issues

- 8.1.1. Having inspected the site and considered in detail the documentation on file for this third-party appeal, it seems to me that the main planning issues are:
- the effect of the proposed development on the character of the area; and
 - its effect on the residential amenity of the neighbouring property.

8.2. Character of the Area

- 8.2.1. The Louth County Development Plan generally encourages and supports the extension and renovation of dwellings. I consider that it is in the public interest that small terraced properties be upgraded to modern standards. The proposed rear extension would be subordinate in scale to the existing dwelling. When seen from the alleyway and neighbouring yards, it would not appear out of place as there is a variety of existing rear extensions, some two-storey, in the area. The contemporary design of the extension would contrast with the traditional appearance of the original terrace but, given the heterogeneous nature of the buildings adjacent to the alleyway, it would not, in my opinion, be harmful to the character of the area.

- 8.2.2. I am not persuaded of the necessity to attach a condition to any permission prohibiting subdivision of the dwelling. Section 3(3) of the Planning and Development Act 2000 declares that the use as two or more dwellings of any house previously used as a single dwelling involves a material change in the use. The subdivision of the dwelling would therefore require planning permission. Given the nature of the development, I do not consider it necessary to require service cables to be undergrounded.

8.3. Residential Amenity

- 8.3.1. The appellant's yard is already enclosed by her dwelling, her rear return and her outbuilding, as well as by the boundary wall with the application site and the side wall of No. 10's existing single-storey extension. The first-storey element of the proposed extension would increase the sense of enclosure. Although that element would not take up the full length of the application site, it would result in the loss of some daylight to the appellant's yard. The yard is not an attractive amenity space but the appellant has the benefit of a long back garden on the other side of the alleyway. Concerns about excessive noise, dust and access problems appear to relate to the construction period and could be addressed by attaching a condition to any permission requiring the submission of a construction management plan.
- 8.3.2. As the proposed extension would lie to the north of the terrace, I am satisfied that it would not reduce the amount of sunlight reaching the appellant's property. Daylight to the back windows of her dwelling is already restricted by the structures that enclose the yard. The extension would cause some additional loss of daylight to those windows but in my opinion it would not be so significant as to warrant the withholding of planning permission. I am not persuaded that the extension would lead to any appreciable devaluation of the property. The refusal of permission for a more intensive development at 9 St. Dermott's Terrace is not a relevant precedent.
- 8.3.3. I agree with the planning authority that the north-facing ground-floor window of the proposed extension and both first-floor windows should be fitted with obscure glass in order to prevent overlooking and protect privacy. Subject to this safeguard, I am satisfied that the proposed development would not have an unacceptable effect on the residential amenity of the neighbouring property.

9.0 Appropriate Assessment Screening

- 9.1. Having considered the nature, location and small scale of the proposed development, the nature of the receiving environment as a built-up urban area, the nature of the foreseeable emissions therefrom, the availability of public piped services to accommodate the foul effluent arising therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

10.0 Water Framework Directive

- 10.1. The application site is located about 460 metres from an unnamed tributary to a watercourse known as Linawully which flows into the Castletown Estuary. The proposed development comprises the demolition of a rear return and outbuilding, and their replacement by a two-storey extension to a dwelling. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) 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, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 10.3. The reasons for this conclusion are the nature and small scale of the works, the distance from the nearest water bodies and the lack of known hydrological connections.
- 10.4. I conclude 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.

11.0 Recommendation

11.1. I recommend to the Commission that planning permission be granted, subject to the conditions set out below.

12.0 Reasons and Considerations

12.1. Having regard to the Louth County Development Plan 2021-2027, and in particular to the A1 zoning objective, to the nature and scale of development proposed, and to the pattern of development in the area, it is considered that the proposed development would be appropriate and in keeping with the character and pattern of development in the area and would not significantly affect the amenities of surrounding properties. The development would therefore accord with the proper planning and sustainable development of the area

13.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	The north-facing ground-floor window of the extension and both first-floor windows shall be fitted with manufactured obscure or frosted glass which shall be permanently maintained. The application of film to the surface of clear glass is not acceptable. Reason: In the interest of residential amenity.

3.	Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works. Prior to the commencement of development, the developer shall submit proposals for the disposal of surface water from the site for the written agreement of the planning authority. Reason: To prevent flooding and in the interest of sustainable drainage.
4.	Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste. Reason: In the interest of public safety and amenity.

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.



TREVOR A RUE

Planning Inspector

29th June 2026

Appendix A: Form 1 – EIA Pre-Screening

Case Reference	PL-501192-LH-26
Proposed Development Summary	Demolition of rear return and outbuilding, and two-storey extension to dwelling
Development Address	10 McDermott's Terrace, Dundalk, Co. Louth
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ No, it is not a Class specified in Part 1. Proceed to Q3.	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	No Screening required.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3).

Inspector:



TREVOR A RUE

Date: 29th June 2026