



An
Coimisiún
Pleanála

Inspector's Report PL-501479-LH-26

Development

Permission for retention of a hard surface area for the provision of six additional car parking spaces and associated site works including surface water drainage and for retention of pedestrian entrance ramp and associated handrails.

Location

Edmondstown, Ardee, Co. Louth.

Planning Authority

Louth County Council

Planning Authority Reg. Ref.

2660155

Applicant(s)

Resilience Healthcare Ltd.

Type of Application

Permission for retention

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

Frieda & Des Halpenny

Observer(s)

None received.

Date of Site Inspection

4th day of August 2026

Inspector

Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The subject site is located within the rural townland of Edmondstown, Ardee and includes a two-storey dwelling, detached domestic garage within a stated area of 0.37ha. The subject site is accessed from a local county road, the L12012-0, a road that is located on the eastern side of the N2, National Primary Route, a route that links Dublin with Monaghan and Derry. The 12012-0 is a cul-de-sac and terminates just to the north-west of the subject site where there is an existing farmyard complex. There are a number of individual rural dwellings on generous plot sizes located in the vicinity of the subject site and also a number of agricultural holdings.
- 1.2 Ground levels within the site are consistent with those of the adjoining local county road. The site is served by a splayed entrance with electric gates and is surrounded by mature hedgerow boundaries on all sides and with a number of mature trees planted within the garden/private amenity space.

2.0 Proposed Development

- 2.1 Permission is sought to retain the following:
- A hard surface area for the provision of six additional car parking spaces and associated site works including surface water drainage,
 - Pedestrian entrance ramp and associated handrail.

3.0 Planning Authority Decision

3.1 Decision

Grant permission for retention of hard surface area providing for six additional car parking spaces and associated site works including surface water drainage, pedestrian entrance ramp and associated handrail subject to three conditions which include the following:

Condition No 2: Surface water management.

Condition 3(a)-Repair in respect of damage caused to the adjoining public road.

Condition 3(b)-Management of spillages or deposit of clay, rubble or debris on adjoining public road.

3.2 Planning Authority Reports

3.2.1 Planning Report

The Planner's Report noted the context of the site, the third-party submission, the internal departmental report and the local and national planning policy context. The Planner accepted the principle of the additional hard surface car parking spaces, associated surface water drainage and for the pedestrian access ramp and handrail. The Planner considered that having regard to the planning history associated with the subject site where a planning exemption under Schedule 2, Part 1, class 14(f) of the Planning and Development Regulations 2011, as amended was issued by the Planning Authority in relation to a change of use from the previously permitted dwelling house to use to a facility for those with an intellectual or physical disability or mental illness and persons providing care for such persons catering for up to six clients and two resident carers with a maximum of eight bedrooms, that the items for retention are ancillary to the exempted development referenced above.

The Planner was satisfied that adequate private amenity space remained following the development of the six additional hard surfaced car parking spaces and pedestrian access ramp, that no issues in relation to overlooking, overbearing or loss of light arise. The Planner noted that the Major Capital Projects and Infrastructure Delivery (MCPID) Section within Louth County Council outlined no objections to the proposals in relation to road safety matters or on-site parking provision. The Planner noted that the site is not located within an area prone to flood risk (as per the OPW mapping), and that the development would be served by the existing permitted on-site bored well and proprietary wastewater treatment system and that the surface water management measures could be addressed by means of an appropriate planning condition. No ecological issues are deemed to have arisen as a result of the works sought to be retained either.

A grant of planning permission was recommended by the Assistant Planner on the 7th day of May 2026 and endorsed by the A/Senior Executive Planner and the A/Director of Services on the 8th day of May 2026.

3.2.2 Internal Technical Reports

Major Capital Projects and Infrastructure Delivery Section: No objections, subject to conditions.

3.3 Prescribed Bodies

It is stated that no statutory consultees were consulted.

3.4 Third Party Observations

One observation was received by the Planning Authority which raised a number of issues as follows:

- The site notice was not easily visible and legible by persons using the public road as per the requirements set out within Part 4, Articles 17 and 19 of the Planning and Development Regulations, 2001, as amended.
- The development and the change of use permitted under the planning exemptions do not constitute exempted development and require planning permission.
- The development would endanger public safety by reason of a traffic hazard and is, therefore, not exempt from the requirement to seek planning permission,
- The local access road has inadequate capacity to cater for a care facility and walking in this area would represent a health and safety concern,
- Permitting a care facility would result in increased demands on services and utilities,
- The care facility would have an adverse impact upon the local community,
- The care facility within a rural setting would not be sustainable and result in environmental concerns in relation to surface water and wastewater management,

- There are archaeological remains within the subject site that would be adversely impacted by the development.

4.0 **Planning History**

The following is the relevant planning history associated with the subject site.

PA reference number 2025/84, in December 2025, Resilience healthcare were issued a planning exemption by Louth County Council for the change of use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons, with a maximum of eight bedrooms (six residents) occupied as a group home, under single management providing supported living and residential services, with no alterations to the front elevation and no extension(s) to be development that is exempted development and the resurfacing of part of the front garden area to hard surfacing for the provision of ten additional car parking spaces with soakaway drainage is development that is not exempted development.

PA reference number 25/60292, in 2025, Resilience healthcare sought planning permission for the change of use of an existing single storey detached domestic garage to living accommodation associated with the adjacent supported living community dwelling. The development would provide for internal alterations, elevational changes and all associated site development works. This application was subsequently deemed withdrawn by the Planning Authority in August 2026.

PA reference number 05/1071-In 2005, planning permission was granted for the construction of a two-storey dwelling house, domestic garage, proprietary wastewater treatment system and all associated site works.

5.0 **Policy Context**

5.1 **Louth County Development Plan 2021-2027**

Volume 1-Written Statement:

The following policies and objectives are relevant to the proposal:

Chapter 3-Housing

Section 3.9 Specialist Housing

Policy Objective HOU 14 To support the provision of independent and/or assisted living for people with disabilities or mental health issues such as purpose-built accommodation or the adaptation of existing properties.

Chapter 8- Natural Heritage, Biodiversity and Green Infrastructure

Section 8.3- European Sites in County Louth

Policy Objective NBG 3 To protect and conserve Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the EU Habitats and Birds Directives.

Policy Objective NBG 4 To ensure that all proposed developments comply with the requirements set out in the DECLG 'Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities 2010'.

Policy Objective NBG 5 To ensure that no plan, programme, or project giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan, either individually or in combination with other plans, programmes or projects.

Chapter 9-Built Heritage and Culture

Section 9.3-Archeological Heritage

Policy Objective BHC 3 To protect known and unknown archaeological areas, sites, monuments, structures and objects, having regard to the advice of the National Monuments Services of the Department of Housing, Local Government and Heritage.

Chapter 10-Infrastructure and Public Utilities

Section 10.2.5-Sustainable Drainage Systems

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.

Chapter 13-Development Management Guidelines

Chapter 13-Development Management Standards

Section 13.9.18-Surface Water

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.

Section 13.20.4 All Sustainable Drainage Systems' (SuDS)

All new developments (including amendments/extensions to existing developments) will be required to incorporate 'Sustainable Urban Drainage Systems' (SuDS) as part of the development/design proposals.

5.2 Natural Heritage Designations

The subject site is not located within a designated European site nor immediately adjoining a designated European site. The nearest European site is the Stabannon-

Braganstown SPA (Site Code 004091) which is located approximately eleven kilometres south-east of the subject site.

The Reaghstown Marsh pNHA (Site Code 001828) is located approximately 1.1 kilometres south-west of the appeal site.

5.3 Environmental Impact Assessment - Screening

Please see Appendix 1 at the end of this planning report. Having regard to the limited nature and scale of the development which relates to retaining a hard surfaced area for the provision of six car parking spaces and for a pedestrian access ramp and handrail to a care facility 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.

5.4 Water Framework Directive Screening

The nearest water body to the appeal site is an un-named stream which is located approximately 290 metres north of the subject site.

The development relates to the retention of a hard surfaced area (comprising 75 square metres) for the provision of six car parking spaces and for a pedestrian access ramp and handrail to a care facility. The detailed development description is set out within Section 2.0 of my report above.

Surface water discharge is stated to be to soakpits. The Planning Authority included a planning condition within its decision for the inclusion of additional surface water management measures to be submitted for their written agreement regarding the management of surface water run off generated in the area of hard surface associated with the additional car parking spaces.

I have assessed the planning documentation and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies in order to reach good status

(meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the relatively minor nature and scale of the works, and the 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.

The reason for this conclusion is as follows:

- Having regard to the relatively minor scale and nature of the additional works,
- The separation distance between the appeal site and the nearest watercourse,
- The existing surface water management measures on site in the form of soakpits.

Conclusion

I conclude that on the basis of objective information, the development will not result in a risk of deterioration on any water body (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

A third-party appeal has been received against the decision of the Planning Authority to grant permission for retention of a hard surfaced area (comprising 75 square metres) for the provision of six car parking spaces and for a pedestrian access ramp and handrail to a care facility. The issues raised within the appeal submission are summarised as follows:

- The Planning Authority have not properly assessed the various planning matters on the site and have assessed them of their individual merits.
- No cumulative assessment of the various development on site was undertaken and this has resulted in a piecemeal assessment.

- The proposals to retain the hard surface car parking area for 6 spaces and the pedestrian access ramp should be assessed in the context of the operational requirements of the care service on site which the additional parking spaces are expressly intended to serve.
- The Planning Authority (PA) previously identified staffing arrangements, support arrangements and operational intensity as material planning considerations under planning reference 25/60292, an application which was subsequently deemed withdrawn by the PA.
- The applicants have advertised recruitment material with the existence of a dedicated staff structure which is relevant to an assessment of parking demand, traffic generation, visitor movements, service vehicle movements, wastewater capacity, infrastructure requirements and intensity of use.
- The retention of the works should not have been assessed as a parking regularisation exercise separate from the wider operational context of the development on site.
- The PA granted permission for retention of the development notwithstanding the planning issues that they had raised themselves as part of a further information request (relating to planning reference 2560292-deemed withdrawn) and have not been resolved.
- The PA included a condition requiring the applicants to undertake permeability testing, and to prepare soakaway calculations, to design BRE 365 compliant drainage infrastructure and to agree the surface water management details with the PA. These fundamental engineering matters should have been assessed prior to granting permission for retention.
- This has prevented a full evaluation of environmental consequences post the grant of permission for retention.
- The Planning Authority has previously accepted the retention of additional car parking spaces without a detailed assessment of staff shift changes, visitor traffic, service providers, deliveries, emergency access requirements and cumulative traffic generation is not acceptable (planning reference 2560292).

- The site is accessed off a narrow cul-de sac road and a private laneway onto a class 1 road.
- The PA have failed to adequately assess whether the retained infrastructure reflects a level of activity materially greater than that associated with a dwelling house use.
- The issue of wastewater capacity in the context of the whole operational development on site has not been adequately assessed in terms of loading, groundwater protection and compliance with the EPA Code of Practice.
- There are archaeological remains in the form of a Holy Well (reference number LH013—006001) within the subject site. Given the additional hardstanding area, the Coimisiún should consider if sufficient archaeological assessment was undertaken having regard to the known archaeological sensitivity within the subject site.
- In terms of environmental assessment, the PA relied heavily on compliance with planning conditions rather than completed assessments. A more robust assessment should have been required in advance of granting permission for retention of the works.

6.2 Planning Authority Response

The PA issued a response to the third-party appeal and set out the following:

- The PA considers that the key and pertinent planning issues pertaining to this site in the context of the proposal, the subject of this assessment, have been fully considered and are set out in the planning report dated 7th/8th May 2026.
- The PA has no further comment to make over and above those made within the Planner's Report and the Council's decision to grant retention permission.

- The Planning Authority respectfully request the Coimisiún to uphold the decision of the PA to grant permission for retention of the development.

6.3 Applicants' Response to first party appeal submission

The applicants issued a response to the Coimisiún in relation to the issues raised within the third-party appeal submission as follows:

- Louth County Council considered the planning merits of the development and granted permission for retention subject to conditions.
- This submission relates solely to the retention of the additional hard surface area comprising the additional six car parking spaces associated surface water drainage works and pedestrian access ramp.
- The assessment by the Coimisiún should remain focussed on whether the lined parking area associated drainage works and pedestrian access ramp are acceptable
- The scope of any retention application is, by definition, confined to the unauthorised development for which permission is sought.
- The Planning Authority, including its Infrastructure Delivery Section assessed the retained parking arrangements and granted permission for retention of same.
- A significant proportion of the third-party appeal relates to matters concerning the operation of the community dwelling, staffing arrangements, HIQA regulations, recruitment, care provision and other operational matters which do not form part of the development that is the subject of this appeal.
- The Section 5 process determined that the use of the dwelling as a community residence is exempted development, while the additional hard surfaced parking area, associated drainage works and pedestrian access

ramp was not exempted development. That determination by the PA was not appealed, and therefore, that determination stands up to scrutiny.

- The appellants have not submitted any technical evidence demonstrating that the parking spaces would create an unacceptable road safety or capacity impact.
- The additional parking provision reflects the practical need to accommodate non-resident staff and service vehicles associated with the lawful use of the dwelling, rather than any increase in the number of residents.
- Staffing is provided on a non-resident basis at a level appropriate to the care needs of the residents and consistent with the use deemed to be exempt by the PA, under the Section 5 declaration process. It does not alter the nature or intensity of the retained parking.
- Assertions regarding staffing levels, shift patterns or recruitment activity go with the operation of the care service rather than the acceptability of the car parking area to be retained.
- The retained drainage works were assessed by the Planning Authority who outlined no objections subject to conditions. The appellants have not submitted any evidence demonstrating any drainage failure or environmental harm arising from the retained works.
- The existing wastewater treatment system on site was designed and permitted to serve the dwelling as constructed. The community dwelling is operated within the parameters established within the Section 5 declaration, with staffing provided on a non-resident basis. There is no increase in occupancy or wastewater loading beyond what the existing treatment system was designed to serve, and no increase in residents is proposed.
- The archaeological remains on site (Holy well) remain intact and unaffected by the works. The parking spaces, surface water drainage nor pedestrian

access ramp do not encroach upon nor disturb the archaeological remains. The location of the Holy Well is included within the Site Layout Plan (Appendix) B) as per the applicants' submission to the Coimisiún.

- The appellants have not demonstrated that the retained development is contrary to the proper planning and sustainable development of the area.
- Issues in relation to HIQA regulations, staffing levels, recruitment, care provision and operational matters are regulated under separate statutory frameworks and are not material planning considerations in determining this appeal. Recruitment activity reflects staff turnover rather than any change in the permitted use or increase in resident numbers.

7.0 **Assessment**

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

Principle of Development

Parking and Traffic Safety

Site Servicing

Other Issues

Appropriate Assessment

7.1. **Principle of Development**

- 7.1.1 The application as described within the public notices seeks permission for retention of hard surfaced car parking spaces (six in number) and associated surface water drainage, a pedestrian access ramp and handrail at the front entrance to a residential care facility. The structure on site was originally permitted as a two-storey dwelling but was subject of a Section 5 referral made by the applicants under planning reference 2025/84 and the Planning Authority determined that the change of use of the permitted dwelling to use as a residence for persons with an intellectual

or physical disability or mental illness and persons providing care for such persons, with a maximum of eight bedrooms (six residents) occupied as a group home, under single management providing supported living and residential services, with no alterations to the front elevation and no extensions(s) to be development that is exempted development and the resurfacing of part of the front garden area to hard surfacing for the provision of ten additional car parking spaces with soakaway drainage is development that is not exempted development. This decision was not appealed nor subject to a judicial review

7.1.2 This appeal as per the public notices specifically relates to the retention of the hard surface area which provides for six car parking spaces to the front of the property, associated site works including surface water drainage and a pedestrian access ramp and associated handrail at the front entrance to the residential care facility. I acknowledge that the additional car parking spaces and pedestrian ramp are clearly linked with the use of the building on site as a care facility, deemed to have been exempt by the PA. However, this appeal specifically relates to the retention of the hard surfaced parking spaces, associated surface water drainage and pedestrian access ramp and handrail only and no other development on site or use within the structure will be assessed as part of this appeal.

7.1.3 I consider that the principle of the proposals to retain the hard surface area which provides for six car parking spaces, associated site works including surface water drainage and the pedestrian access ramp and associated handrail to be acceptable, given they are associated with the care facility which has the benefit of a planning exemption issued by the Planning Authority in accordance with Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulations 2001 (as amended). However, this acceptability is subject to issues in relation to traffic safety and surface water management being adequately addressed. These matters will be addressed in detail within the assessment below. Appropriate Assessment is another matter that will also be addressed within this assessment.

7.2. Parking and Traffic Safety

7.2.1 The appellants raised the issue that the additional hard standing area which would provide for six car parking spaces would provide for a significant level of traffic being generated on site by the care facility and that the local road infrastructure has

insufficient capacity to cater for an increased level of traffic. The subject site is located approximately 0.8 kilometres on the eastern side of the N2, National primary route, the main road linking Dublin with Monaghan and Derry. The L12012-0 is a public road and maintained by Louth County Council (LCC) as set out within the Planning Report prepared by Louth County Council. I note the content of the referral response received from the Major Capital and Infrastructure Delivery Section (MCPID) within LCC who stated that following a site inspection that they had no objections to the development from a traffic safety perspective and recommended that permission for retention of the additional car parking spaces be granted subject a number of conditions.

7.2.2 The subject site is accessed from a public road, a matter confirmed by the Planning Authority within their Planner's Report. I acknowledge that the width of the local access road (L-12012-0) narrows to approximately four metres for the last 300 metres of the road, nearest the appeal site. The surface of the road is in a very good condition. I note that the applicants have submitted details of the use of the care facility as part of their response to the third-party appeal submission. They state that the carers within the residential care facility are non-resident and will work on a shift basis. They also state that the subject site/care facility will generate a certain level of traffic associated with the care facility use. They state that this traffic will be in the form of non-resident staff and service vehicles which would include deliveries, maintenance and care support visits associated with the lawful use of the dwelling rather than any increase in the number of residents, above the details provided as part of the Section 5 declaration. The applicants state that the provision of the additional six car parking spaces does not alter the nature or intensity of the retained parking.

7.2.3 In conclusion, I consider that based on the information submitted that the applicants have submitted sufficient justification for the retention of the hard standing area for the provision of six car parking spaces. I note that this area comprises 75 square metres and that there remains adequate amenity space, within the front and rear garden areas, given the care facility comprises a total stated site area of 0.37 hectares. The applicants state that there will not be any increased intensity of traffic generation within/to/from the subject site above the traffic levels that were

anticipated to be associated with the residential care facility use, deemed exempt by Louth County Council in December 2025. I consider the retention of the six additional hard surface car parking spaces to be acceptable in this instance.

7.3 Site servicing

Surface Water Management

7.3.1 The appellants have raised the issue of surface water management within the subject site. The original dwelling permitted on site was permitted with surface water being managed through the use of soakpits. I acknowledge that the dwelling on site was permitted in 2005, and that surface water management and Sustainable Urban Drainage Systems (SuDS) have made significant advances in the interim period. However, I also note that the additional area of hard surface in this instance is 75 square metres (sq. m) and relates to the provision of six additional car parking spaces that would have previously formed part of the front garden area. The additional 75 sq. m. of hardstand area is within a stated site area of 3,700 square metres, equating to approximately 2% of the total site area. The PA considered that the issue of additional surface water management measures to serve the additional car parking area could be addressed by means of an appropriate planning condition. Given the relatively modest scale of the additional hard surface area in the context of the overall site area, I consider that this matter can be addressed by means of an appropriate planning condition.

7.3.2 I also consider that given that there are no works proposed at the entrance to the subject site, I do not consider it appropriate to condition surface water management measures at the entrance area, as per the first element within condition number 2 of the PA's decision.

Wastewater Treatment

7.3.3 The appellant has referenced the capacity of the existing on-site wastewater treatment system to serve the care facility development. Although, the wastewater treatment system has not been altered and is not proposed to be altered as part of the current proposals, I consider it appropriate to comment on same given the concerns expressed by the appellants in this regard. The applicants state that the

wastewater treatment system was designed, permitted, installed and commissioned to serve the original dwelling on site in accordance with planning reference 05/1071. They state that the wastewater treatment system accorded with the standards (SR6) at that time in relation to wastewater treatment. That standard has subsequently been replaced by the EPA Code of Practice for single houses in the countryside, 2009. The applicants state that the occupancy within the care residence will not exceed the loading associated with the dwelling originally permitted on site in 2005.

- 7.3.4 Upon my site visit, I noted the location of the wastewater treatment system and there were no signs of malfunction (malodours or breaking out within the soils in its vicinity). On this basis, I consider that the existing wastewater treatment system is currently operating efficiently and I would have no concerns regarding its capacity to cater for the loading associated with the residential care facility as per the details of numbers of residents within the planning documentation submitted.

Flooding:

- 7.3.5 The subject site is not located within a flood zone as set out within the LCC's Planner's Report. I have perused the flooding datasets available on the OPW 's website floodinfo.ie and there are no records of flood events within the subject site nor within this vicinity. I note that much of the subject site remains under grass and, therefore, natural run-off and drainage would occur within the site, percolating through the permeable grass surface.
- 7.3.6 In conclusion, I consider that the additional hard surface area on site (comprising six parking spaces) would not exacerbate the risk of flooding within the subject site nor within the adjoining lands or public roadway.

7.4 Other Issues

Operation of care facility on site

- 7.4.1 I also note that the applicants have submitted details of the use of the care facility which will be as set out within their Section 5 referral as determined by LCC in 2025. They state that the carers are non-resident and will work on a shift basis. The applicants state that they will continue to operate the care facility as per the lawful use and exemption as issued by the PA in 2025. The applicants state that issues in relation to staffing levels, shift patterns or recruitment activity go hand and hand with

the operation of the care facility. They also state that issues raised by the appellants in relation to HIQA regulation, staffing levels and recruitment, care provision and operational matters are regulated under separate statutory frameworks and are not material planning considerations in determining this appeal. I consider that the issue of compliance with healthcare regulations would be evaluated under a separate legal code and thus need not concern the Coimisiún for the purposes of this appeal.

Public Notices.

- 7.4.2 The appellants state that the public notices were not visible from the public road, as the subject site is accessed from a private roadway. I refer to Section 7.2.2 of this report above where I refer to the LCC Planner's Report which acknowledges that the subject site is accessed onto the local public road, the L-12012-0 which is maintained by Louth County Council. I also refer to the LCC Planner's Report, Page 4, where she states that she considered the positioning of the site notice to comply with the legislative requirements set out within Part 4, Chapter 1, of the Planning and Development Regulations, 2001 as amended. Therefore, based on the information received from the PA, I consider that the issue of the site notice has been appropriately addressed in accordance with the legislative requirements.

Archaeology

- 7.4.3 The appellant references the existence of archaeological remains in the form of a holy well (reference number LH013-006001) which is located in the front garden area of the subject site. The applicants have submitted a Site Layout Plan as part of their third party appeal response which illustrates the location of the holy well on site, which is removed from the hard surface area and pedestrian access ramp sought to be retained. I consider that the excavations required for the six additional car parking spaces would have been dug to a shallow depth and the associated surface water management and pedestrian access ramp and handrail would not have adversely impacted the holy well. The Holy well remains in place and the fact that a dwelling was originally permitted in its vicinity including all the ancillary works in terms of the

entrance and driveway, I do not consider that the retention of the works has adversely impacted the archaeological remains.

Planning Conditions

7.4.4 I note that condition number 3 as included within the PA's decision relates to damage caused to the adjoining public road and spillages of material on the adjoining public road. Given the works, as per the public notices relate to the retention of the hard surface area for the provision of six additional parking spaces and the pedestrian access ramp are already completed and sought to be retained, I do not consider it necessary to include this condition as part of this decision.

8.0 AA Screening

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

- The subject site is not located within or adjacent to any European Site.
- The closest European Site is the Stabannon-Braganstown SPA (Site Code 004091) is located approximately eleven kilometres south-east of the subject site.
- The subject site comprises a residential care facility which was deemed to be exempt development under the provisions of Schedule 2, Part 1, Class 14(f) of the Planning and Development Regulation 2001, as amended. No significant construction or ancillary works have been developed or are proposed as per the development description.
- No nature conservation concerns were raised at planning application stage or within the planning appeal.

8.2 Having considered the nature, scale and location of the subject development, I am satisfied that it can be eliminated from further assessment as it is highly unlikely that it could not have any appreciable effect on a European Site, given the absence of direct hydrological or ecological connectivity to any European site.

The reason for this conclusion is as follows:

- The nature of the development which seeks permission for the retention of a hard surfaced area providing for six car parking spaces, associated drainage works and pedestrian access ramp.
- The distance from European Site(s) and nature of intervening habitat, absence of surface water hydrological or ecological pathways to any European Site.

8.3 I conclude that on the basis of objective information, the proposed change of use would not have a significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

9.0 Recommendation

I recommend that permission for retention of a hard surfaced area providing for six car parking spaces, associated drainage works and pedestrian access ramp be granted subject to the following conditions:

10.0 Reasons and Considerations:

Having regard to the location of the site within a rural area, to the compliance with Development Management standards within the current Louth County Development Plan 2021-2027, specifically policy objectives BHC3 in relation to protecting known archaeological areas and IU20 in relation to managing and disposing of surface water within the site boundaries, It is considered that subject to compliance with the conditions set out below, the development provides for a modest extension of an existing hard surfaced area to provide for additional car parking space to serve the residential care use on site and for safe access by means of the pedestrian ramped access to the front door of the care facility and would accord with best practice standards as set out within the current Development Plan and would not result in the creation of a traffic hazard nor adversely impact upon vulnerable road users nor the residential amenities of neighbouring residential properties. The development would,

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

11.0 Conditions

- 1 The development shall be retained in accordance with the plans and particulars lodged with the application on the 27th day of March 2026 and as submitted to the Coimisiún on the 29th day of June 2026, 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 (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roof, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) Within one month of this grant of planning permission the applicants shall submit details of surface water management proposals to serve the additional hard stand area comprising the six car parking spaces incorporating SuDs proposals for the written agreement of the Planning Authority.

(c) Water supply and drainage arrangements, including attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of proper planning and sustainable development.

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

31st day of August 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	PL-501479-LH-26		
Proposed Development Summary	Permission for the retention of a hard surfaced area providing for six car parking spaces, associated drainage works and pedestrian access ramp.		
Development Address	Edmondstown, Ardee, Co. Louth		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		
No	Tick or leave blank	Retention of a hard surfaced area providing for six car parking spaces, associated drainage works and pedestrian access ramp do not fall within a class of development as per the Planning and Development Regulations.	x
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank		
No	Tick/or leave blank		X
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	Works relate to the retention of a hard surfaced area providing for six car parking spaces, associated drainage works and pedestrian access ramp.	X

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	X
Yes		

Inspector: _____ **Date:** _____