

Eunice O'Neill
1 Sandymount Square
Blackrock
County Louth
Email: euniceoneill00@gmail.com

Date: 04/01/26

AN COIMISIÚN PLEANÁLA	
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ACP-	
06 JAN 2026	
Fee: €	225
Type:	Com
Time:	9:15
By:	Reg. Post

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Re: Appeal against grant of planning permission – Louth County Council Ref. 25/60319

Dear Sir / Madam,

I wish to lodge this appeal under Section 37 of the Planning and Development Act 2000 (as amended) against the decision of Louth County Council dated **3 December 2025** to grant planning permission for a Large-Scale Residential Development at Haggardstown, Blackrock Road, Dundalk, County Louth (Planning Authority Reference **25/60319**).

I made a detailed submission on the application during the public consultation period, and the matters raised therein were not, in my view, lawfully or adequately addressed in the decision to grant permission.

This appeal is based on errors of law and procedure, including but not limited to:

- unlawful screening for Appropriate Assessment,
- reliance on future and uncertain wastewater mitigation,
- deferral of essential matters to post-permission conditions, and
- failure to have proper regard to relevant policy context and material planning considerations in force at the date of decision.

The enclosed appeal documentation sets out these matters in full.

I respectfully request that An Bord Pleanála consider this appeal and exercise its powers to set aside the decision of the Planning Authority.

Yours faithfully,

Eunice O'Neill

AN BORD PLEANÁLA

APPEAL UNDER SECTION 37 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

APPELLANT

Eunice O'Neill
1 Sandymount Square
Blackrock
Co. Louth
Email: euniceoneill00@gmail.com

PLANNING AUTHORITY

Louth County Council

PLANNING REFERENCE

25/60319

DECISION DATE

3 December 2025

DEVELOPMENT DESCRIPTION

Large-Scale Residential Development comprising 502 residential units, a crèche, associated infrastructure, access roads, wastewater and surface water infrastructure, and associated works at lands at Haggardstown, Blackrock Road, Dundalk, County Louth.

NATURE OF APPEAL

Appeal against the grant of planning permission.

GROUND OFS OF APPEAL

GROUND 1 – FAILURE TO COMPLY WITH ARTICLE 6(3) OF THE HABITATS

DIRECTIVE

The Planning Authority erred in law by screening out Appropriate Assessment and relying on future mitigation and infrastructure upgrades, contrary to the judgments of the Court of Justice of the European Union in Waddenzee, Sweetman, Holohan and People Over Wind.

GROUND 2 – UNLAWFUL RELIANCE ON FUTURE WASTEWATER INFRASTRUCTURE

The decision relies on anticipated future upgrades and operational changes at the Dundalk Wastewater Treatment Plant which were not in place at the time of decision. Reliance on such future mitigation is impermissible under EU environmental law and breaches the precautionary principle.

GROUND 3 – FAILURE TO ADEQUATELY ASSESS CUMULATIVE EFFECTS

The assessment fails to properly address cumulative and in-combination effects arising from existing and permitted development within the Dundalk catchment, particularly in relation to wastewater loading, nutrient enrichment and ecological pressure on Dundalk Bay SAC and SPA.

GROUND 4 – FAILURE TO PROPERLY CONSIDER MATERIAL SUBMISSIONS

Detailed third-party submissions raised substantive concerns regarding wastewater capacity, environmental risk, ecological sensitivity, lighting impacts, transport safety and flood risk. These matters were not meaningfully addressed or rebutted in the Planner's Report or decision.

GROUND 5 – FAILURE TO APPLY THE PRECAUTIONARY PRINCIPLE

The Planning Authority reversed the legal burden of proof by accepting uncertainty and future mitigation in place of scientific certainty. Where doubt remains, consent must be refused or subject to full Appropriate Assessment in accordance with Article 6(3).

GROUND 6 – FAILURE TO HAVE REGARD TO PROPOSED VARIATION NO. 3 AND UPDATED POLICY CONTEXT

The Planning Authority failed to have proper regard to Proposed Variation No. 3 to the Louth County Development Plan 2021–2027, published on 30 July 2025 under Section 13(2) of the Planning and Development Act 2000. The Proposed Variation acknowledges the need to update the operative Plan to ensure consistency with the Dundalk Local Area Plan 2025–2031 and includes amendments to zoning, flood risk mapping, environmental assessment and written policy. Despite this, the Planning Authority granted permission without demonstrating how the development aligns with the emerging policy framework or environmental sensitivities identified. The failure to have proper regard to this published and material planning consideration renders the decision premature and unsound.

CONCLUSION

For the reasons set out above, the Appellant respectfully requests that An Bord Pleanála set aside the decision of Louth County Council and refuse planning permission, or in the alternative remit the application for reconsideration subject to full Appropriate Assessment and proper consideration of the relevant policy framework.

Signed:

Eunice O'Neill

Date: 04/01/2026

Louth County Council
Planner Report on Further Information

Planning Ref: 2560319

Applicant's Name: Marina Quarter Ltd

Type of Application: Permission

Description: 7-year permission for a Large-scale Residential Development (LRD) on lands (c.18.54 ha) The development will consist of:- 502 no. residential units, with a total residential gross floor area of c.51,440.5 sqm comprising: 40 no. 1 bed maisonettes, 147 no. 2 bed mid-terrace 2 storey house, 276 no. 3 bed end of terrace and semi-detached 2 storey houses, 1 no. 3 bed detached bungalow and 38 no. 4 bed semi-detached 3 storey houses, 1 no. two storey creche facility (570.7 sqm Gross Floor Area) with outdoor secure play area and parking. New access off Blackrock Road providing for vehicular, pedestrian and cycle access and incorporating a new bus stop on Blackrock Road; 2 no. pedestrian and cycle only access points are provided from Bóthar Maol. Infrastructure and services for the proposed development including surface water infrastructure, water mains and a new wastewater pump station (with temporary storage and associated dosing measures) which will be pumped via a new rising main along Blackrock Road (R172) and Hardy's Lane to Finnabair Crescent where it will discharge to the existing wastewater drainage network. Associated public and private open space, landscaping and amenity areas including a large central park of c.2.7ha, public art, boundary treatments, public lighting, roads, cycleways, footpaths, car and cycle parking, infrastructure and services and all associated site and development works. To facilitate the proposed development, excavation, cut and fill, reprofiling of existing ground levels and removal of works completed under previously permitted SHD development including the foundations for 5 no. houses is required. The

ruins of a former pumphouse will also be removed / demolished as part of the works and existing overhead electrical lines will be undergrounded.
Significant Further Information Received on 14/10/2025

Site Location: Haggardstown, Blackrock, Dundalk, Co. Louth

Site Notice: Yes

Date of Site Inspection: 24th July 2025

Due Date: 8th December 2025

1.0 Introduction

This Report relates to Further Information received and is to be read in conjunction with the previous planning report dated 22nd July 2025.

The request for Further information was issued on 22nd July 2025 and response received on 14th October 2025.

2.0 Details of Further Information requested, summary of Responses received and Assessment

Item 1

1. *The Appropriate Assessment Screening Report included with the application makes reference to the Uisce Éireann 2023 Annual Environmental Report relating to the Dundalk Wastewater Treatment Plant and the potential impacts of the Treatment Plant on the water quality and Water Framework Directive status of the Castletown Estuary and Inner Dundalk Bay, which are within the Dundalk Bay SAC and the Dundalk Bay SPA.*

Whilst it is noted that the potential for likely significant effects on European Sites in Dundalk Bay as a result of foul water generated by the proposed development was

screened out, it is considered that a proper evaluation of the possibility that discharges of inadequately treated foul water originating from the proposed development into the Dundalk Bay SAC and the Dundalk Bay SPA from the Dundalk Wastewater Treatment Plant might adversely affect Qualifying Interests and/or Conservation Objectives for these European Sites is undertaken. An Amended Appropriate Assessment Screening Report is requested to be prepared in this regard. Note that if the amended AA Screening Report considers adverse effects on Qualifying Interests and/or Conservation Objectives are possible as a consequence of such discharges, a complete evaluation of their potential effects on the Qualifying Interests and/or Conservation Objectives for the Dundalk Bay European Sites shall be included in an amended Natura Impact Statement and Environmental Impact Assessment Report.

Applicants Response

FI Cover

The response to Item 1 addresses the concerns raised regarding the potential impact of discharges of inadequately treated foul water from the Dundalk Wastewater Treatment Plant (WWTP) on the Dundalk Bay SAC and SPA. The applicant, Marina Quarter Ltd., through DNV, reviewed the Appropriate Assessment (AA) Screening Report submitted with the planning application and reaffirmed its conclusions. The report had previously screened out the likelihood of significant effects on European Sites in Dundalk Bay due to foul water from the proposed development.

DNV emphasised that the issues at the WWTP are operational and infrastructure-related, not capacity-related, and that the proposed development would only contribute 2% of the plant's design capacity, which has sufficient headroom to accommodate the additional load. Uisce Éireann confirmed that the WWTP has a design capacity of 71,000 PE, with a current load of 58,200 PE and available capacity of 12,800 PE. They also outlined ongoing and planned upgrades to the WWTP to address equipment failures and maintain capacity.

DNV concluded that the proposed development would not significantly affect the baseline situation at the WWTP or the integrity of Dundalk Bay SAC/SPA. They stated that the AA Screening Report provides objective scientific analysis supporting the

conclusion that the development will not result in likely significant effects on the European Sites. Therefore, an amended AA Screening Report was not submitted, as the original report and accompanying Natura Impact Statement (NIS) already addressed the concerns raised in the Further Information Request.

Ecology RFI Response Memo

The response to Item 1 of the Request for Further Information (RFI) from Louth County Council addresses concerns regarding the potential adverse effects of discharges of inadequately treated foul water from the Dundalk Wastewater Treatment Plant (WWTP) on the Qualifying Interests (QIs) and Conservation Objectives (COs) of the Dundalk Bay SAC and SPA. The Appropriate Assessment (AA) Screening Report, prepared by Enviroguide Consulting (now DNV), concluded that the potential for significant effects on these European Sites due to foul water generated by the Proposed Development was screened out.

The response highlights that the Dundalk WWTP has sufficient capacity to accommodate the additional load from the Proposed Development, which represents only a 2% increase in the plant's total capacity. The 2024 Annual Environmental Report (AER) confirms that the WWTP has a remaining organic capacity of approximately 12,800 PE, which is more than adequate to handle the foul water generated by the Proposed Development. Furthermore, Uisce Éireann (UÉ) has confirmed the feasibility of a wastewater connection for the development and is implementing upgrades to ensure compliance and future capacity.

The response also addresses treatment issues at the WWTP, including effluent quality exceedances, equipment failures, uncontrolled releases, and spills. These issues are attributed to internal operational and infrastructural challenges at the WWTP, which are independent of the Proposed Development. UÉ has initiated several measures to address these issues, including nutrient removal enhancements, storm capacity expansion, maintenance improvements, and staff training. These efforts have already led to a reduction in incidents at the plant, and further upgrades are planned to improve its operational efficiency.

The AA Screening Report applied the Source-Pathway-Receptor model and concluded that the pathway does not present a credible risk of significant effects on Dundalk Bay SAC/SPA. The responsibility for ensuring the effective operation of the WWTP lies with UÉ, and the applicant has no control over the plant's internal issues. The foul water contribution from the Proposed Development will not exacerbate the current baseline situation at the WWTP or result in significant effects on the European Sites.

In conclusion, the response asserts that the AA Screening Report has adequately addressed the concerns raised in the RFI, and the Proposed Development will not result in likely significant effects on Dundalk Bay SAC/SPA. The issues at the WWTP are being addressed by UÉ through ongoing upgrades and improvements, and the outlook for the plant's performance is positive.

Consideration of the Further Information response

It is noted that the applicant's response to this item indicated that they were satisfied that the AA Screening Report included with the application comprehensively addressed the concerns raised in the Further Information Request through consideration of hydrological connectivity, wastewater treatment capacity, and water quality assessment. Rather than amending the AA Screening Report the applicants included a Report supporting the conclusions of the AA Screening Report.

This Report was referred to the Development Applications Unit of the DHLGH, who, in their response, raised concerns that the Report does not include an evaluation as to whether or not the observed deterioration in water quality within the Dundalk SAC or SPA has had an adverse effect on the Qualifying Interests (QIs) and Conservation Objectives for these European Sites. It is also noted that the Department went on to indicate that the evidence from similar European Sites is that poor water quality does not necessarily result in negative effects on the qualifying interest habitats and Special Conservation Interest bird species which the European Sites have been designated to protect.

Having reviewed the Screening Report included with this application, alongside the updated Report included in the Further Information response I am satisfied that the

foul water generated by the proposed development, when taken cumulatively with the Dundalk WWTP, would not be likely to have a significant effect on Dundalk Bay SAC and SPA and therefore am satisfied that this can be screened out. It is not considered that the proposed development will have any significant effects on the Qualifying Interests or Conservation Objectives of Dundalk Bay SAC (Site Code 000455) or Dundalk Bay SPA (Site Code 004026). It is therefore reasonable to conclude that the proposed development, either individually or in combination with other plans or projects, would not be likely to adversely affect the integrity of these European sites, having regard to their conservation objectives.

In assessing this further information response consideration was given to the fact that the issues with non-compliance with the Dundalk WWTP are operational and are not related to capacity issues. Uisce Éireann in the letter dated August 2025 included in the further information response have set out how these issues are being addressed. The additional loading from the proposed development will represent just 2% of the total capacity of the WWTP, and taking account of the lead in time to commencing development alongside the construction phases, the additional loading will go live on a gradual basis rather than at one single point in time. On this basis, it is considered that the proposed development will not have any significant impact on the baseline discharges from the WWTP and therefore foul water from the proposed development will not result in any likely significant effects on the Qualifying Interests or Conservation Objectives of Dundalk Bay SAC (Site Code 000455) or Dundalk Bay SPA (Site Code 004026).

Item 2

The secondary pedestrian/cycle link in the north-western corner of the site onto Bothar Maol will encourage pedestrian and cycle activity from the development and is welcomed by the Planning Authority. It is noted that the application does not include any proposals to upgrade Bothar Maol however it is acknowledged that the applicant does not have ownership or control over same. Nonetheless it is considered that in the interests of creating sustainable communities and active travel that the delivery of infrastructure to promote and encourage walking and cycling will be required along Bothar Maol. In this regard the applicant is requested to confirm their willingness to

provide a special contribution towards the provision of public lighting along Bothar Maol that would benefit the proposed development and to set out what they (the applicant) would consider to be a proportionate contribution towards the delivery of this infrastructure.

Response

The applicant acknowledges the importance of the secondary pedestrian and cycle link onto Bóthar Maol and explains that it is intended to connect with a future phase of the cycle network identified in the Dundalk Local Area Plan. They confirm that the proposed development includes internal pedestrian and cycle routes, as well as public lighting and a footpath along the section of Bóthar Maol within their control, near the Blackrock junction. The design prioritises movement through the site to the primary access point rather than encouraging use of the secondary entrance.

The applicant notes potential constraints to implementing lighting along the remainder of Bóthar Maol, such as its narrow alignment and ecological considerations. However, they agree to make a special contribution towards the cost of providing public lighting on the section outside their control, subject to compliance with Section 48(2)(c) of the Planning and Development Act 2000. They request that any contribution imposed be fair, proportionate to anticipated use, and clearly justified. They also stipulate that if the works do not commence within five years or are not completed within seven years, or if the Council decides not to proceed, the contribution and any accrued interest should be refunded.

Consideration of Further Information Response

Having regard to the applicant's response, it is considered that the concerns raised in Item 2 have been satisfactorily addressed. The applicant has demonstrated an understanding of the importance of active travel infrastructure and confirmed their willingness to make a special contribution towards the provision of public lighting along Bothar Maol, subject to statutory provisions and fair cost principles. They have also outlined measures within the proposed development to promote walking and cycling, including internal routes and lighting on lands within their control, which collectively

address the Planning Authority's objectives for sustainable movement and connectivity.

A report from the Infrastructure Section of the Council recommended that a Special Contribution of €206,000 is attached to this permission to support the provision of the street lighting and associated works relating to the construction/installation of the street lighting.

3.0 Submissions/Observations

Eunice O'Neill

The submission raises concerns regarding the proposed development, citing non-compliance with multiple statutory and environmental obligations. It asserts that the application contravenes the Habitats Directive, Birds Directive, Water Framework Directive, Climate Action and Low Carbon Development Act and the Planning and Development Act. The Natura Impact Statement is considered deficient, with incomplete baseline data, reliance on mitigation measures, and inadequate assessment of cumulative and lighting impacts. Drainage and flood risk strategies are deemed insufficient, lacking hydraulic modelling and posing potential risks to designated sites. The lighting design is criticised for failing to meet ecological and policy standards. Further issues include shortcomings in universal design and housing quality assessments, errors in standards application, and incomplete supporting reports. Transport and access arrangements are described as unsafe and inconsistent with DMURS, while the school demand analysis is regarded as fundamentally flawed. Wastewater treatment capacity is identified as a critical legal constraint, given the current non-compliance of Dundalk Wastewater Treatment Plant and the absence of timely upgrades. In conclusion, the submission contends that the application cannot lawfully be approved due to substantial environmental, infrastructural, and procedural deficiencies.

Miriam Mc Guill

The submission objects to the proposed development primarily on the grounds of inadequate wastewater treatment infrastructure. It highlights that existing facilities are already over capacity, with untreated effluent regularly discharged into the sea at the

mouth of the Fane River in Blackrock, and the Dundalk treatment plant unable to accommodate additional load. Furthermore, the submission expresses concern for the nearby wetlands, describing them as an important habitat for wildlife and a significant carbon sequestration area, which would be vulnerable to adverse impacts if the development proceeds.

Bernard FitzPatrick

The submission, made on behalf of the Connolly estate, raises two principal concerns. Firstly, it asserts that the applicant does not have legal consent or ownership rights to include lands within Folios LH12784 and LH12182 in the planning application. The beneficial owners have not granted permission for any development or associated works on these lands and intend to protect their property interests. Secondly, the submission highlights significant drainage concerns, noting that the proposed design includes a 600mm surface water sewer and outfall manhole discharging stormwater into a field drain on the Connolly lands. This would substantially alter existing drainage patterns and result in an estimated twelve-fold increase in runoff, creating a serious flooding risk and potential damage to the property. The submission urges the Planning Authority to refuse permission in light of these legal and infrastructural issues.

Aiveen Robinson

The submission objects to the proposed development, stating that no additional information can make the project acceptable or sustainable at present. It highlights critical deficiencies in infrastructure, including wastewater capacity, safe pedestrian routes, school places, roads, and community services. The wastewater system is described as wholly inadequate, with Uisce Éireann confirming that necessary upgrades will not be completed until at least 2031. Ongoing illegal discharges into Dundalk Bay have caused severe environmental and public health issues, including toilet waste washing up on beaches after heavy rainfall. The submission notes that previous applications for even small-scale housing developments in the area have been refused on similar grounds, making approval of over 500 units unreasonable. It concludes that granting permission would be contrary to proper planning and

From:
Eunice O'Neill
1 Sandymount Square
Blackrock
Co. Louth

Date: 15 November 2025

Re: Objection to Planning Application – Proposed LRD at Haggardstown, Blackrock Road, Dundalk, Co. Louth

Dear Sir / Madam,

I, **Eunice O'Neill**, hereby submit this **formal objection** to the proposed Large-Scale Residential Development (502 units, creche, roads and associated works) at Haggardstown, Blackrock Road, on grounds of **significant planning, environmental, ecological, infrastructural, legal, statutory and procedural non-compliance**.

This submission demonstrates that **Louth County Council cannot lawfully grant planning permission** for the development under the Habitats Directive, Birds Directive, Water Framework Directive, Planning & Development Act 2000 (as amended), and relevant ECJ case law.

1. LEGAL AND STATUTORY NON-COMPLIANCE

1.1. Habitats Directive Article 6(3) – Inability to Exclude Reasonable Scientific Doubt

The submitted NIS fails to meet the strict legal test established under:

- **Waddensee (C-127/02)**
- **Sweetman (C-258/11)**
- **Holohan (C-461/17)**
- **People Over Wind (C-323/17)**

Specifically:

- The NIS uses **mitigation** to rule out likely significant effects, which is **prohibited at screening stage** under *People Over Wind*.
- The baseline surveys are incomplete, lack seasonal continuity, and do not include **bat/light-sensitivity assessments**, contrary to *Holohan*, which mandates full and precise ecological data.
- Disturbance, light spill, hydrological pathways, dust and noise are inadequately assessed, rendering the NIS not **“complete, precise and definitive”** as required by the ECJ.

Therefore, **reasonable scientific doubt remains**, and permission **cannot** be granted under Article 6(3).

1.2. Birds Directive – Failure to Protect SPA Populations

The site borders **Dundalk Bay SPA**, supporting nationally and internationally important wintering bird species.

The AA fails to safeguard Article 4 protections:

- No effective buffer zones
- No modelling of light spill
- No assessment of human disturbance from 502 homes
- No assessment of nocturnal activity impacts

This constitutes a failure to protect the integrity of SPA habitats as required by the Birds Directive.

1.3. Planning and Development Act 2000 – Sections 34, 177U, 177V

The Act requires that permission must be refused where:

- The NIS is **incomplete or unreliable**
- Effects **cannot** be ruled out beyond scientific doubt
- The application fails to demonstrate consistency with the **proper planning and sustainable development** of the area

This application fails all criteria above.

1.4. Water Framework Directive (WFD)

The drainage strategy fails to demonstrate **no deterioration** and no risk to **Good Ecological Status** for the Dundalk Bay transitional waterbody, contrary to Article 4 WFD.

The SUDS design relies heavily on mitigation and untested assumptions — unacceptable in a WFD-sensitive area.

1.5. Climate Action and Low Carbon Development Act 2021

The proposed layout increases car dependency, lighting energy consumption and transport-related emissions. The Act obliges decision-makers to **actively reduce** greenhouse gas emissions — not worsen them.

1.6. Development Plan Non-Compliance

The application materially conflicts with:

- Louth County Development Plan 2021–2027
- Dundalk & Environs Development Plan
- Blackrock Local Area Plan
- Strategic Development & Regeneration Area Guidelines (SDRUA)

Under Section 34 of the PDA, planning permission **cannot** be granted where a proposal contravenes statutory plans.

2. NATURA IMPACT STATEMENT – SCIENTIFIC DEFICIENCIES

2.1. Baseline data inadequate

Limited seasonal coverage, missing bat surveys, insufficient coastal disturbance analysis — contrary to *Holohan*.

2.2. Reliance on mitigation

AA conclusions depend on future CEMP measures — prohibited under EU law at screening and insufficient at NIS stage without certainty.

2.3. Cumulative effects dismissed

No meaningful assessment of the Dundalk Flood Relief Scheme (FRS). The precautionary principle is not applied.

2.4. Lighting impacts unassessed

No nocturnal ecology assessment despite proximity to SPA.

3. DRAINAGE, FLOODING & SUDS DEFICIENCIES

3.1. Embedded mitigation incorrectly used

SUDS features are treated as embedded design, contrary to EU law.

3.2. Risk to designated sites

Attenuation basins and outfalls lie metres from the SAC/SPA boundary.

3.3. No hydraulic modelling

No proof peak flows will not increase into protected waters.

4. LIGHTING IMPACT – ECOLOGICAL & POLICY NON-COMPLIANCE

- Incorrect E3 lighting classification
 - No dark-sky assessment
 - No lux contour mapping toward SPA
 - 3000K still high blue-light output for bats and migratory birds
 - Outdated ILP GN01:2011 used instead of GN08:2022
-

5. UNIVERSAL DESIGN DEFICIENCIES

- Only minimum Part M compliance (not Universal Design)
 - No accessible public realm strategy
 - No gradient, surfacing, tactile guidance or rest-point details
 - Lifetime adaptability not demonstrated
-

6. HOUSING QUALITY ASSESSMENT FAILURES

- Incorrect application of apartment vs. housing standards
 - Significant data errors invalidate compliance percentages
 - Incomplete daylight/sunlight report
 - No private amenity usability assessment
 - No ventilation, overheating or acoustic assessment
-

7. TRANSPORT & ACCESS – DMURS NON-COMPLIANCE

- Over-optimistic modal shift assumptions
- Uncommitted bus/cycle infrastructure
- Unsafe single R172 access
- Bothar Maol unsuitable and dangerous for pedestrian/cycle use
- No cumulative traffic modelling
- Internal road widths exceed DMURS maximums

8. SCHOOL DEMAND ASSESSMENT – FUNDAMENTALLY FLAWED

- Artificial 10 km catchment inflates capacity, real world catchments 2-3 km and strongly influenced by walkability and safe routes
- No admissions policy or feeder school analysis
- Child yield underestimated
- No cumulative pipeline analysis
- No phasing linked to school delivery

This breaches statutory requirements under the County Development Plan and SDRUA 2009.

9. UISCE ÉIREANN / WASTEWATER TREATMENT CAPACITY – LEGAL NON-COMPLIANCE

9.1. Dundalk WWTP is currently non-compliant

Uisce Éireann confirms the plant:

- Is under active EPA investigation
- Has an open incident on the EPA EDEN system
- Is undergoing major repair works

Under the **Planning & Development Act**, a planning authority **cannot** approve development that would worsen an existing pollution breach.

9.2. Theoretical “71,000pe capacity” cannot be relied upon

EU and Irish law require **actual operational capacity**, not theoretical design figures.

A non-compliant WWTP **cannot legally accept additional load**, even if theoretical headroom exists.

9.3. Planned upgrades are years away

- Digestion system redesign – no delivery date
- Capital Maintenance Programme – not starting until Q2 2026
- Full plant upgrade – **not on site until 2029**

Therefore the plant **will remain non-compliant during the key occupancy years** of the proposed development.

9.4. Legal consequences

Granting permission would contravene:

- EU Urban Wastewater Treatment Directive (91/271/EEC)
- Water Framework Directive (2000/60/EC)
- Planning & Development Act 2000, Section 34
- EPA discharge licence conditions

Louth County Council must refuse permission until compliance is restored and verified.

10. CONCLUSION & REQUEST FOR REFUSAL

The application contains **serious environmental, legal, infrastructural and procedural deficiencies** across all major assessment areas. Under:

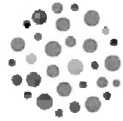
- EU Habitats Directive Article 6(3)
- Birds Directive
- Water Framework Directive
- Climate Action Act 2021
- Planning & Development Act 2000
- ECJ case law (Waddenzee, Sweetman, Holohan, People Over Wind)

Louth County Council **cannot lawfully grant permission.**

I therefore respectfully request that the Planning Authority **REFUSE** this application in full.

Thank you for considering this submission.

Yours faithfully,
Eunice O'Neill
1 Sandymount Square
Blackrock
Co. Louth



Rialtas Áitiúil Éireann
Local Government Ireland

Submission No.: 15000037041

Date of Issue:
19/11/2025 11:08am

THIS IS AN IMPORTANT

DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN COIMISIÚN PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN COIMISIÚN PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

Louth County Council

PLANNING APPLICATION REFERENCE No: 2560319

A submission/observation in writing, has been received from Eunice O Neill on 15/11/2025 in relation to the above planning application.

The appropriate fee of €20 has been paid. (Fee not applicable to prescribed bodies)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001 and will be taken into account by the planning authority in its determination of the planning application.

Yours faithfully,
Louth County Council

IS DOICIMÉAD TÁBHACHTACH É SEO

COINNIGH AN DOICIMÉAD SEO SLÁN. BEIDH ORT AN ADMHÁIL SEO A CHUR AR FÁIL DON BHORD PLEANÁLA MÁ S MIAN LEAT ACHOMARC A DHÉANAMH IN AGHAIDH CHINNEADH AN ÚDARÁIS PHLEANÁLA. IS É SEO AN tAON FHIANÁISE AMHÁIN ATÁ ANN A NGLACFAIDH AN COIMISIÚN PLEANÁLA LEIS GUR CUIREADH AIGHNEACHT FAOI BHRÁID AN ÚDARÁIS PHLEANÁLA MAIDIR LEIS AN IARRATAS.

Louth County Council

UIMHIR THAGARTHA AN IARRATAIS PHLEANÁLA: 2560319

Maidir leis an iarratas pleanála thuasluaite fuarthas aighneacht/tuairim i scríbhinn ó Eunice O'Neill ar 15/11/2025.

Íocadh an táille chuí de €20. (Ní chaithfidh comhlachtaí forordaithe aon táille a íoc)

Tá an aighneacht/tuairim ag teacht leis na forálacha cuí atá i Rialacháin Phleanála agus Forbartha 2001 agus cuirfidh an tÚdarás Pleanála sin san áireamh agus é ag déanamh cinneadh ar an iarratas pleanála.

Is mise le meas,
Louth County Council

Submission Details

Submitter

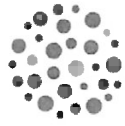
Name	Eunice O Neill
Address	1 Sandymount Square Blackrock Co. Louth A91Y438
Note	<p>I wish to register my strong objection to the proposed housing development on the grounds of environmental destruction and inadequate infrastructure. This plan threatens to overpower a valuable area of existing woodland, which currently serves as an essential habitat for a range of bird species and local wildlife. The loss of this natural space would represent a permanent and irreversible blow to local biodiversity, at a time when we should be protecting, not destroying, green spaces. In addition, the area simply does not have the infrastructural capacity to support the proposed housing density. Local roads are already under strain, public transport is limited, and essential services such as schools, healthcare, and wastewater management are unequipped to handle such a dramatic increase in population. This development would lead to environmental degradation and a reduced quality of life for both new and existing residents. I urge the planning authority to reject this proposal and to seek more sustainable, community-sensitive alternatives.</p>

In relation to application

File Number	2560319
Name	Ltd. Marina Quarter
Address	Haggardstown and Marshes Upper, including works on Blackrock Road (R172) and Hardy's Lane Dundalk Co. Louth.

RECEIVED: 03/10/2015

Louth CC, Planning Department - Viewing Purposes Only!



Rialtas Áitiúil Éireann
Local Government Ireland

Submission No.: 15000031131

Date of Issue:
04/07/2025 12:15pm

THIS IS AN IMPORTANT DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANALA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

Louth County Council

PLANNING APPLICATION REFERENCE No: 2560319

A submission/observation in writing, has been received from Eunice O Neill on 03/07/2025 in relation to the above planning application.

The appropriate fee of €20 has been paid. (Fee not applicable to prescribed bodies)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001 and will be taken into account by the planning authority in its determination of the planning application.

Yours faithfully,
Louth County Council

IS DOICIMÉAD TÁBHACHTACH É SEO

COINNIGH AN DOICIMÉAD SEO SLÁN. BEIDH ORT AN ADMHÁIL SEO A CHUR AR FÁIL DON BHORD PLEANÁLA MÁ S MIAN LEAT ACHOMARC A DHÉANAMH IN AGHAIDH CHINNEADH AN ÚDARÁIS PHLEANÁLA. IS É SEO AN tAON FHIANÁISE AMHÁIN ATÁ ANN A NGLACFAIDH AN BORD PLEANÁLA LEIS GUR CUIREADH AIGHNEACHT FAOI BHRÁID AN ÚDARÁIS PHLEANÁLA MAIDIR LEIS AN IARRATAS.

Louth County Council

UIMHIR THAGARTHA AN IARRATAIS PHLEANÁLA: 2560319

Máidir leis an iarratas pleanála thuasluaite fuarthas aighneacht/tuairim i scríbhinn ó Eunice O Neill ar 03/07/2025.

Íocadh an táille chuí de €20. (Ní chaithfidh comhlachtaí forordaithe aon táille a íoc)

Tá an aighneacht/tuairim ag teacht leis na forálacha cuí atá i Rialacháin Phleanála agus Forbartha 2001 agus cuirfidh an tÚdarás Pleanála sin san áireamh agus é ag déanamh cinneadh ar an iarratas pleanála.

Is mise le meas,
Louth County Council

Louth CC, Planning Department - Viewing Purposes Only!

Notice of Adoption of Variation (No. 3) of The Louth County Development Plan 2021 – 2027

Karen Kierans 2 months ago 02 mins



Notice is hereby given pursuant to Section 13 of the Planning & Development Act 2000 (as amended) that Louth County Council, being the Planning Authority for County Louth, at their meeting on Monday 20th October 2025, made a Variation (Variation No. 3) to the Louth County Development Plan 2021-2027.

The reason for this Variation is:

To update the Louth County Development Plan 2021-2027 (as varied) to take account of the Dundalk

Local Area Plan, as adopted, and ensure consistency between the Plans. The proposed Variation will include amendments to the following elements of the County Development Plan:

- Volume 1 – Written Statement
- Volume 1A – Zoning and Flood Zones and Composite Maps for Dundalk
- Volume 3 – Appendices
- Volume 5 – Strategic Flood Risk Assessment

Details of the Variation (No. 3) along with a consolidated version of the Louth County Development

Plan 2021-2027 (including Variations 1, 2 & 3) can be viewed at <https://www.louthcoco.ie/en/publications/development-plans/> and are available for inspection at

the following locations:

- Louth County Council Customer Service Desks
- Louth County Council Libraries

Thomas McEvoy
Director of Services
Louth County Council

Dated 28th October 2025

LOUTH COUNTY COUNCIL



PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED) PLANNING & DEVELOPMENT REGULATIONS 2001 (AS AMENDED)

NOTICE OF PROPOSED VARIATION (No. 3) TO THE LOUTH COUNTY DEVELOPMENT PLAN 2021-2027

Notice is hereby given pursuant to Section 13 of the Planning & Development Act 2000 (as amended) that Louth County Council proposes to make a Variation (Variation No. 3) to the Louth County Development Plan 2021-2027.

The reason for this proposed Variation is:

To update the Louth County Development Plan 2021-2027 (as varied) to take account of the Dundalk Local Area Plan, as adopted, and ensure consistency between the Plans. The proposed Variation will include amendments to the following elements of the County Development Plan:

- Volume 1 – Written Statement
- Volume 1A – Zoning and Flood Zones and Composite Maps for Dundalk
- Volume 3 – Appendices
- Volume 5 – Strategic Flood Risk Assessment

A copy of proposed Variation No. 3 of the Louth County Development Plan 2021-2027 (and associated SEA and AA Screening documents) will be available for inspection, from **Wednesday 30th July 2025 until 4pm on Thursday 28th August 2025**, at the following locations:

Louth County Council's online consultation portal: <https://consult.louthcoco.ie>

Louth County Council Customer Service Counters:

- County Hall, Millennium Centre, St. Alphonsus Road, Dundalk, Co. Louth, A91 KFW6
- Civic Offices, Fair Street, Drogheda, Co. Louth, A92 P440
- Town Hall, Crowe Street, Dundalk, Co. Louth, A91 W20C
- Mid Louth Civic Services Centre, Fairgreen, Ardee, Co. Louth A92 RYT2

Louth County Council Libraries (during their respective opening hours)

Making a Submission/Observation

Written submissions or observations regarding the proposed Variation No. 3 (and associated SEA and AA Screening documents), can be made between **Wednesday 30th July 2025 until 4pm on Thursday 28th August 2025**, in one of the following forms:

- **Consultation Portal:** <https://consult.louthcoco.ie> or
- In **writing** to the Forward Planning Section, Louth County Council, Town Hall, Crowe Street, Dundalk, Co. Louth A91 W20C

When making a submission/observation please note the following:

- Submissions/Observations should be clearly marked '**Variation No. 3**'
- Submissions/Observations should be made in **one** format only i.e. online or in writing.
- Submissions/Observations will be made available on the Council's portal within 10 days of their receipt (personal details should be provided on a separate page).
- Children or groups or associations representing the interests of children are entitled to make submissions/observations.

Louth County Council is subject to the provisions of the Freedom of Information (FOI) Acts (as amended). If you consider that any of the information supplied by you is either commercially sensitive or confidential in nature, this should be highlighted and the reasons for its sensitivity specified. In such cases, the relevant material will, in response to FOI requests, be examined in light of exemptions provided for in the FOI Act.

Louth County Council is subject to the provisions of the Data Protection Act (as amended) and General Data Protection Regulation (GDPR). In order to assist us in complying with Data Protection and GDPR **please include your name and contact details on a separate sheet** to the content of your submission/observation.

Any written submissions or observations in respect of the proposed Variation No. 3 (and associated SEA and AA Screening documents) received within the timeframe, will be taken into consideration before the making of Variation No. 3.

Please note that late submissions cannot be accepted.

Queries

Queries relating to Variation No. 3 can be directed to variation@louthcoco.ie

Colette Moss
A/Director of Services
29th July 2025