

Louth County Council

Planning Report

Planning Ref:	26/60458
Applicant's Name:	Zoe Berkery
Date of site inspection:	31/07/2026
Description:	Permission will consist of the following: 1.Construction of a new detached dwelling 2.Construction of a new garage 3.Alterations to existing agricultural entrance to accommodate new gates and piers 4. New proprietary wastewater treatment system & percolation area 5.All associated site works.
Site Notice:	Yes (in place.)
Type of Application:	Permission
Site Location:	Blackhall Cross, Milltown, Termonfeckin, Co. Louth
Submissions:	12/08/2026
Report Date:	20/08/2026
File Due Date:	02/09/2026

Part 1 – Overview

1. Introduction

This application relates to the construction of a one-off split-level dwelling (of 206.75m²), detached single storey garage (of 26.4m²) and ancillary development, in the rural locality of Blackhall Cross, Milltown.

2. Site Location and Description

The application site is located in a rural locality approximately 0.5km north-east from the rural node of Sandpit and 2.25km north-west of Termonfeckin, with the site itself

falling within 'Rural Policy Zone 2' and within the 'Muihevna Plain' Landscape Character Area. The site extends to an indicated 1 hectare and comprises an agricultural field in a corner position along both the southern side of the L-6284 and eastern side of the L-2278. The site benefits from mature roadside native species vegetation around its perimeter, with the contours across the site relatively level. The site adjoins the curtilage of a residential dwelling to the east and further agricultural lands to the south.

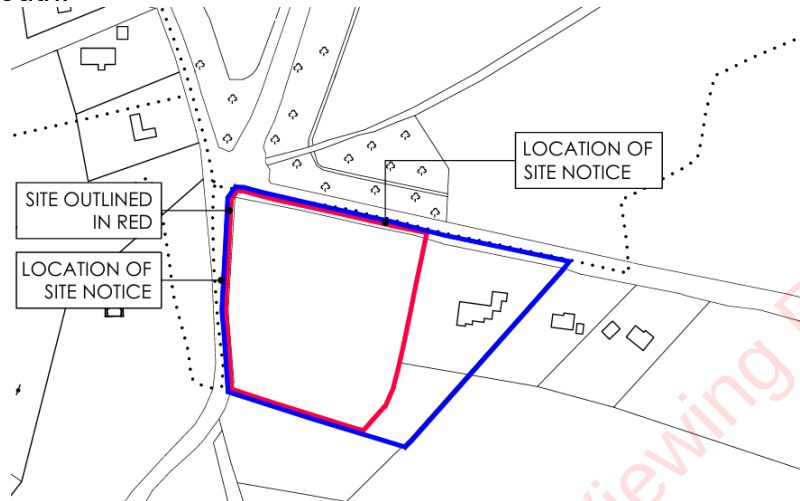


Fig 1: Site location plan

Whilst this area is primarily rural in its character, there are several one-off dwellings located in the immediate locality to the west and west / north-west of the site. There is an historic Graveyard located further west of the site, which contains several designated Sites and Monuments Records (SMR,) (including LH022-014001 Church, LH022-014002 Oghnam Stone, LH022-014004 Children's Burial Ground, LH022-014003 Graveyard,) whilst there is a further SMR also located to the south / south-east (LH022-013, Souterrain.) Sandpit House, a Protected Structure, is also located within the vicinity, c.120m south west of the site.



Fig.2-5: Various views of the site (taken 31/07/2026.)

3. Planning History

a) Site History:

File ref. 21/1022 (Zoe Berkery): Permission for development that will consist of the construction of a bungalow, waste water treatment unit and percolation area and new entrance onto the public road – **Permission Refused 01/10/2021:**

The relevant location and layout plans and 4 no. refusal reasons attached to this decision are outlined below:



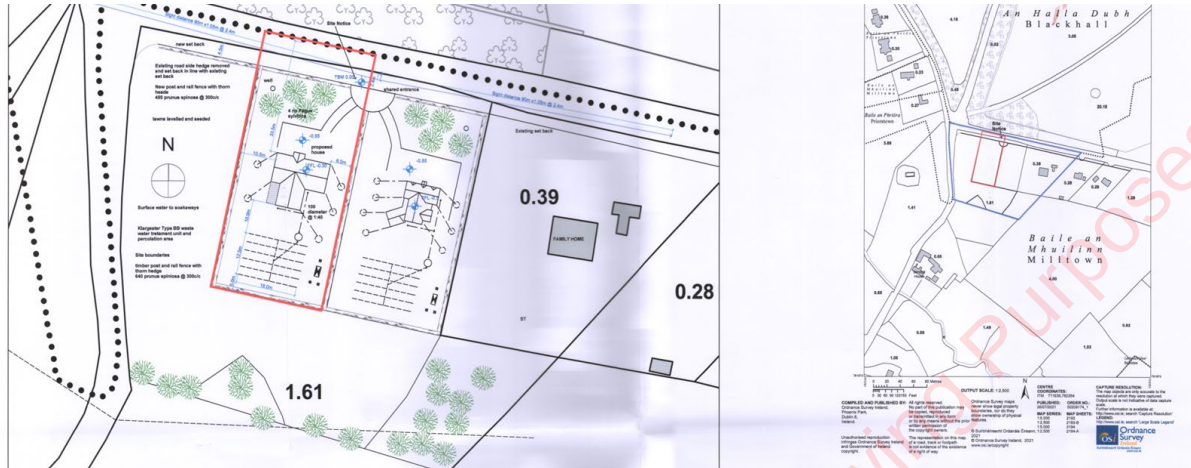
L.C.P. 1035/21

REFERENCE NO. 21/1022

- 1) The proposed development is located within Development Zone 5 where it is a requirement for applicants to comply with the Local Needs Qualifying Criteria as outlined in Section 2.19.1 of the Louth County Development Plan 2015 – 2021. The applicant has failed to provide sufficient documentation to demonstrate that they meet one of the six criteria for Zone 5 and as such, the development would materially contravene Policy SS19 of the Louth County Development Plan 2015 – 2021.
- 2) The proposed development is considered to contravene policy SS 53 of the Louth County Development Plan 2015 – 2021 in that the proposed development when including concurrent application Reference 21/1021 would result in the ninth dwelling in a row fronting onto a public road. The proposed development is also considered to conflict with Policy SS 26 of the Development Plan as it lacks suitable site boundaries and would be clearly visible from the adjacent L-6284 & L-2278 local roads appearing unduly prominent and obtrusive and would further erode the rural character of this area and would therefore be contrary to the sustainable and orderly development of this area.
- 3) The applicant has failed to demonstrate to the satisfaction of the planning authority that the proposed Wastewater Treatment System (WWTS) serving the proposed dwelling complies with the EPA Code of Practice, 2021 and EN 12566-3 Annex A, B & C. The proposed development would therefore contravene Policy SS65 of the Louth County Development Plan 2015-2021 and would be prejudicial to public health.
- 4) It is the policy of the Louth County Development Plan 2015-2021 (TC12) to ensure that the minimum visibility standards as outlined in Table 7.4 of the Louth County Development Plan 2015-2021 can be achieved at the junction of the vehicular entrance with the local road. The site layout plan submitted does not show visibility splays of 75m with a 4.5m set back in each direction at the junction with the public road. As such the proposed development would materially contravene Policy TC12 of the Louth County Development Plan 2015-2021 and would endanger public safety by reason of traffic hazard and obstruction of road users.

File ref. 21/1021: Permission for development that will consist of the construction of a bungalow, waste water treatment unit and percolation area and new entrance onto the public road – **Permission Refused 01/10/2021**

The relevant location and layout plans and 4 no. refusal reasons attached to this decision are outlined below:



LOUTH COUNTY COUNCIL

L.C.P. 1036/21

REFERENCE NO. 21/1021

- 1) The proposed development is located within Development Zone 5 where it is a requirement for applicants to comply with the Local Needs Qualifying Criteria as outlined in Section 2.19.1 of the Louth County Development Plan 2015 – 2021. The applicant has failed to provide sufficient documentation to demonstrate that they meet one of the six criteria for Zone 5 and as such, the development would materially contravene Policy SS19 of the Louth County Development Plan 2015 – 2021.
- 2) The proposed development is considered to contravene policy SS 53 of the Louth County Development Plan 2015 – 2021 in that the proposed development when including concurrent application Reference 21/1022 would result in the eighth ninth dwelling in a row fronting onto a public road. The proposed development is also considered to conflict with Policy SS 26 of the Development Plan as it lacks suitable site boundaries and would be clearly visible from the adjacent L-6284 & L-2278 local roads appearing unduly prominent and obtrusive and would further erode the rural character of this area of high visual amenity and would therefore be contrary to the sustainable and orderly development of this area.
- 3) The applicant has failed to demonstrate to the satisfaction of the planning authority that the proposed Wastewater Treatment System (WWTU) serving the proposed dwelling complies with the EPA Code of Practice, 2021 and EN 12566-3 Annex A, B & C. The proposed development would therefore contravene Policy SS65 of the Louth County Development Plan 2015-2021 and would be prejudicial to public health.
- 4) It is the policy of the Louth County Development Plan 2015-2021 (TC12) to ensure that the minimum visibility standards as outlined in Table 7.4 of the Louth County Development Plan 2015-2021 can be achieved at the junction of the vehicular entrance with the local road. The site layout plan submitted does not show visibility splays of 75m with a 4.5m set back in each direction at the junction with the public road. As such the proposed development would materially contravene Policy TC12 of the Louth County Development Plan 2015-2021 and would endanger public safety by reason of traffic hazard and obstruction of road users.

File ref. 94/548: Agricultural entrance – Permission Granted.

b) Planning history on the subject family landholding:

File ref. 94/726 (Colm Berkery): Dwellinghouse – Permission Granted.

File ref.02/440 (Colm & Delia Berkery): Extension to dwellinghouse – permission granted 13/06/2002

c) Enforcements:

None

4. Pre-Planning Consultations

No pre-planning details are indicated on Section 19 of the submitted application form.

5. Relevant Planning Policies

(a) National Policy Documents

- Project Ireland 2040 National Planning Framework (as revised April 2025) (NPF.)
- National Development Plan 2021-2030 (NDP.)
- The Planning System and Flood Risk Management (2009.)
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018.
- Appropriate Assessment of Plans and Projects in Ireland; Guidance for Planning Authorities” (Department Environment Heritage and Local Government 2010.)
- EPA Code of Practice Domestic Wastewater Treatment Systems, Population Equivalent ≤ 10 (2021.)
- Sustainable Rural Housing Guideline for Planning Authorities (April 2005).
- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands, 1999.

(b) Local Policies

Louth County Development Plan 2021- 2027 (as varied,)

The Louth County Development Plan 2021-2027, as varied (herein referred to as ‘the Plan’) is the operative statutory plan is for the area. The site is located within **Rural Policy Zone 2** which is defined as an “*Area Under Strong Urban Influence.*” As detailed in Section 2 above, there is also a Protected Structure (Sandpit House) located to the south-west and several SMRs further west of the site.

The open countryside in Louth is a valuable resource to the county and wider Region. The scenic landscape and the local amenities are an important source of enjoyment, and the farmland produces high quality agricultural produce. It is important that a balance is achieved that will allow the countryside to be preserved for future generations whilst also facilitating the growth of the rural economy and rural communities.

The following Chapters / Sections of the Plan (as varied) (and the policy objectives and guidance contained therein) are of particular relevance to this assessment.

Volume 1:

- Chapter 3 – Housing
- Chapter 8 – Natural Heritage, Biodiversity & Green Infrastructure
- Chapter 9 - Built Heritage & Culture
- Chapter 10 - Utilities
- Chapter 13 – Development management guidelines including sections:
 - 13.9 (Housing in the Open Countryside)
 - Table 13.13 (Minimum Visibility Standards for new Accesses)

6. Overview of Proposed Development



Fig.6: Proposed Site Layout Plan

Planning permission is being sought for a one-off detached split level (4-bedroom) dwelling of 206.75m², detached single storey garage (26.4m²,) alterations to the existing vehicular entrance to accommodate the residential access, a new proprietary wastewater treatment system and percolation area and all associated site works.

The submitted Site Layout Plan indicates a vehicular access at the north-eastern corner of the site (with sightlines of 3m x 75m) with the existing roadside hedgerow to be set back to achieve this visibility and new gates and piers provided to the access point. A gravel driveway leads to the dwelling and garage, which are located in the eastern side of the site, with a setback of 26.19m from the public road. Additional boundary treatments consist of a new fence and hedgerow along the western boundary, a timber post and wire fence to the south (rear) and hedgerow to the east. The landscaping plan includes several areas of scrub and new planting augmented throughout the site, including Magnolia, Hornbeam, Beech, Oak, Birch, with an indicated area of woodland planting and kitchen garden (containing a mixture of Brassica, fruit and vegetable plants.)

The proposed wastewater treatment system (WWTS) and polishing filter is located within the rear garden to the south-eastern corner and 4no. soakaways are also proposed west of this, also within the rear garden. A private well is also shown to be located within the front garden of the dwelling, to the north-west.

The dwelling itself is of T-Plan form and measures (to the maximum,) L.14m x W.13.3m x H.7.53m. The design incorporates a pitched roofs to the 2 no. linear elements, with a flat roof link. The 2 storey element is oriented east, with its gable to the road and the single storey element offers the front façade and entrance detailing. External finishes include render and rough cut dry bedded stone to walls, steel rainwater goods, hardwood / aluminium window frames, timber cladding with stained finish to the flat roof link and front elevation detailing. The garage proposed is positioned to the eastern side of the dwelling and incorporates a typical linear garage building with pitched roof, measuring L.6m x W.4.4m x H.4.446m and with finishes matching those of the proposed dwelling.

The layout plan indicates a buffer zone to the west of the dwelling curtilage (within the site) for future public road improvements.



Fig.7-8: Proposed Northern and Southern Dwelling Elevations



Fig.9-10: Proposed Western and Eastern Dwelling Elevations

7. Submissions/Observations

No submissions or observations have been received within the statutory period (i.e. by 12/08/2026.)

8. Statutory Consultees

Inland Fisheries – No response at the time of writing.

The Department of Housing, Local Government & Heritage – No response at the time of writing.

9. Internal Referrals

Major Capital Projects and Infrastructure Delivery (MCP&ID) – Recommend a grant of permission, subject to conditions (report dated 28th July 2026.)

Environmental Compliance – Recommend a grant of permission, subject to conditions (report dated 10th August 2026.)

Part 2 - Environmental Impact Assessment and Appropriate Assessment

10. EIA Screening and Determination

Council Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment ('the EIA Directive') is designed to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of their environmental effects prior to development consent being given. The latest amendments to the EIA Directive are provided for under Directive 2014/52/EU and Circular letter PL 1/2017.

The proposed development is of a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001 (as amended,) i.e. 'residential development.' Given the scale of the development i.e. below 500 units for a mandatory EIA, the proposal is considered a 'sub-threshold development' for the purposes of Schedule 7 PDR. Based on the information provided and having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such, an EIAR is not required.

11. Appropriate Assessment

This application has not been supported with a screening report. The proposal is located within 15km of the following Designated European Sites:

- Boyne Coast & Estuary SAC (Site Code 001957) – c.3.93km
- North-West Irish Sea c SPA (Site Code 004236) – c. 4.14km
- Clogherhead SAC (Site code 001459) – c.4.5km
- Boyne Estuary SPA (Site Code 004080) - c.4.73km
- River Boyne & River Blackwater SAC (Site Code 002299) – c.6.05km
- River Boyne & River Blackwater SPA (Site Code 004232) – c.8.63km
- Dundalk Bay SPA (Site code 004026) – c.10.36km
- Dundalk Bay SAC (Site code 000455) – c.10.55km
- River Nanny Estuary & Shore SPA (Site Code 004158) – c.10.59km

As set out above, there are 9 no. European (Natura 2000) Designated Sites within the 15km potential zone of influence, that may be impacted by the proposed development. There is an existing watercourse located c.190m south-west of the site, which flows into the coast at Termonfeckin, over a hydrological distance of c.4.57km, constituting a potential indirect hydrological link between the proposed development and designated sites which are hydrologically connected to the coast. The site is not located in an area which is vulnerable to flooding and sufficient details have been provided in relation to surface water and wastewater management, eliminating the potential likelihood of flooding and / or groundwater contamination in this regard.

In having regard to the nature and scale of the proposed development and to the nature of the receiving environment, including the hydrological separation distances outlined above, and to the above considerations, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site (Special Area of Conservation or Special

Protected Area) and as such, an Appropriate Assessment (Stage 2 AA) is not required.

Part 3 – Planning Assessment

12. Principle of Development

This site is located in **Rural Policy Zone 2 (RPZ2)** which is described within the Plan (as varied) as “an area under strong urban influence,” whereby in accordance with Policy Objective HOU43, there is a need to manage development of rural housing in the open countryside. Applicants are required to demonstrate compliance with the Local Needs Qualifying Criteria relative to the Rural Policy Zone, as per Tables 3.4 and 3.5 of the Plan (as varied.)

The applicant is seeking to qualify under Qualifying Criteria 3 and / or Criteria 4 of RPZ2 which state:

3. *“Landowners including their sons and daughters who have demonstrable social or economic ties to the area where they are seeking to build their home. Demonstrable social or economic ties will normally be someone who has resided in the rural area of Louth for at least 18 years prior to any application for planning permission. Any applicant under this category must demonstrate a rural housing need and shall not own or have sold a residential property in the County for a minimum of 10 years prior to making an application.”*

4. *“A person who is seeking to build their first house in the area and has a demonstrable economic or social requirement to live in that area. Social requirements will be someone who has resided in the rural area of Louth for at least 18 years prior to any application for planning permission. Any applicant under this category must demonstrate a rural housing need and shall not own or have sold a residential property in the County prior to making an application.”*

The following supporting details have been submitted:

- A Qualifying Criteria Form for Housing in the Open Countryside and Rural Nodes.
- A map indicating the location of the qualifying family home relative to the site – i.e. 72.21m east.
- Legal map (An tÚdarás) in relation to the subject family landholding.
- Signed declaration from the applicant (dated 28/05/2026) indicating that they do not own a house nor have they ever owned a house in the rural area of the county, prior to making this planning application.
- Landowner consent letter (from the applicant's mother, Delia Berkery dated 26/05/2025) permitting the applicant to seek permission for the proposed development on the subject land.
- Correspondence from a National School in the area (dated 13/04/2026) confirming that the applicant (of Blackhall, Termonfeckin) attended the school for 7 no consecutive school years.

- Correspondence from a Grammar School in the county (dated 02/06/2026) confirming that the applicant attended the school for 5 no. consecutive school years and their address as the indicated qualifying family home.
- Correspondence from the Secretary of a local GAA Club indicating that the applicant is a long standing and active member of the club.
- Correspondence from a local Golf Club (dated 19/04/2026) confirming that the applicant (of the qualifying family address) has been a club member since 2005 and remains to be an active member.
- Correspondence from a local financial institution (dated 08/04/2026) indicating that the applicant (of the qualifying family address) has been a member since 2003 and is currently a member.
- Applicant's birth certificate confirming that they were born in County Louth.
- Applicant's electoral registration details (dated 20/04/2026) to the qualifying family address.
- Applicant's insurance renewal documentation (addressed to the family home, dated 07/04/2026.)
- Applicant's bank statements addressed to the qualifying family home (dated 28/05/2026 and 27/05/2022.)

Qualifying Landowner:

Criteria 3 of RPZ2 relates to 'landowners including their sons and daughters. A 'qualifying landowner' is defined within Section 3.17.4 of the Plan (as varied) as "A person who owns a landholding of at least 1.5 hectares and has owned the land for a minimum of 15 years." A map from An tUdarás has been provided (dated 15/08/2021) together with what appears to be a legally verified folio map, pertaining to the site and lands outlined in blue, though this is illegible in terms of the landholding sizes and no details have been provided to verify how long the lands have been in family ownership. The subject lands are not mapped on Land Direct to verify the same. Therefore on the basis of the information available, it has not been demonstrated that the applicant is a daughter of a qualifying landowner (as defined above) for the purposes of qualifying criteria 3 of RPZ2.

Demonstrable social or economic ties:

On the basis of the submitted documentation, I am satisfied that the applicant has demonstrated that they were born in County Louth and have resided in the rural area (at the identified family home) for a minimum of 18 years prior to this application being lodged, and as such, has a demonstrable social requirement to live in this area. This element of criteria 3 and 4 is therefore met.

Rural Housing Need:

The applicant's signed verification confirms that they do not own a house nor have they ever owned a house in the rural area of the county, prior to making this planning application. This element of criteria 3 and 4 i.e. demonstrable housing need, is therefore met.

Previous development on the family landholding

Policy Objective HOU48 aims to restrict development on a landholding where there is a history of development through the speculative sale or development of sites, notwithstanding the applicant's compliance with local need criteria. A review of the planning records pertaining to the land holding submitted has been carried out as set

out in section 3b of this report. On the basis of these records, there has only been 1 no. previous dwelling approved on the holding, that is the qualifying family home. On the basis of the submitted details, I am satisfied that there is not a history of development on the subject family landholding that would preclude the applicant's eligibility in principle for a dwelling, under Policy Objective HOU48.

Notwithstanding the insufficient detailing provided in relation to criteria 3 to demonstrate that the applicant is a daughter of a qualifying 'landowner' (as defined in Section 3.17.4 of the Plan (as varied,)) the applicant has provided sufficient information to demonstrate that they are eligible under criteria 4 of Rural Policy Zone 2 and subsequently, the proposed development complies with Policy Objective HOU43 of the Plan, as varied. The principle of the development is therefore considered to be acceptable. In the event of a grant of permission, it would be necessary to impose an occupancy condition in accordance with Policy Objective HOU 46 of the Plan, as varied.

13. Layout and Design (including Site Selection)

Layout

It is a requirement of the Plan (as varied) under Section 13.9.4 (Site Selection) that when identifying a site for a rural dwelling, an appraisal is carried out of the site and its surroundings. This includes the ability of the landscape to absorb further development of one-off housing. If there is an existing proliferation of one-off houses in the area, the local landscape may be at a point where any further development would completely erode the rural character of the area. Section 3.17.7 further refers to the capacity of areas to absorb further development and indicates that if it is considered that an area is becoming over developed due to the proliferation of one-off housing and the local infrastructure does not have the capacity to accommodate further development, it is unlikely that planning permission will be granted.

Section 13.9.5 refers to 'ribbon development' and it is acknowledged that where a development would create or extend ribbon development, the proposal will not be considered favourably. Section 13.9.5 also refers to the 'Sustainable Rural Housing Guidelines' definition of ribbon development as: *"five or more houses on any side of a given 250 metres of road frontage road frontage."* In reviewing these guidelines in more detail (appendix 4: ribbon development,) it directs that in assessing individual housing proposals in rural areas, planning authorities need to form a view as to whether the proposal would contribute to or exacerbate ribbon development.

In having regard to the existing settlement pattern, there is an existing ribbon of development to the east of the application site and along the subject section of road frontage. In this context, the proposed dwelling would result in an extension of the existing ribbon development and an exacerbation of the number of one-off dwellings in this locality, whereby there is a high proliferation of one-off dwellings. Notably, there has been a further dwelling approved within the existing ribbon (permission reference 25/60736,) however in that assessment it was determined that the site would consolidate the ribbon of development. Whereas, the subject site, is located at the western end / terminus of the existing ribbon and the proposed development if permitted, would extend and add to the ribbon of development along this section of road frontage. In having regard to this, notwithstanding the applicant's qualification for rural needs, the selected site is deemed to be unsuitable for the proposed

development and would, if permitted, exacerbate ribbon development, add to the already high proliferation of one-off dwellings in this locality and subsequently, further erode the rural character of the area. The proposal is therefore, considered to be contravene Policy Objectives HOU44 and HOU 49 (including Sections 13.9.4 and 13.9.5) of the Plan, as varied.

Design

In terms of design, Sections 13.9.8 (House Design – New Build,) 13.9.15 (Boundary Treatments) and 13.9.16 (Landscaping) of the Plan (as varied,) are relevant to these considerations and the requirements of policy objectives HOU38, HOU44 and HOU49 of the Plan (as varied.) Having inspected the site, it is noted that there are several dwellings in the immediate locality site which vary in scale, form and design.

The proposed dwelling, which is split level, has a ridge level of 51.78m O.D.m which is c.6.46m higher than the level of the public road to the north / front. The design of the dwelling itself is considered to be broadly acceptable and incorporates elements of traditional rural dwelling form together with contemporary features and finishes, which have been carefully considered. And as the dwelling would appear from the road, including with the two-storey gable fronting the road, this would lessen the visual impact of the two-storey element. Whilst the eastern and western elevations to the two-storey element raise some concerns in relation to the overall bulk, scale and massing, given their positioning within the site and landscaping features, these would arguably, not appear to be visually obtrusive within the site. In this regard, the proposal does not in itself raise specific concerns in relation to design or integration that would warrant a reason for refusal, notwithstanding the fundamental issues in relation to the selected site, as assessed above.

14. Open Space requirements

The proposed layout plan shows adequate space within the curtilage of the proposed dwelling for domestic and recreational use.

15. Residential Amenity

The closest residential property to consider in terms of potential impacts on residential amenity, is that of the qualifying family home, c.57.3m east of the proposed dwelling. In this context, the proposed dwelling would be unlikely to result in issues of overlooking, loss of privacy, loss of light, dominance, or overshadowing and would be unlikely to harm the amenities of neighbouring properties and nor have any submissions to this effect been received.

16. Archaeology and Built Heritage

As noted above, there is an historic Graveyard located further west of the site, which contains several designated Sites and Monuments Records (SMR,) (including LH022-014001 Church, LH022-014002 Oghnam Stone, LH022-014004 Children's Burial Ground, LH022-014003 Graveyard,) whilst there is a further SMR also located to the south / south-east (LH022-013, Souterrain.) Sandpit House, a Protected Structure (RPS ID LHS022-001,) is also located within the vicinity, c.120m south west of the site.

In having regard to these separation distances and to the nature and scale of the proposed development, I am satisfied that it would not have an adverse impact on the setting of the Protected Structure, or impact on a SMR and as such, would not raise any specific concerns in relation to policies BHC1-BHC10 and Policy objectives BHC20 and BHC38 of the Plan, as varied, in this regard.

17. Traffic and Transportation Considerations

Access

As detailed, the proposal involves altering the existing agricultural gate to create a residential access with sightlines of 3m x 75m and the setting back of the existing roadside hedgerow to the rear of visibility splays. The proposal has been referred to LCC's MCP&ID Section who by internal report (dated 28/07/2026) advise that the submitted details are sufficient to demonstrate compliance with Table 13.13 of the Plan (as varied) and as such, recommend a grant of permission, subject to conditions. On the basis of this advice, the proposed access does not raise any specific road safety concerns, subject to the necessary conditions being complied with.

Parking

The proposed layout includes an area to the front and side of the property for the parking / manoeuvring of cars, which is acceptable.

18. Environmental Considerations

Flood Risk

The application site is not vulnerable to fluvial or coastal flood risk, according to OPW flood data.

Water and Wastewater Connections

The proposal includes a private well for water supply, as indicated on the Site Layout Plan, which is acceptable.

In terms of wastewater treatment, the applicant proposes to install an on-site packaged secondary treatment system and polishing filter, located within the rear garden of the dwelling. A corresponding Site Characterisation Report has been submitted (prepared by Hydrocare Environmental Ltd, dated 25/05/2026) which indicates that the site is suitable for the proposed system. The submitted details have been issued to LCC's Environmental Compliance Section who advise that the proposed details are acceptable, subject to conditions being complied with. Having reviewed this report and inspected the site, I am satisfied that the proposed system would comply with the EPA Code of Practice 2021 and Policy Objectives IU16, IU17 and IU18 of the Plan, as varied, subject to the necessary conditions being complied with and would not, create a public health or environmental issue in this regard.

Surface Water

Policy Objective IU19 of the Plan (as varied) requires the use of Sustainable Drainage Systems to minimise and limit the extent of hardstanding and paving and requires the use of SuDS measures to be incorporated into all new development. All development proposals shall be accompanied by a comprehensive SuDS assessment, including run-off quantity, run-off quality and impacts on habitat and

water quality. The proposal includes a soakaway to deal with surface water drainage from the site, located in the front garden area of the dwelling.

The applicant has submitted a Soakaway Design Report (prepared by Hydrocare Environmental Ltd, dated 25/05/2026,) including drainage calculations based on an impermeable area of 554m² and photographs of soakaway testing being carried out on the site, including test holes. The submitted details have been referred to LCC's MCP&ID Section who have not raised any specific concerns in relation to surface water management proposals. However it is noted that there is an open drain running across the proposed site entrance and details of a proposed culvert would be required in relation to the proposed access details, to fully demonstrate that the road drainage across the entrance and along the public road would not be impeded in any way as a result of the proposed works. This matter could be dealt with by condition/s as necessary.

19. Other

Ecology

Policy objective ENV39 of the Plan (as varied) seeks to protect and preserve existing hedgerows in new developments, particularly species rich roadside hedgerows. Where their removal is necessary during the course of road or other works, this policy seeks their replacement with new hedgerows and species, native to the area. The proposed access as noted, would result in the setting back of the existing native species hedgerow along the site frontage to the north. As it is being retained, this would be considered an acceptable solution in relation to Policy Objective ENV39. And the proposal also involves significant new native species planting around and across the site, which would assist in promoting biodiversity in this regard.

Legal Issues

As per Section 10 of the application form, the subject site is legally owned by the applicant's mother and a signed letter of consent for the subject permission has been provided, as required.

Part 4 - Conclusion and Recommendation

20. Conclusion

In having regard to the foregoing, whilst the applicant has demonstrated that they qualify under criteria 4 of rural policy zone 2 to satisfy the principle of development, it is a further requirement that the selected site is suitable and that the proposal would not further erode the character of the rural area. In having regard to the existing high proliferation of one-off dwellings in the locality, including an existing ribbon of development along this section of road frontage, the proposed dwelling would further extend ribbon development and exacerbate the proliferation of development, consequently further eroding the character of this rural area.

21. Recommendation

It is recommended that permission is **REFUSED** for the following reasons and considerations.

Reasons for Refusal

1. The proposed dwelling and garage, by reason of its siting and the site's location in an area which has an excessive density and inappropriate suburban pattern of development, including ribbon development, would result in the extension of ribbon development. As such, the proposed development would militate against the preservation of the rural environment and would set an undesirable precedent for other similar inappropriate development in the vicinity. Accordingly, the development is considered to be contrary to Sections 13.9.4 (Site Selection,) 13.9.5 (Ribbon Development) and Policy Objective HOU 49 of the Louth County Development Plan 2021-2027, as varied, and would, if permitted, be contrary to the property planning and sustainable development of the rural area.



Orla Rooney
Assistant Planner
Date: 20/08/2026



David Hall
A/Senior Executive Planner
Date: 20/08/2026



Thomas McEvoy
Director of Services
Date: 28/08/2026