



RECORD OF CHIEF EXECUTIVE'S ORDER

LOUTH COUNTY COUNCIL **PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

Chief Executive's Order No 434/2026

Register Reference Number: 2660224

Date Application Received: 22/04/2026

Type of Application: Permission consequent on grant of outline permission

Description of Development: Permission Consequent on the grant of Outline Permission Ref. No. 2560652 for a dwelling house, outbuilding, wastewater treatment system and associated site development works

Name of Applicant: Eimear Murray

Location of Development: FUNSHOG, ASHVILLE, DUNLEER, CO. LOUTH.

Recommendation: I hereby recommend that Permission consequent on grant of outline permission be **GRANTED** for the development described above, subject to the 8 conditions as set out hereunder.

Signed: Conor Kerrigan
Conor Kerrigan
Assistant Planner

Date: 11/06/2026

ORDER: In pursuance of the powers conferred upon the Council by the above acts, I concur with the above recommendation and I hereby decide to **GRANT** Permission consequent on grant of outline permission for the development described above, subject to the 8 conditions set out hereunder.

In case no appeal is taken against the decision contained herein, or in case any and every appeal taken is either withdrawn or dismissed, or in case a direction is given by An Coimisiún Pleanála in relation to an appeal, I hereby further order that Permission consequent on grant of outline permission be **GRANTED** to the applicant in accordance with this decision or the direction as may be appropriate.

Signed: Thomas McEvoy
Thomas McEvoy
Director of Services

Date: 12/06/2026

To whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001 by Order No. CE.S 201/25 dated 14th day of May 2025.

LOUTH COUNTY COUNCIL

L.C.P. 434/2026

REFERENCE NO. 26/60434

CONDITIONS

1. The development shall be carried out in strict accordance with plans and particulars lodged with the Planning Authority on 22nd April 2026 except as may otherwise be required to comply with the following conditions.

Reason: To cater for orderly development and in the interests of sustainable development.

2. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant Eimear Murray or her heirs, and shall remain so occupied for a period of at least seven years thereafter, unless consent in writing is granted by the Planning Authority for its occupation by other persons who are eligible under the appropriate qualifying criteria for the area. The applicant shall enter into a written agreement with the Planning Authority under section 47 of the Planning & Development Act 2000 (as amended) to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the Planning Authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation, together with a signed 'section 47 agreement' as required at paragraph (a) above.

(c) This condition shall not affect the sale of the dwelling by a mortgagee in possession or by a person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that the development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.

3. In accordance with the Council's Development Contribution Scheme 2023 made under the provisions of Section 48 of the Planning and Development Act 2000 (as amended) the developer shall pay a contribution to the Planning Authority, (or such increased amount in accordance with the changes on an annual basis to the Chartered Surveyors of Ireland Construction Tender Price Index) towards the costs already incurred or to be incurred by the Planning Authority on the provision of each of the public facilities listed below, which will benefit development in the area of the Planning Authority. This contribution shall be paid in full prior to the commencement of development unless otherwise agreed in writing with the Planning Authority.

(a) Infrastructure (including roads and surface water) - €9,427.00

(b) Amenity (including parks, recreation, amenity & community facilities) - €2,219

Total: €11,646.00 (Eleven thousand six hundred and forty-six euro only)

Reason: The provision of such public infrastructure and facilities in the area of the Planning Authority has benefited or will benefit the proposed development and it is considered reasonable that the developer should contribute towards the cost of their provision.

4. a) Minimum visibility sightlines of 75m x 3m x 1.05-0.6m at the entrance onto the L-2253-47 shall be maintained as per Proposed Site Layout Map (Drawing No. FB1688-00-100). No impediment to visibility shall be placed, planted or allowed to remain within the visibility splays.
- b) Surface water shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property. Surface water attenuation and discharge shall be in accordance with the submitted soakaway report received by Louth County Council on 22nd April 2026.
- c) Road drainage across the entrance and along the public road shall not be impeded or be interrupted in any way.
- d) Silt trap/s shall be incorporated into any drains discharging into the soakaway system and all inflow from permeable paved areas shall pass through a suitable geo-textile membrane to ensure filtration of fines. Any surface water runoff from any paved/hard standing areas shall pass through an oil interceptor/hydrocarbon retention geo-textile membrane before discharging to a soakaway. Soakaway systems shall have a 5m minimum separation distance away from building foundation.

Reason: In the interest of traffic safety and orderly development.

5. The scheme of landscaping proposals and boundary treatments submitted on the Proposed Site Layout Map (Drawing No. FB1688-00-100) received on 22nd April 2026, shall be carried out in the first planting season following the commencement of development and permanently retained thereafter or as otherwise agreed in writing with the Planning Authority. Any planting which fails in the first planting season shall be replaced.

Reason: In the interest of the visual amenities of the area.

6. Prior to commencement of development the applicant/developer shall submit a Construction Management Plan for the written agreement of the Planning Authority. This plan shall demonstrate all existing and proposed construction methodologies including mitigation measures to clearly demonstrate how impacts on groundwater and surface water drainage are to be managed.

Reason: In the interest of public health.

7. Wastewater Treatment & Disposal:

The Wastewater Treatment & Disposal System shall comply with the EPA Code of Practice: Wastewater Treatment and Disposal Systems serving Single Houses (2021).

Packaged Wastewater Treatment System

a. The development shall be serviced by a packaged wastewater system. The WWTS shall comply with SR66 and the relevant part of the 12566 series. It shall be tested and certified where applicable under parts 3 and 6. The system shall comply with the EPA Code of Practice - Section 9. The system shall be installed in accordance with the manufacturer's instructions. Installation shall be supervised and certified by a competent person or the system supplier and the work documented for future inspection by the Planning Authority.

Polishing Filter

b. The effluent from the packaged wastewater system shall be discharged to a polishing filter. The installation shall be overseen and certified by a competent person. This certificate shall be forwarded to the Planning Authority by the Site Assessor prior to the occupation of the dwelling house. The site of the polishing filter shall be staked and roped off before any construction activities begin, to make others aware and to keep traffic and materials off the site.

Location of System

c. The wastewater treatment and disposal system shall not be located at any position other than that indicated on the site layout map approved by the Planning Authority. The treated wastewater shall not be discharged to any watercourse (including drains and dry drains).
Minimum Separation Distances d. The minimum distances of separation of the wastewater treatment and disposal system from relevant features shall be as set out in the EPA Code of Practice - Section 6 Table 6.2. Wells e. The recommended minimum distance between a receptor and a polishing filter shall be as set out in Table 6.2. f. Where the planning permission includes a condition to connect to the mains water supply and an alternative private well supply is later proposed, a report from a site assessor showing compliance with Table 6.2 and a site layout plan showing the location of the well must be submitted to the Planning Authority for record purposes.

Change of System

g. The wastewater treatment and disposal system shall be strictly in accordance with the details submitted to and approved by the Planning Authority. A system other than that proposed shall not be installed without the prior written consent of the Planning Authority. A request for a change of system shall be supported by a site specific report from the site assessor confirming that the proposed alternative system is appropriate for the site and meets the requirements of the EPA Code of Practice.

Certification for the Wastewater Treatment and Disposal System

h. Before the dwelling is occupied, the developer/ property owner shall furnish the Planning Authority with written certification from a competent person who possesses and produces professional indemnity insurance for a minimum of €1,000,000 that the installation of the treatment system and polishing filter have been carried out in accordance with the EPA Code of Practice: Wastewater Treatment and Disposal Systems serving Single Houses (2021) and the requirements of the Planning Authority as set out in a, b, c, d, e, f and g above.

Installation, Inspection and Monitoring Schedule

i. The wastewater treatment system shall be installed, inspected, maintained and monitored in accordance with the EPA Code of Practice - Section 12 Table 12.1. Homeowners should obtain the appropriate documentation including manufacturer's instructions on the system and shall take all steps to ensure that the system is properly operated and maintained. A management and maintenance agreement shall be completed with the system supplier. All inspection and maintenance work shall be carried out by competent persons. Records of installation including contractor's details, maintenance and de sludging shall be kept to demonstrate a 'duty of care'. The documentation should be transferred to any new homeowner.

Reason: To prevent unauthorised development and in the interest of Public Health.

8. a) The applicant shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road/footpath arising from the construction work and shall either make good any such damage forthwith to the satisfaction of Louth County Council or pay to the Council the cost of making good any such damage on a demand thereof being issued by the Council.

b) All necessary measures, as may be determined by the Planning Authority, shall be taken by the developer/contractor/servants/agents to prevent the spillage or deposit of clay, rubble or other debris on adjoining public roads or footpaths during the course of the development works. The developer shall ensure that all vehicles leaving the development are free from any material that would be likely to deposit on the road and in the event of any such deposition; immediate steps shall be taken to remove the material from the road surface. The developer shall be responsible for the full cost of carrying out of road/footpath cleaning work.

Reason: In the interest of orderly development.

Important Notes for Applicants

1. It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes of legislation affecting the proposal.
2. A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.
3. A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.
4. The developer shall liaise with statutory bodies and the Public Utility Authorities and carry out all diversions, re-routing, modifications etc as required during the construction of the works. The developer shall arrange to carry out any works required by statutory bodies and the Public Utility Authorities.
5. The developer shall make all necessary arrangements to apply for and obtain a Road Opening License(s) from Louth County Council in respect of all openings in public areas and shall pay Road Opening License Fees and road restoration costs. The applicant shall abide by the conditions as set out in the said license(s).
6. During the course of construction work the developer shall provide on-site covered skip or other suitable receptacle for the deposit therein of all rubbish, litter, paper, packaging, rubble and other such materials arising from the works and shall ensure that the site and its environs are maintained at all times in a clean and tidy condition.
7. The procedure for making an appeal is available on An Coimisiún Pleanála website. (www.pleanala.ie)

Uisce Éireann Standard Notes

1. Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network, either directly or indirectly, or to otherwise take a water supply without the agreement of Uisce Éireann. Similarly, under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public wastewater collection network, either directly or indirectly, without the agreement of Uisce Éireann.
2. Where the applicant proposes to connect to a public water/wastewater network operated by Uisce Éireann, the applicant must sign a connection agreement with Uisce Éireann prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
3. In the interest of Public Health and Environmental Sustainability, Uisce Éireann Infrastructure capacity requirements and proposed connections to the Water and Wastewater Infrastructure will be subject to the constraints of the Uisce Éireann Capital Investment Programme.