

9 THE ENVIRONMENT

9.1 Introduction and Context

This chapter outlines the policies and objectives of the Council in relation to the environment. The chapter will be subdivided into the natural and built environment. It is the aim of the Council to protect, conserve, enhance and sustain the natural and built heritage of Dundalk and its environs for future generations.

This chapter gives effect to strategic objectives 5 and 6.

S05

Protect and enhance the quality of the natural and built environment as an asset to promoting tourism and enhancing the image of Dundalk as a place to live, visit, work and recreate.

SO6

Protect and enhance the natural and built environment as an inherent part of the heritage of the plan area. Safeguard the natural environment as a resource in its own right and ensure that future generations can have a quality of life equal to our own.

The natural and built environment of the plan area plays an intrinsic part in the character and success of the region. It must be protected in its own right to maintain a good quality of life for residents and visitors alike.

Environmental sustainability ensures that development does not in any way undermine or degrade the natural environment. The environment is recognised as the essence of life and a fundamental for future development and prosperity. Therefore it must be protected in a responsible and holistic manner for the benefit of present and future generations.

Dundalk and environs is located in a unique environment, which has a rich and diverse natural heritage. The backdrop to the town is the picturesque Cooley Mountains and the town is situated on the Castletown River. The natural environment of Dundalk and Environs is a fundamental part of the heritage and character of the area.

The plan area has a unique built heritage, which has developed over time into an interesting architectural and archaeological landscape. Dundalk originally grew as a medieval town facilitating the northeast, it then developed into an important industrial town with associated facilities. The town has a significant number of architecturally important buildings, which have created a unique streetscape and must be protected and enhanced accordingly. The town and environs is also rich in archaeological history and again these structures and monuments will be protected and enhanced for the future sustainable development of the plan area.

The national strategy for sustainable development, *Sustainable Development; A Strategy for Ireland 1997*, intrinsically links economics, environment, social needs and heritage. It states that 'greater recognition will be given to the quality and character of the countryside' and 'there is a need for a new emphasis on the environmental and ecological, in addition to the traditional social and amenity, roles of open spaces within the urban fabric'. This Plan aims to comprehensively address the issues of open space, protection and conservation of the natural environment, built heritage and archaeological protection in line with the principles of sustainable development.

The *National Development Plan 1999* states that 'the protection of the environment is a key National and EU priority' and as such the management and protection of our amenity and water resources is fundamental. This Plan is proactively seeking to protect and enhance the plan area's environmental and heritage resources through policy. It is the aim of the Plan to sufficiently sustain these resources for present and future generations.

9.2 The Natural Environment

It is the Council's objective to protect and enhance the natural environment including public and private open space, natural heritage, landscapes and water resources.



9.2.1 Public Open Space Provision

The Council has adopted a standard of 2.8 hectares (7 acres) per 1000 population in this Plan as the general standard¹. Table 1 sets out the public open space requirements for Dundalk and environs over the period 2002-2007 using the Council's standards:

Table 9.1 Open Space requirements for the period 2003-2008

Year	1996	2000	2002*	2007*
Population	33,474	37,246	39,137	44,392
Public Open Space (ha)	96.4	105.6	110.8	125.8

*Population projections at 13%

Presently there is approximately 55.6 hectares of open space available in the urban district and 10 hectares in the environs. District and local parks make up the majority of public open space provision. There is a shortfall of 40 ha in the provision of public open space to serve the population of the town and environs at today's requirements. In addition to this a large amount of open space provision is presently inaccessible and underutilised. Therefore opening up and enhancing these existing areas of public open space can address this shortfall.

¹ Please refer to section 7.9.4 for Residential Open Space Standards

Open space can be defined as active or passive in terms of its use. The following means of distinction is often used to determine the use of public open space:

- a) *Active open space/recreation areas* – these include children’s play areas, playing pitches, running tracks, tennis courts, golf courses, cycling tracks, rowing and boating facilities and other major sports facilities.
- b) *Passive open space/recreation areas* – these range from small local greenspaces, which cater for the local community to large district parks serving the wider community. These parks and civic spaces can function at a number of levels as nature reserves, ecological corridors, educational resources, aesthetic value, increasing communication between different communities and ultimately determining the sustainable development of the town/village.

NE1 : Protection and Enhancement of Public Open Space

Existing public open space will be protected and enhanced as an amenity and recreational resource for the town and environs. Development must not infringe upon or undermine existing areas of public open space. Any development, which is proposed adjacent to public open space, must allow for public access to these facilities.

Public open space is defined as areas in direct public ownership accessible to all. It is important to secure the future of existing parks within the area for future generations. At present there are four public parks located within the Urban District of Dundalk these include:

- a) District Park Muirhevna Mor
- b) Ice House Hill
- c) St. Helena’s Park
- d) Pearse Park

It is the objective of the Council to protect these parks from development pressure and ensure that all members of the community have equal access to these facilities. The Council will seek to undertake environmental improvements in the following areas; District Park Muirhevna Mor, Clarkes Forest and Leonard’s Gardens.

The Council will seek to improve and enhance the open space at Cox’s Demesne to develop a public park, subject to the availability of funding.

NE2 : Accessibility to Public Open Spaces

In order to fully utilise existing public open spaces it is essential to have proper and safe access to these for all residents. It is the policy of the Council to provide good access to existing public parks as well as

identifying these areas as recreational resources through proper signing.

The Council will seek to ensure that all public parks and areas of open spaces, identified on Maps 2A&B, will be properly signposted and environmentally enhanced to ensure quality recreational and amenity resources for residents.

NE3 : Proposed New Public Open Space

The Council will investigate the provision of additional open space within the Town and environs. There is a need for accessible open space provision in the Environs as well as to the north of the Castletown River and Blackrock. It is the policy of the Council to promote and encourage the provision of additional public open space in appropriate locations throughout the town and environs.

If the area is to continue to develop as a sustainable community open space provision is at the heart of this development and growth. The Council will seek to proactively in extend and identify areas for designation as public open spaces. Maps 2A&B highlight potential sites for public open space provision.

Potential areas for new public open space provision are as follows:

1. *The landfill site on the Newry Road* – this facility was closed in October 2002 and is available for restoration from that date as determined by the Environmental Protection Agency (EPA) license. The site has the potential to facilitate playing fields and associated developments. It is the objective of the Council to restore the landfill site as a public amenity resource.
2. *Site between Nicholas Ave. and Castletown River* – this site has the potential to become the ‘gateway’ to the Castletown River due to its prime location. However it may require some remediation works to withstand flooding.
3. *Site on the northern bank of the Castletown River* – this site is in a prime location and has potential to open up as a water based recreational amenity. Again some remediation works may be required to withstand flooding.
4. *Site at Soldiers Point* – the Navy Bank walk has further enhanced the area surrounding Soldiers Point. It is proposed to further extend this area of open space by promoting the establishment of a public park at Soldier’s Point.
5. *Site in the Ramparts area of town* – there are plans to provide for an expanded town centre down to the Ramparts adjacent to Clarke’s Forest; there is considerable potential to provide for a new public open space within the town centre expansion area and link with Clarke’s Forest.
6. *Blackrock* – because of its recent and projected rapid growth, it is proposed to identify and secure suitable land to ensure development of an adequately sized public park adjacent to the village centre.

NE4 : Residential Public Open Space

The Council will ensure that the quantity and quality of open space provision within residential areas is adequate to serve the population of the development. It will ensure that all-residential developments address the issue of open space provision in a comprehensive and inclusive manner. Existing residential open spaces will be protected and enhanced to benefit the residents of each residential development, and within context of Policy HP24.

Recreational open space is fundamental to the development of a residential area. The design and layout of residential open space determines the use and safety of the space. Open space can act as a civic amenity for residents to congregate and communicate and therefore should be seen as an intrinsic part of the overall development of a residential scheme. Private open space must not override the importance and provision of public open space in any development. Developers must take into account the existing natural landscape of the site when providing open space as well as creating user friendly and sustainable recreational areas for all residents.

NE5 : Walking Routes

It is the policy of the Council to identify and promote walking routes within the town and environs, which will act as independent amenity resources. Existing walking routes will be protected and enhanced. (Maps 2A&B)

Walking routes must be encouraged to allow residents the opportunity to exercise in a safe and convenient environment. There is a Sli na Slainte walking route already established in the town and this scheme provides an excellent facility to local residents. The environs would also benefit from a Sli na Slainte route and in this respect the Council will seek to identify a number of routes for this purpose. Table 9.2. identifies existing and proposed walking routes in Haggardstown/ Blackrock.

Table 9.2 Existing and Proposed Walking Routes in Haggardstown/Blackrock

Map Ref:	Location
W1	Main St. north along shore to McGuigan's Rock
W2	Main St. south along shore via Coastguard House to Cockle Hill
W3	Cockle Hill to Fane River and Bridge on Dublin Road
W4	Dublin Rod to Coast Road along Bothar Maol
W5	From the New Golf Links Road to the beach at Rockmount via the Square
W6	The Square to Rock Road along Newline
W7	Catholic Church to Chapel Lane, Elm Park and Sandfield Gardens
W8	Main St. to Sandfield Gardens
W9	Sandy Lane to Sandfield Gardens and Sandy Grove
W10	Main St. to Beech Park
W11	The Ferns to Beech Park and Sandy Lane

W12	Seafield Road to Community Centre and Sandy Lane
W13	Marlbog Road to St. Fursey's Church, Haggardstown
W14	Dublin Road to St. Fursey's Church, Haggardstown

9.2.2 River and Coastal Resources

NE6 : Access To The River

It is the policy of the Council to open up access to the Castletown River for recreational and amenity purposes. The river is a unique and under-utilised resource for the area and as such must be opened up for low impact recreational and amenity use, development must seek to allow 20metres for such activity.

There will be a presumption against allowing development within 20meters of the river and any development, which takes place within this area, must be sensitively designed and must not have a significant impact upon flora and fauna.

The Castletown River is one of the most important heritage resources within the town. It extends from the environs boundary through the town centre and into the sea at Dundalk Bay. At present the River is underutilised due the development of the town to the south of the River and a lack of good quality access to it. There are good opportunities for opening up the River but any development must take into account the unique landscape and habitats of the River and surrounding lands.

NE7 : Development along the River

Any development, which takes place along the Castletown River, will be required to allocate up to 20 metres of land for a riverside walk and amenity area. This allocation can be integrated into the overall design of the scheme but is exclusive of the open space provision for proposed residential development. Buildings along the river frontage should be orientated to face onto the river and should be of a suitably high design standard to compliment their prominent position.



The importance of the River cannot be over emphasised and it is a resource, which should be developed for present and future generations. Development along the River must allow for access to the River and recreation along the riverbank. The allocated strip of land adjacent to the River can act as a new amenity resource for the town centre and as an ecological corridor to protect and enhance the natural heritage of the town and environs.

NE8 : Access To The Coast

It is the policy of the Council to open up access to the coastline for low impact recreational and amenity purposes. The Council will identify existing access points to the coast as well as seeking to promote new access points along the coast from Soldiers Point to Blackrock.

The coastline is a unique heritage and amenity resource for the residents of Dundalk and environs. However at present it is under-utilised and in places inaccessible. In terms of local leisure opportunities and tourism it is an attractive resource, which the Council seeks to promote and enhance. It must be noted that any development, which takes place within 20 metres of the coastline, must be sensitively designed and fully comply with the other plan policies and Environmental Impact Assessment requirements.

NE9 : Development along the Coast

Any development which takes place directly along the coastline, will be required to allocate 20 metres of land for a coastal walk between Soldier's Point and Blackrock. This allocation can be integrated into the overall design of the scheme but is exclusive of the open space provision for any proposed residential development. The Council will also protect and enhance existing walks located along the coast, especially the Navy Bank walk.

A feasibility study will identify a proposed route for the walkway from Soldiers Point to Blackrock and onwards to the Fane bridge on the N1. The routing of the walkway around the firing range will be done in consultation with the Department of Defence.

The Council aims to develop a coastal walk between Soldiers Point and Blackrock village. This walk would open up the coast for recreational use and provide a necessary recreational link between the town centre and environs. In order to preserve public safety, the feasibility study will explore possible options of diverting the coastal walkway around the Department of Defence Firing Range. The Council will work closely with the Irish Heart foundation to promote the coastal walk as a possible Sil na Slainte route.

NE10 : Creating Linkages Between The River, Public Open Spaces And The Coast

It is the policy of the Council to promote linkages between public open spaces, the river and coastal walks. These linkages will allow for greater use of existing amenities as well as encouraging the use of new

walkways along the river and coast. These links will be well lit and signed to ensure the safe use of these facilities.

Presently open spaces exist in isolation and are poorly connected or identified. In order to benefit and increase awareness of the existing open spaces, linkages need to be identified and enhanced. In this way residents will benefit from the diverse nature of public parks, river walks and residential open spaces. These linkages must be well lit, safe and environmentally enhanced for walkers and the physically impaired. Proposed linkages are identified in Map 2A&B.

NE 11: Strategic Recreational Area

The Council will seek to protect the defined area shown on Map 1A/B as a future location for both public and private recreational and amenity uses. The Council will protect and encourage existing agricultural uses.

The future comprehensive development of the area must be encouraged to provide an integrated network of recreational, leisure and amenity uses within the area and any development proposals, which would prejudice this future comprehensive development for amenity or open space will be resisted.

The strategic recreational area-zoning category has been applied to the area of land to the east of the town (Map 1A/B). This area of land has been identified for the future provision of open space, leisure and recreational uses.

It is fundamental to the proper and sustainable development of the town and environs to establish an area, which can allow for the future development of recreational and amenity uses.

The Council will seek to promote the comprehensive development of the area during this plan period and the next. Limited infill will be allowed with respect to existing uses and to allow for recreational or amenity uses which would not be likely to impact on the future comprehensive development of the area as an important amenity location for Dundalk.

The location of the strategic recreational area is shown on the Land Use Zoning Plans (Map 1A/B) and the uses generally permitted within the zone detailed within Volume 2, Appendix 9.

9.2.3 Nature Conservation

NE12 : Protection of Natural Conservation Areas

Development proposals within areas designated as sites or candidate or potential sites of national or international importance for wildlife will only be permitted where they can demonstrate that they are sustainable, appropriate in nature and scale to the surrounding area and purpose of

the designated area and are supported by a detailed Environmental Impact Assessment in accordance with EU Habitats Directive 92/43/EEC governing the protection of such sites, to ensure the protection and conservation of the designated area. There is a requirement to notify The Dept. of the Environment, Heritage & Local Government (formally Duchas) of any works to be carried out within or adjacent to candidate Special Areas of Conservation (cSAC), designated Special Protection Areas (SPA) and proposed Natural Heritage Area (pNHA).

The Council will protect Dundalk Bay and Ballymascanlon Estuary from adverse development, which would undermine the ecological, botanical, ornithological, and heritage value of these areas. Dundalk Bay is a cSAC (Map 2G&H), a designated SPA (Map 2E&F) and a proposed NHA (Map 2A&B) and as such is protected at EU and National level.

The Council will require, in accordance with the Planning and Development Act 2000, an Environmental Impact Assessment (EIA) to be carried out for proposed development within any of the above designations to determine the impact of the proposed development.

The Council will encourage and facilitate provision of purpose built facilities in such areas to promote and facilitate wildlife studies

The plan area is comprised of a number of ecologically sensitive and natural heritage sites, which must be protected for future generations. Dundalk Bay is one of the premier ornithological sites in the country, four internationally important species winter in the area (Brent Goose, Oystercatcher, Bar-tailed Godwit and Knot). The objective of SAC's is for the conservation of plants, animals and wildlife habitats. SPA designations are for the conservation and protection of rare and threatened bird species and their habitats. Both are designated under European Union directives. NHA's are for the protection of plants, animals and wildlife habitats of Irish importance. Any proposed development in or adjacent to these areas must make reference to the EU Habitats Directive 92/43/EEC and Natura 2000.

NE13 : Protection of The Natural Environment

The Council will protect existing wildlife habitat areas within the urban and rural landscape. All flora and fauna within wildlife habitats and corridors must be protected from adverse development and where appropriate the Council will require an Environmental Impact Statement (EIS) to be carried out. The EIS will specify the case for the development, an assessment of the environmental impact and any solutions to reducing these impacts.

The Council acknowledges the importance of Balmer's Bog as a Natural Wetland Area (Map 2A & B). The Council will seek to protect and conserve this area from adverse development which may undermine it's unique environmental and status.

The Council recognises the importance of protecting designated areas of natural and heritage value. The Council also recognises the value of non-designated habitats and wildlife corridors. It is fundamental to the sustainable

development of the area to protect areas of local importance for present and future generations. Local heritage sites can be found in existence in urban settings and are often rich in ecological diversity and historic heritage, these sites must not be undermined by adverse development but must become intrinsically interlinked within the existing urban fabric. The character and diversity of the rural and urban natural environment must be protected and enhanced in its entirety in order to ensure the quality and diversity of both landscapes.

Balmer's Bog is an important local heritage site, which supports a diverse ecosystem and maintains a balanced water system. It must be protected from adverse development and maintained as an intrinsic part of the urban landscape. The Council will seek to protect Balmer's Bog from any proposals (including drainage schemes), which could adversely impact on its unique character as a natural wetlands area.

NE14 : Protection of the Landscape from Visual Impacts

Landscape considerations will be prioritised when considering applications for particular developments or uses, in particular, in areas, which are visually sensitive and visually vulnerable, the Council will require that proposals demonstrate that proposed development would:

- a) not detract from or adversely affect the character or uniformity of the landscape when viewed from differing locations.***
- b) incorporate a high standard of site layout, design, site selection and building materials, to enhance the landscape character.***
- c) ensure that the development is sympathetic and in scale with the landscape setting***
- d) be sufficiently screened so as to reduce any visual impacts on the surrounding environs.***
- e) not impede protected views***

The landscape is an inherent part of Dundalk's natural and human heritage and as such it requires protection in its own right. Therefore the landscape must be protected against possible development, which would undermine or change its character. The landscape surrounding Dundalk has been developed over centuries and very little of it remains untouched. It is paramount to Dundalk's future that development only takes place where visual intrusion is negligible particularly within areas of elevated topography, sparse vegetation or little existing development. Table 9.3 outlines the views to be protected, Map 2C&D.

Table 9.3 *Views to be Protected.*

View	Location
V1	Views at Mount Avenue
V2	Views northward on the Point Road between the Coe's Road and Soldier's Point
V3	Views at Castletown Road/Mount Avenue
V4	Incidental views over the town from the Ardee Road.
V5	Views over the town from Bother Blinne, Ard Easmuinn.
V6	Views north to the Cooley Mountains and south over the town from the former

	Dundalk - Greenore railway line.
V7	Views north east and south from Soldiers Point and views from the Cooley Mountains to Soldiers Point
V8	Views from the coastal embankment adjacent to the Red Barns Road
V9	Views from lands east of the racecourse
V10	View of Dundalk Bay and Cooley Mountains from the Coast Road between McGuigan's Rock and Dundalk U.D.C Boundary
V11	Views of Dundalk Bay and Cooley Mountains from The Crescent to Main Street
V12	Views out to sea from The Cockle Hill Road
V13	Views of Cooley Mountains from car park at St. Fursey's Church, Haggardstown

NE 15 Landscape Assessment

The Council will seek to undertake a Landscape Assessment of the plan area to identify and categorise character areas, where appropriate and to identify the sensitivity of each of the character areas as a means of controlling inappropriate development and protecting the landscape character of the areas

The Landscape and Landscape Assessment Guidelines, which are in Draft form, recommend that Local Authorities should set in train the measures necessary to categorise their landscapes in accordance with the guidelines.

The Council will seek to undertake a Landscape Assessment of the plan area to identify and determine the particular character areas, to help ensure that any development within these areas is sensitively sited and developed in accordance with the requirements of the Landscape Assessment.

Developments are expected to be required to take into account the following issues, in accordance with the Guidelines once adopted;

- The need to confine development to the mid-slopes of drumlins or at the foot of ridges
- The need to prohibit as far as possible ribbon development
- Consideration should be given to the contextual colours, shapes, textures and forms of the landscape in the overall design of buildings and other developments
- The need for development, especially housing to be better integrated with the surroundings
- Ensure that development where possible compliments the patterns of fields and woodlands which contribute to the scenic value of certain landscape character areas
- Special treatment is afforded to landscapes of a semi-natural character, which are very often important natural habitats. These would include ancient woodlands, sand dunes, mudflats, marshes, heather covered hills and bogs

NE16: Protection, Maintenance and Enhancement of Hedgerows, Shelter Belts and Stonewalls. Any new development proposals must seek to protect,

maintain and, where necessary, enhance hedgerows, shelterbelts and stonewalls.

Hedgerows and stonewalls are an inherent part of the rural landscape and function as an important wildlife habitat. Historically they mark parish and townland boundaries and are important in terms of local heritage value.

Section 40 of the Wildlife Act, 1976 (as amended by Section 46 of the Wildlife (Amendment) Act, 2000) provides for the protection of birds during the nesting season against cutting, grubbing etc. of any vegetation on uncultivated land between 1st March to 31st August, cutting can occur in February or October. The amendment stipulates that works (other than road or other construction works) done under the authority of any Minister or a body established by statute that lead to the destruction of vegetation may only be carried out during the specified period for reasons of public health and safety.

Developers will be required to seek guidance on maintenance and protection of hedgerows from the Council Officers and guidance on the maintenance and protection of stonewalls from the Conservation Officer.

The Council will also encourage the maintenance and enhancement of hedgerows through the possible introduction of a program similar to the Golden Mile scheme 'The Golden Mile of Tipperary', Tipperary LEADER Group Initiative (see Volume 2, Appendix 5).

NE17: Protection of Trees

Tree Preservation Orders may be made to ensure the retention of important trees in the urban and rural areas, particularly indigenous trees or trees under threat.

All trees identified in Volume 2 will be protected unless deemed dangerous to public safety or in exceptional circumstances when felling is required as part of a replanting scheme.

Development, which is likely to cause destruction or significant damage to any tree, which makes a significant contribution to the ecology, character or appearance of the area, will not be permitted.

Planting of native trees will be encouraged in general circumstances. The Council will ensure the replacement of any trees which may be lost during the construction period of permitted developments. All trees will be replaced by semi-mature indigenous species.

Urban forests, trees located within an urban setting, benefit the urban landscape. Trees perform a number of roles including absorption of pollutants, filtering noise, producing oxygen, providing a habitat for wildlife and enhancing the environment, which attracts people and investors alike. It is the intention of the Council to retain trees within the Plan area for the enjoyment of all residents.

The 1996 Dundalk Urban District Development Plan and Blackrock/Haynestown Development Plan 2000 identified trees for preservation. It is considered that these trees form an integral part of the urban and rural landscape and should be preserved; Map 2C&D identifies the trees for preservation.

An inventory and survey of trees within the urban area of Dundalk was undertaken in 2000, *Report on Survey of Trees in the town of Dundalk 2000*. The report documented approximately 1172 trees in the urban area. The report includes an inventory of trees, which indicates the conditions of trees and recommended treatment. The report identifies a number of trees, which require Tree Preservation Orders, these are identified in Volume 2, Appendix 4.

9.2.4 Water Resources

NE18: Protection of Water Resources

Any proposals for development must take into account existing water resources and their amenity, heritage and environmental importance. Any development, which is likely to have direct or indirect impacts on any local watercourses or water bodies, will not be permitted. Development proposals, which may impact on water resources, should be accompanied by an EIS.

The Council will seek to discourage the culverting of watercourses unless it is demonstrated that alternative methods are inappropriate.

It is fundamental to the sustained development of the area to protect water resources for drinking, bathing, fishing, water based activities and conservation. At present water sources are at risk from pollution due to excess development and agricultural practises therefore the further contamination of sources must be reduced and protected.

NE19 : Ground Water Protection

In areas around potable groundwater sources or over vulnerable areas of aquifers, development proposals will not be permitted where the council, in consultation with the appropriate authorities, considers that there would be a significant risk to the quality of the underlying groundwater.

Increased development in the area has placed enormous pressure on the existing water source. The majority of homes in the Plan area are supplied through the mains system, which is fed by the Fane River. The remaining homes are supplied by private wells and group water schemes. Blackrock is supplied primarily from Greenmount as well as through the main Dundalk water supply.

There is sufficient capacity at present to supply further development. However it is necessary to adopt the precautionary principle to reduce inefficient water

consumption and protect water resources. Groundwater contamination must also be addressed, increased vigilance must be undertaken to prevent and reduce the risk of further groundwater pollution.

NE20: Flood Risk Management

Development proposals in areas, which are at risk from flooding or perform a flood control function, will not be permitted unless it can be demonstrated that such development:

- a) has been designed to minimise risk of inundation and will not contribute to or increase the risk of flooding elsewhere (either up or down stream)***
- b) has adopted all reasonable measures to improve the management of flood waters on and adjacent to the site and to assist the protection of properties within the vicinity of the site***
- c) does not impede the flow of floodwater or the ability of the floodplain to store water and to flood naturally and takes account of the impact on supporting ecosystems.***
- d) incorporates building design measures and materials to assist evacuation and minimise damage from inundation; and***
- e) can provide for the maintenance of any approved privately funded flood defence measures to the satisfaction of the Council.***

Applicants may be required to submit hydrological survey and assessment information in support of their proposals where they are within a known flood risk area and may be required to make a contribution to flood defences.

Flooding is a natural event, which can be exacerbated by natural and man-made occurrences. The lands to the east of the town centre are reclaimed and as such function as a natural floodplain for the town. Proposed development on these lands must be sensitively designed and appropriately sited to reduce the risk of future flooding. However this land may be suitable for some form of leisure or tourism activity.

Haggardstown has reached capacity in terms of surface water. The small tributaries and streams, which feed into the Fane River or run directly into the sea at Blackrock are under pressure from increased development in the area. The Councils recognise that the disposal of surface water and the prevention of flooding are critical issues to the long-term development of the area.

The Council supports the precautionary principle whereby action is taken now to avoid possible environmental degradation in the future. The Council will restrict inappropriate development from locating within areas, which function as local floodplains. Floodplains and bogland should be actively protected to ensure that the flood regime of the area is properly maintained.

NE21: The Council will seek to minimise the negative impact of new development on existing watercourses and groundwater sources from a flooding and environmental degradation perspective by

integration of Best Management Practice in the control and regulation of surface water runoff from new developments.

The adoption of Best Management Practices in relation to the minimisation of impacts related to new developments is an important means of reducing the risk of groundwater contamination. It also goes hand in hand with the precautionary principle as it seeks to reduce water pollution at its source.

NE22 Storm water Drainage

The Council will seek to adopt a 'Sustainable Urban Drainage System' (SUDS) approach to storm water drainage too reduce the likelihood of flood risk.

The Council will seek to retain and protect existing morphological features which contribute to the attenuation of surface water runoff therefore preventing the discharge of surface water onto public roadways from adjacent lands and development.

The adoption of SUDS protects water quality and regulates water quantity so as not to cause or exacerbate flood risk. SUDS slows down floodwater, releasing it gradually to watercourses to avoid flood peaks, or letting it gently infiltrate into groundwater. It is an efficient and cost effective alternative to conventional drainage design and implementation, which replicates natural drainage.

9.3 The Built Environment

It is the Council's objective to conserve and enhance the architectural and archaeological heritage of the plan area.

9.3.1 Protected Structures and Conservation Areas

BE1 Protected Structures

It is the objective of the Council to protect and preserve buildings, features and sites of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest under the Local Government (Planning and Development) Act 2000 (as amended) and Draft Architectural Heritage Protection Guidelines for Planning Authorities 2001.



The Record of Protected Structures (RPS) (Volume 3) lists all buildings, features and sites to be protected and preserved. A 'protected structure' is defined as any structure or specified part of a structure, which is included in the

Record of Protected Structures. In relation to a protected structure or proposed protected structure, the meaning of the term includes the interior of the structure, the land lying within the curtilage of the structure, any other structures lying within that curtilage and their interiors, all fixtures and features which form part of the interior or exterior of that structure. Any features specified as being in the attendant grounds are also protected.

The Council will prevent the demolition or any material alteration of buildings, features and sites in Volume 3 unless it can be demonstrated that:

- a) all efforts have been made to sustain existing uses or find new ones, and these efforts have failed.***
- b) ownership by a charity or community group is unviable or unsuitable.***
- c) redevelopment of the site would greatly benefit the community and would outweigh the loss of the building/structure resulting from demolition.***
- d) the building is unsafe and cannot be made safe.***
- e) The building should first be removed from the RPS***

Material contravention may be open to consideration if it does not detract from the special interest of the structure.

All development proposals will be refused if a full assessment of the proposal and its impact cannot be made with the information provided.

The Record of Protected Structures (RPS) includes structures rated of regional, national, and international interest in the National Inventory of Architectural Heritage draft survey of Dundalk, and also a number of local rated structures previously protected in the 1996 Dundalk Plan. The owner or occupier of a protected structure can ask for a 'Declaration' as to what is and is not exempted development in relation to a particular building.

Outline permission cannot be granted for works to a protected structure or to any works within its curtilage, but application can be made for a change of use. Demolition of protected structures is not permitted, except in exceptional circumstances, and involves making application to have the structure removed from the record of protected structures.

Dundalk is a medieval town with a strong industrial character. It has a significant number of buildings/structures, which are important in relation to architecture, heritage and history. It is the primary objective of the Council to protect these buildings and structures in their entirety. Proposed development adjacent to listed buildings must be sensitively designed to further enhance the streetscape, innovative design is promoted once it doesn't overshadow or infringe upon existing listed buildings/structures.

The list of structures is not exhaustive and new structures may be added to the RPS under section 55 of the Planning and Development Act 2000 (as amended). Since this may be done without a variation of the Development

Plan, it is advisable to consult with the local authority for details of new proposals.

It is the objective of the Council to protect the Sites and Monuments record for the town and environs area in accordance with Section 12 of the National Monuments (Amendment) Act 1994. These monuments are illustrated in Sheet 007 of the record for Co. Louth.²

BE2: Reuse of Existing Buildings

It is the policy of the Council to encourage the appropriate reuse, renovation and rehabilitation of older buildings, which are not listed, but have some architectural, historical or heritage merit.

In the context of sustainable development a commitment to reusing and maximising the retention of buildings will further protect and enhance buildings and structures for future generations. Appropriate materials and techniques must be incorporated during refurbishment. In this regard underused buildings will again become an intrinsic part of the urban landscape and add to the vitality and liveability of the plan area.

BE3: Architectural Conservation Areas

The Council will protect all buildings, structures and sites which are an inherent part of the streetscape and which contribute to the Plan area's heritage, diversity and history. Architectural Conservation Areas are places, areas, groups of structures or a townscape, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or contribute to the appreciation of protected structures. Architectural Conservation Areas (ACA), are in accordance with section 81 of the Planning and Development Act 2000 (as amended). (Volume 2, Appendix 6 and Volume 3, Sheets 1-32)

Proposed development within or adjacent to conservation areas will only be permitted if it would conserve or enhance the character or appearance of the area. The demolition of non-listed buildings will be granted within the ACA if they do not contribute positively to the character or appearance of the ACA or where it can be proven that the building is beyond viable repair.

Permission for alterations and extensions will be granted to non-listed buildings within an ACA if the alterations and extensions preserve or enhance the character and appearance of the area.

Planning permission will be required for any changes to the exterior appearance of buildings contained within an Architectural Conservation Area even if the buildings are not Protected Structures.

² *Maps are illustrative only. Please refer to: NIAH maps and survey.

The 1996 Development Plan identified a number of conservation areas. The boundaries of these have been re-drawn and the areas are now protected as ACA's under Part 4 of the 2000 Act (as amended).

The inclusion of ACAs within the Development Plan gives greater control over the form of development and decreases instances of inappropriate development, particularly within the town centre.

It is important to note that the character of an ACA depends on a number of factors, including street frontages, street patterns, alleys, walls, hedges and open spaces. Therefore cumulative piecemeal alterations may dramatically undermine the overall character of the ACA, development of, and within, non-protected structures must be monitored effectively in order to maintain the character of the ACA.

The following outlines the statement of the character of each ACA assessment of its significance. Development objectives for each area are also included. Summary descriptions and appraisals are located in Volume 2. A comprehensive photographic record must be carried out in full.

ACA No 1 - St Mary's Road

St Mary's Rd., Chapel St., Seatown, Castle Rd., Broughton St., New St., Mary St. North, St Bridget's Tce., St Patrick's Tce.

The area is a well laid out and ordered example of Victorian/ Edwardian urban housing, close to the main commercial centre of the town. It has a distinctive character of red brick terraces bounded by the wide and leafy St Mary's Road on the north and the commercial areas on the west and south.

Although many of the houses have replacement windows and doors, in general the area has retained its integrity and most original front railings survive.

It is the intention of the Council by the designation of this Architectural Conservation Area:

1. To protect and enhance the character of this urban housing area and the setting of the protected structures within the area by giving consideration to the suitability of scale, style, construction materials, colour and decoration to be used in any proposals for new development, including alterations and extensions, taking place within this area.
2. To encourage the preservation and re-instatement of traditional details and materials in the area. The replacement of existing timber sash windows with uPVC or aluminium will not be approved.
3. To protect and enhance the relationship between buildings and open space, and to retain and protect decorative elements and features in the area such as railings and boundary walls.

ACA No 2 – Roden Place

Crowe St. Roden Place, Francis St, Earl St.

The area comprises the municipal centre of the town and contains buildings of National importance – the Court House, and St Patrick’s Pro-Cathedral, and a high number of buildings of regional importance all of which are on the RPS. It is largely Georgian in character, with some flamboyant Victorian additions, in particular the Century Bar on the corner of Roden Place and Chapel Street.

Although none of the street features survive, many of the building features, joinery, ironwork balconies, are original.

The primary purpose in the designation of this ACA is to protect the integrity of the streetscape and the setting of the buildings of National importance.

It is the intention of the council in the designation of this ACA:

1. To protect and enhance the character of the area by giving consideration to the suitability of scale, style, construction materials, colour and decoration to be used in any proposals for new development, including alterations and extensions, taking place within this area.
2. To encourage the preservation and re-instatement of traditional details and materials appropriate to the style and period of the individual buildings in the area. The replacement of existing timber sash windows with uPVC or aluminium will not be approved.
3. To retain and protect decorative elements and features in the area such as railings, stone steps, wrought iron balconies.

ACA 3 - The Crescent

The Crescent, Anne St., Dublin Street, Mary St South, Vincent Ave, Stapleton Place, Wynne’s Terrace, Parnell Park Ave.

The primary purpose in the designation of this ACA is to protect and enhance the character of the urban housing area.

It is the intention of the Council by the designation of this Architectural Conservation Area :

1. To protect and enhance the character of the area and the setting of the protected structures within the area by giving consideration to the suitability of scale, style, construction materials, colour and decoration to be used in any proposals for new development, including alterations and extensions, taking place within this area.
2. To encourage the preservation and re-instatement of traditional details and materials in the area. The replacement of existing timber sash windows with uPVC or aluminium will not be approved.
3. To encourage the preservation of traditional shopfronts and the replacement of shopfronts which are inappropriate to the style and period of the building as a whole.

4. To protect and enhance the relationship between buildings and open space, and to retain and protect decorative elements and features in the area such as railings and boundary walls.

ACA No 4 – Clanbrassil St

Clanbrassil St, Church St., Market Square.

The area comprises the principal commercial streets of the town and contains a large number of protected structures. It commences at Church Street at St Nicholas Catholic church, includes the mediaeval church of St Nicholas and continues into Clanbrassil St., a long wide street of bold and ornate facades, principally of a Victorian character. The south end of the street opens into Market Square, laid out by William Elgee in the 1740's, which faces the Court House.

The primary purpose in the designation of this ACA is to protect and enhance the character of the streetscape and the setting of the protected structures.

It is the intention of the council in the designation of this ACA:

1. To protect and enhance the character and appearance of the area by giving consideration to the suitability of scale, style, construction materials, colour and decoration to be used in any proposals for new development, including alterations and extensions, taking place within this area.
2. To encourage the preservation of traditional shopfronts and the replacement of shopfronts which are inappropriate to the style and period of the building as a whole.
3. To protect and enhance the relationship between buildings and open space in particular around Market Square.

ACA No 5 - Jocelyn Street / Seatown Place.

Jocelyn Street and Seatown Place are wide streets, laid out in the 1740's, with rows of C 18 and C 19, two and three-storey Georgian and Victorian Houses, some with basements, many of which are now used for commercial purposes. The street contains a significant number of buildings of regional importance and contained in the RPS, including a number of public buildings - the Methodist and Presbyterian Churches, the Convent of Mercy, the County Museum and Library.

The primary purpose in the designation of this ACA is to protect the integrity of the streetscape and the setting of the buildings of Regional importance.

It is the intention of the council in the designation of this ACA:

1. To protect and enhance the character of the area by giving consideration to the suitability of scale, style, construction materials, colour and decoration to be used in any proposals for new development, including alterations and extensions, taking place within this area.
2. To encourage the preservation and re-instatement of traditional details and materials appropriate to the style and period of the individual buildings in the area.
3. To retain and protect decorative elements and features in the area such as railings, stone steps, wrought iron balconies.

ACA 6 – Soldiers Point

The area comprises of a row of nine houses, which were originally built in 1805 for the revenue commissioners. They later became the coastguard cottages in 1822. All cottages are two-storey, three-bay terraced houses, with slated roofs, and rendered exteriors. An assortment of front porches and sunrooms has been added and the original joinery is mostly replaced by hardwood, aluminium and uPVC. Many of the original renders have been replaced by dry-dash.

The primary purpose in the designation of this ACA is to protect and enhance the character of the streetscape and the setting of the structures of local significance.

It is the intention of the council in the designation of this ACA:

1. To protect and enhance the character and appearance of the area by giving consideration to the suitability of scale, style, construction materials, colour and decoration to be used in any proposals for new development, including alterations and extensions, taking place within this area.
2. To encourage the preservation and re-instatement of traditional details and materials appropriate to the style and period of the buildings.
3. To protect and enhance the relationship between buildings and open space.

ACA 7 – Magnet Road & The Demesne

The area comprises of buildings and open space which surround the section of Magnet Road between its junctions with Park Street and The Long Walk; and includes the red brick semi-detached dwellings at Nos. 1 & 2 Park Villas, the large grassed and wooded open space opposite the Demesne shopping arcade with its Tree Preservation Order protected trees; the plastered semi-detached dwellings at Nos. 1 & 2 The Demesne and the former Revenue Commissioners Offices and Cinema building.

The former Revenue Commissioners Offices and Cinema building; which is listed of Local Importance; and the attractive grassed and planted open space opposite contribute to a uniquely contrasting urban setting. The primary purpose of this ACA is to protect the varied and attractive built and natural environment of this section of the Town Centre.

It is the intention of the Council in the designation of this ACA;

1. To protect and enhance the character and appearance of the area by giving consideration to the suitability of scale, style, construction materials, colour and decoration to be used in any proposals for new development, including alterations and extensions, taking place within this area.
2. To protect and enhance the relationship building the buildings and open space within this urban Town Centre context.

9.3.2 Archaeological Conservation

BE5 : Archaeological Conservation

It will be an objective of the Council to secure the preservation (i.e. preservation in-situ or, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments as established under Section 12 of the National Monuments (Amendment) Act, 1994, and of sites, features and objects of archaeological interest generally.

In securing such preservation of the Council will have regard to the advice and recommendations of the Department of the Environment, both in respect of whether or not to grant planning permission and in respect of the conditions to which permission, if granted, should be granted.

The Council also acknowledges the significance of marine, wetland, lacustrine and riverine areas in relation to archaeological potential. Therefore any development or works that may impact on an area of archaeological potential including underwater areas, may be subject to archaeological recommendations and mitigation prior to construction.

It is the Council's policy to respect, as far as possible, the character of the medieval street-pattern in Dundalk.

Dundalk Town has a rich and interesting history dating back to the 11th Century. An Anglo-Norman, Bertrum de Verdun, established the first town at Castletown in the 11th Century. The town moved downstream to its present position during the 13th Century and became an important trading port.

The town centre and the historic village of Castletown have been identified as areas of Special Archaeological Interest (SAI) and as such will be protected and enhanced accordingly - see Volume 3, Map 3 - Sheet 33. However it

must be noted that the environs requires extensive surveying in order to fully identify areas of special archaeological interest.

BE6: Development within SAI

Proposed development within an SAI must seek assistance from a qualified archaeologist to carry out preliminary archaeological investigations within the site up to one metre in depth, prior to the commencement of site excavations for building works.

The National Monuments Service will be notified of all proposals within the area of Special Archaeological Interest, which may interfere or uncover archaeological deposits.

The Council will discourage, where possible, any deep foundation (one metre plus) development, including piled foundations, cellars or other underground structures. In cases where this isn't feasible all outline planning permission will contain a condition requiring the developer to have a report prepared on the archaeological implications, if any, of the proposed development.

The Council will ensure the preservation and protection of items of an archaeological importance.

BE7: Proposed Local Archaeological Heritage Area

The Council proposes to designate the Castletown Motte and Bailey as a Local Archaeological Heritage Area. (Map 2A)

The Council will ensure that this site is not developed for any activity other than that associated with cultural, heritage, or archaeological activities. Any proposals will have regard to the advice and recommendations of the Department of the Environment, both in respect of whether or not to grant planning permission and in respect of the conditions to which permission, if granted, would be applied.

The motte and bailey located at Castletown is the earliest example of Anglo-Norman activity in the area. It is located two miles west of the town and is frequently referred to as 'the castle of Dundaic'. Therefore it is of great importance to the town in terms of heritage, culture, tourism and archaeology.

The Council will ensure that this site is not developed for any activity other than that associated with cultural, heritage, or archaeological activities. It is fundamental to the sustainable development of the Plan area that areas of cultural, heritage, tourism and archaeological interest are protected and enhanced for the benefit of present and future generations.

9.4 Landuse Zoning

Development Objective *To Protect and Provide for Amenity open space and recreation.*

Colour Code: *Light Green*

The locations of the areas zoned for open space, amenity, recreation and heritage are shown on the Land-Use Zoning Plan Map 1. The hierarchy of open space, amenity and recreation is specified in Map 2.

The uses, which will normally be permitted within the zones, are as follows:

- a) Passive recreation – as outlined in section 9.2.1
- b) Active recreation – as outlined in section 9.2.1
- c) Associated buildings and carparks facilities

Development Objective *To protect and provide for the use of the strategic recreational areas*

Land Use Zoning for Strategic Recreational Area

Colour Code: *Green*

- a) *Active open space/recreation uses* – these include children’s play areas, playing pitches, running tracks, tennis courts, cycling tracks, rowing and boating facilities and other major sports facilities.
- b) *Passive open space/recreation uses* – these include parkland, ecological corridors, nature reserves, civic spaces, coastal walks, pedestrian walkways and other associated uses related to passive open space.
- c) *Agricultural uses* – agriculture and uses related to agriculture.

To protect for Nature Conservation Interests

Colour Code: *Lattice Green*

These areas have been defined to prioritise the protection of the nature conservation interest, including wildlife/ and habitats and the ecology.

Other uses, which will normally be permitted within the zones, would be uses, which would not be deemed likely to adversely impact upon the nature conservation amenity, and are as follows:

Passive open space/recreation uses – these include parkland, ecological corridors, nature reserves, civic spaces, coastal walk, and pedestrian walkways and other associated uses related to passive open space.

Agricultural uses – agriculture and uses related to agriculture.