

**Variation No. 4 of the Louth County Development Plan  
2009 – 2015**



**Adopted 10<sup>th</sup> September 2012**



**This Variation No 4 to the Louth County Development Plan 2009 – 2015 comprises of::**

1. Amendment to Section 3.3.1 Rural Enterprise and Policy RD 5
2. Amendment to Policy RD 32 Development Zone 1
3. Amendment to Section 4.6.1 Local Needs
4. Insertion of new policy SS22(I)
5. Amendment to Section 4.6.3 Local Area and insert new policy SS23(I) Local Area
6. Insertion of new Section 4.6.3(I) and new policies SS 23 (II) and SS 23 (III) Removal of Occupancy Condition on grounds of Financial or Health Reasons and in relation to Partially Complete Rural Housing
7. Amendment to Policy SS 34 Accommodation for Dependent Relatives
8. Amendment to Section 4.6.9 Site Size and Policy SS 35
9. Amendment to Policy SS 36 Ribbon Development
10. Amendment to Policy SS 40 and insert Policy SS 40(I) Extension to Dwellings
11. Amendment to Policy SS 44 Garages
12. Amendment to Policy TC 7 Road Infrastructure
13. Adjustment to Map 3.2 Development Zones to include the townland of Greenore in Development Zone 5

The proposed Variation to the Plan is set out under the Chapter headings as follows. Additions to the text and policy are highlighted in **bold** and deletions are illustrated by ~~strikethrough~~.

Amendment to Section/ Policy No.	Amendment	Page no. of the CDP
	<b>Chapter 3 Rural Development and Natural Resources</b>	
Section 3.3.1 Rural Enterprise	<p><b><u>Additional text:</u></b></p> <p><b>Low impact rural and marine resource based industrial, commercial, business and service uses which contribute to supporting diversification and growth of the rural economy may be considered. Such proposals must demonstrate that they are intrinsically linked to the rural area and cannot be operated from existing settlements in the County. Acceptable uses which may be considered can include but is not exhaustive of;</b></p> <ul style="list-style-type: none"> <li>● <b>Agricultural diversification proposals.</b></li> <li>● <b>Provision of tourism facilities. The type of facilities envisaged would be renovation of farm buildings for tourism purposes, walking, cycling, angling, pony trekking, bird watching etc.</b></li> <li>● <b>Development of niche tourism and educational services such as arts and crafts, speciality food provision, open farms etc.</b></li> <li>● <b>Development of farm shops selling home/locally grown and manufactured products.</b></li> <li>● <b>Organic food production.</b></li> <li>● <b>Small scale renewable energy projects.</b></li> <li>● <b>Marine based enterprises including mariculture.</b></li> </ul>	72

	<ul style="list-style-type: none"> <li>• Low impact rural and marine resource based industry/commercial/business</li> </ul> <p>The scale of such enterprises should not be detrimental to surrounding residential amenity, prejudice road safety, compromise the Natura 2000 network or threaten surface water or groundwater sources. All such proposals will be assessed on a case by case basis.</p>	
Policy RD 5	To encourage the development of alternative rural based enterprises, <b>including home based enterprises</b> , where the scale and nature of such enterprises are not detrimental to the amenity of the area, adjoining dwellings and where the proposal can meet all other planning requirements. <b>Any proposals must demonstrate that they have a site specific link to the rural area, is appropriate for the site size, and be of a scale commensurate with the rural area.</b>	72
Policy RD 32 Development Zone 1	<p>To permit only very limited development appropriate to these sensitive landscapes. This would include <b>limited one-off housing**</b>, active recreational amenities such as pedestrian and cycle paths, equestrian trails, ecological corridors, small scale ancillary recreational facilities, agriculture and related activities. Certain unique, location tied or resource based developments and renewable energy schemes will be open to consideration.</p> <p><b>**The qualifying criteria in respect of one-of rural housing in Development Zone 1 is restricted to Qualifying Criteria numbers 2 and 5 as set out in Section 4.6.2 in Chapter 4</b></p>	83
<b>Chapter 4 Settlement Strategy</b>		
Section 4.6.1 Local Needs	In order to protect the rural areas of the county from excessive urban generated housing, the council considers it necessary to retain the local needs provision as recommended in the document <b>Sustainable Rural Housing Guidelines</b> . <del>In the interest of clarity and fairness it is proposed to extend the Local needs provisions</del> <b>apply</b> across the entire rural area of the county <del>irrespective of which development zone the proposed development is located.</del>	101
Section 4.6.3 Local Area	<p><b><u>Additional text:</u></b></p> <p><b>Where an individual can demonstrate in credible documentary form, to the satisfaction of the Council that they have long standing links to a local rural area which crosses the Louth County border from an adjacent county, permission may be granted for a dwelling within County Louth for the applicant. Applicants in this category must demonstrate compliance with the qualifying criteria as detailed in Section 4.6.2.</b></p> <p><b>Any development permitted must accord with the policies applicable to the relevant</b></p>	103

	<p><b>Development Zone located within County Louth.</b></p> <p><b>In all cases, a maximum radius from the county border of 0.5 km will be applied. Those living in townlands located in urban areas which extend into rural areas will not be eligible to apply for permission under this qualification criterion.</b></p>	
New Policy SS 22 (l)	To apply a presumption against granting planning permission within development zone 1 where there is an alternative site available in zones 2, 3, 4 and 5.	103
New Policy SS 23 (l) Local Area	To consider the local area for the purposes of assessing one-off rural housing applications encompassing a maximum radius from the Louth County border of 0.5 km. Applicants must demonstrate compliance with the qualifying criteria as detailed in Section 4.6.2.	103
Section 4.6.3.(1) Removal of Occupancy Condition on grounds of Financial or Health Reasons and in relation to Partially Complete Rural Housing	<p>The onset of a national economic recession since the adoption of the 2009-2015 County Development Plan has witnessed an increasing frequency of instances where the occupancy clause attached to planning permissions for new dwellings in rural areas is contributing to genuine hardship of a financial nature. There have also been instances where the clause has inhibited individuals / families who must relocate due to personal health related issues.</p> <p>The planning authority operates entirely in line with the recommendations set out in the Sustainable Rural Housing, Guidelines for Planning Authorities 2005 when applying occupancy conditions. The application of occupancy conditions to all planning permissions for new dwellings in rural areas of County Louth reflects the developmental demand for one-off housing experienced across the County and the fact that the entire County is recognised as being under strong urban influence both from within and beyond the County.</p> <p>However where such cases do arise, a new planning application may be made to the effect of seeking the removal of the occupancy condition. In assessing such applications the planning authority must be satisfied beyond reasonable doubt that the case is genuine and will require evidence of same.</p> <p>Any development permitted must accord with the policies applicable to the relevant Development Zone located within County Louth.</p>	103

<p>New Policy SS 23 (II) Occupancy Conditions</p>	<p>To only consider the removal of occupancy conditions by way of a planning application made to the effect of seeking the retention of the dwelling together with removal of the occupancy condition. The planning authority in assessing such cases must be satisfied that there is genuine hardship arising from the inability of the applicant to dispose of the property. As such the authority will require;</p> <ul style="list-style-type: none"> <li>• Written evidence from the financial institution responsible for the applicant's financial affairs verifying the nature and scale of the difficulties being encountered</li> <li>• In cases where there is a health problem which necessitates disposal of the property, the application should be supported by relevant documentation from a registered medical consultant.</li> </ul> <p>Sales of dwellings qualifying under these extreme circumstances will not attract the requirement that potential purchasers must be eligible under the appropriate qualifying criteria for the area.</p>	<p>103</p>
<p>New Policy SS 23 (III) Occupancy Conditions</p>	<p>In those cases where for financial or other reasons, construction has been suspended on a rural dwelling indefinitely, the Council will consider removing restrictions on the purchase of such dwellings to permit their completion. In all cases the Council must be satisfied that works are in situ. The planning authority will only consider the lifting of occupancy conditions by way of a planning application made to the effect of seeking the retention and completion of the dwelling together with removal of the occupancy condition. The planning authority in assessing such cases must be satisfied that there is genuine hardship arising from the inability of the applicant to dispose of the property. As such the authority will require;</p> <ul style="list-style-type: none"> <li>• Written evidence from the financial institution responsible for the applicant's financial affairs verifying the nature and scale of the difficulties being encountered</li> <li>• In cases where there is a health problem which necessitates disposal of the property, the application should be supported by relevant documentation from a registered medical consultant.</li> </ul> <p>Sales of dwellings qualifying under these extreme circumstances will not attract the requirement that potential purchasers must be eligible under the appropriate qualifying criteria for the area. This shall not apply in those cases where a planning permission has expired, is applicable only where the planning authority is satisfied that works commenced prior to 1<sup>st</sup> February 2012 and this provision shall cease to have effect from 16<sup>th</sup> November 2015.</p>	<p>103</p>
<p>Policy SS 34 Accommodation for Dependent Relatives</p>	<p>To facilitate the provision of accommodation for <del>elder people</del> dependant relatives within the curtilage of the existing family home <b>by way of extension or conversion of an existing garage or outbuilding</b> subject to the compliance with the above criteria.</p>	<p>108</p>

<p>Section 4.6.9 Site Size</p>	<p>In the <i>County Development Plan 2003 – 2009</i>, the council considered it necessary to relate the size of the house to the area of the site. However the restriction applied has not proved sufficient to lessen the impact of larger houses being built in rural areas. Therefore new site size requirements, as set out in table 4.5 below, have been introduced.</p> <p style="text-align: center;"><b>Table 4.5: House Size and Site Area Ratio</b></p> <table border="1" data-bbox="483 450 1444 719"> <thead> <tr> <th>House size in square metres (m<sup>2</sup>)</th> <th>Minimum site size in hectares</th> <th>Minimum site size acres</th> </tr> </thead> <tbody> <tr> <td>200 or under</td> <td>0.2</td> <td>0.5</td> </tr> <tr> <td>200 to 300</td> <td>0.6</td> <td>1.5</td> </tr> <tr> <td>300 to 400</td> <td>1.2</td> <td>3.0</td> </tr> <tr> <td>400 plus</td> <td>3.0</td> <td>7.4</td> </tr> </tbody> </table>	House size in square metres (m <sup>2</sup> )	Minimum site size in hectares	Minimum site size acres	200 or under	0.2	0.5	200 to 300	0.6	1.5	300 to 400	1.2	3.0	400 plus	3.0	7.4	<p>108</p>
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<p>Policy SS 35</p>	<p><del>SS 35 To require that the minimum site areas as set out in table 4.5 are provided for one off rural houses relative to the total floor area of the house</del></p> <p><b>To require that each site for a new dwelling within all development zones shall have a minimum area of not less than 0.2 hectares. In those cases where the proposed dwelling is in excess of 200m<sup>2</sup>, the site size shall be correspondingly increased incrementally by a ratio of 20m<sup>2</sup> for each 1.0m<sup>2</sup> additional floor area of the proposed dwelling. This stipulation will not apply to applications made under policies SS 34.</b></p>	<p>108</p>															
<p>Policy SS 36 Ribbon Development</p>	<p>To prevent the creation of ribbon development by not permitting more than four houses in a row along any public road. A minimum gap of 400 metres shall be maintained between such developments. <b>An exception to this requirement may be considered where the dwelling is required to meet the housing needs of a son/daughter/foster child of a qualifying landowner and where the planning authority is satisfied that there is no other suitable site available on the landholding.</b></p>	<p>109</p>															
<p>Policy SS 40 Extensions</p>	<p><del>To limit the size of extensions to not more than 100% of the floor area of the original dwelling subject to the compliance with the house size and the site area requirements as set down in table 4.5</del> <b>dwelling/site size ratio requirements detailed in Policy SS 35.</b></p> <p><b>Extensions in excess of 100% of the floor area of the original dwelling shall only be considered where the proposed extension complements the original house in terms of proportion, position, materials and details and harmonises with any adjoining property.</b></p>	<p>110</p>															
<p>New Policy SS 40(I) Extensions to dwellings on site sizes less than 0.2 hectares</p>	<p><b>Extensions to dwellings on site sizes less than 0.2 hectares will be considered depending on the history, context, location and capacity of the site together with the proposed design.</b></p>	<p>110</p>															

Policy SS 44 Garages	To limit the size and scale of detached domestic garages <b>and other domestic outbuildings</b> to 50–100 square metres, <b>taken cumulatively</b> in order to reduce the combined visual impact of the house garage <b>and/or and other domestic outbuildings</b> on the character of the landscape and to protect the amenities of adjoining residential property.	111
<b>Chapter 8 Transport and Communications</b>		
Policy TC 7 Development proposals within 100 metres of either the M1 motorway or the N1/A1 national route	<p>To prohibit all developments within 100 metres of the fence line of the M1 motorway and Newry to Dundalk link road (N1/A1), outside of any zoned land.</p> <p><b>Development proposals of a residential or other nature within 100 metres of either the M1 motorway or the N1/A1 national route will be resisted in all but exceptional circumstances*. Any development assessed under this policy will be subject to the provisions of Policy ENV 4 and 5 of this Plan, the <i>Spatial Planning and National Roads Guidelines for Planning Authorities</i> and the costs of implementing any mitigation measures concerned should be borne by the developer.</b></p> <p><b>*Only where the proposed development is infill development and is located within an established building line.</b></p>	204
Map 3.2 Development Zones	Make adjustment to Development Zone boundaries (Map 3.2) to include the townland of Greenore in Development Zone 5 as opposed to Development Zone 3 as detailed by attachment.	Map 3.2

**Map 3.2; (as amended) Louth County Development Plan 2009-2015 as per Variation No 4 adopted 10<sup>th</sup> September 2012**

**Adjustment to Map 3.2 to include the townland of Greenore in Development Zone 5**



