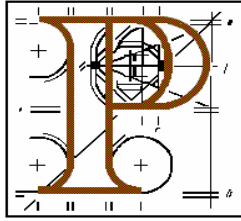


An Bord Pleanála



## Board Direction

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**Ref: PL15.243360**

The submissions on this file and the Inspector's report were considered at a further Board meeting held on 8<sup>th</sup> August 2014.

The Board decided by a majority of 2:1 to refuse permission, generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons and considerations set out below.

### REASONS AND CONSIDERATIONS

In deciding to refuse permission for the proposed development, the Planning Authority stated that the proposed development would materially contravene the policies set out in the Louth County Development Plan 2009 - 2015. Section 37(2)(b) of the Planning and Development Act, 2000 (as amended), states that "where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission" in certain limited circumstances. Having regard to the scale of the existing house, and to the extensive proposals for landscaping, the Board considered that the proposed extensions would be subordinate to the main house, and would generally be acceptable in this instance. Notwithstanding this, the Board had regard to the reasons for refusal given by the planning authority, and to the provisions of the said Development Plan, and considered that the proposed development does not come within the scope of the exceptions set out under Section 37(2)(b) (i) to (iv) of the Planning and Development Act 2000 (as amended). The Board is, therefore, precluded from considering a grant of permission in this case.

Board Member: \_\_\_\_\_ Date: 8<sup>th</sup> August 2014  
Fionna O' Regan