



An
Bord
Pleanála

Board Direction
ABP-305573-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/06/2020.

The Board decided, as set out in the following Order, that

Board Order as follows:-

WHEREAS a question has arisen as to whether the following stated uses of the subject site are or are not development or are or are not exempted development:

- Use of building 1 as office/meeting room.
- Use of building 2 as office.
- Use of building 3 for the repair and storage of machinery.
- Use of building 4 for the storage of dry goods.
- Use of building 5 for repair and storage of machinery.
- Use of building 6 for storage of dry goods.

AND WHEREAS Barry Davis, care of Stephen Ward Town Planning Consultants, Jocelyn House, Jocelyn Street, Dundalk, Co. Louth, requested a declaration on this question from Louth County Council and the Council issued a declaration on the 19th day of September 2019 stating that the matter was development and was not exempted development:

AND WHEREAS Barry Davis referred this declaration for review to An Bord Pleanála on the 4th day of October, 2019:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 5, Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site, and
- (e) the pattern of development in the area.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The stated uses of the site comprise a material change of use from the permitted use of the site, and are therefore development
- (b) The stated uses do not benefit from the provisions of article 10 as they do not fall within Class 5, Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended and would be inconsistent with the limitations set out in Article 10 of the Regulations.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the stated uses are development and are not exempted development.

Board Member:

Date: 10/06/2020

John Connolly