



An  
Bord  
Pleanála

**Board Direction**  
**BD-019595-25**  
**ABP-321591-25**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/05/2025.

The Board decided this referral in accordance with the following draft Order.

**Draft Order**

**WHEREAS** a question has arisen as to whether the change of use of a public house to three residential units at No. 12 Thomas Street, Drogheda, is or is not development or is or is not exempted development:

**AND WHEREAS** Robbie Gogan requested a declaration on this question from Louth County Council and the Council issued a declaration on the 2<sup>nd</sup> day of December, 2024 stating that the matter was development and was not exempted development:

**AND WHEREAS** Robbie Gogan referred this declaration for review to An Bord Pleanála on the 6<sup>th</sup> day of January, 2025:

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

(a) Section 2(1) of the Planning and Development Act, 2000, as amended,

- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (d) Article 10(6) of the Planning and Development Regulations, 2001, as amended,
- (e) Class 12 of Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site,
- (g) the nature and extent of work carried out,
- (h) relevant precedent referrals and judgments, and
- (i) the pattern of development in the area:

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) The residential use is a material change in the use of the public house at No.12 Thomas Street, being development;
- (b) The works to the public house at No. 12 Thomas Street to facilitate the residential use is development;
- (c) The development would not come within the scope of exempted development under Article 10(6)(d) because the works (i) primarily affect the exterior of the structure and (ii) materially affect the external appearance of the structure so as to render its appearance inconsistent with the vernacular character of the structure when it functioned as a public house;
- (d) It is not satisfied that the new entrance door to Unit number 3 would not endanger public safety by reason of traffic hazard or obstruction of road users, and therefore is not satisfied that the development would not contravene Article 9(iii); and
- (e) The subject change of use from a public house to 3 no. residential units is therefore, development and is not exempted development within the meaning of the Planning and Development Act, 2000 as amended, or the Planning and Development Regulations, 2001, as amended.

**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 change of use of a public house to three residential units at No. 12 Thomas Street, Drogheda is development and is not exempted development.

**Board Member**

Eamonn James Kelly  
Eamonn James Kelly

**Date:** 06/05/2025