



An
Bord
Pleanála

Board Direction
RL16.RL3610

The submissions on this file and the Inspector's report were considered at a Board meeting held on 4th September 2018.

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

Board Order as follows:-

WHEREAS a question has arisen as to whether use of existing property (formerly a Dwelling with a Guesthouse activity) solely as a dwelling is or is not development:

AND WHEREAS Ann Cannon requested a declaration on this question from Mayo Council and the Council issued a declaration on the 19th day of July, 2017 stating that the matter was development and was not exempted development:

AND WHEREAS Ann Cannon referred this declaration for review to An Bord Pleanála on the 8th day of August, 2017:

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

- (a) Section 3(1) of the Planning and Development Act, 2000, and

(b) the planning history of the site.

AND WHEREAS An Bord Pleanála has concluded that:

(a) use of the existing property, formerly a dwelling with a guest house activity, solely as a dwelling is not a material change of use, as it does not, in the particular circumstances of this case, raise material planning issues, having regard to the scale and location of the subject property, set back from the road, and the seasonality the previous guest house use.

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 use of the existing property, formerly a dwelling with a guest house activity, solely as a dwelling is not development.

Board Member

Date: 7th September 2018

John Connolly