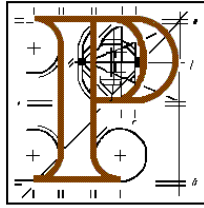


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Louth County Council**

**Planning Register Reference Number: 16/705**

An Bord Pleanála Reference Number: ABP-300140-17

**APPEAL** by Gareth O'Neill and others of Model Farm Road, Dromiskin, Dundalk, County Louth against the decision made on the 13<sup>th</sup> day of October, 2017 by Louth County Council to grant subject to conditions a permission to Rory and Padraig Hand care of Duffy Chartered Engineers Ireland of Jocelyn House, Jocelyn Street, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** (1) Retention of change of use of previously granted workshop/tyre storage industrial building, granted under planning register reference number 071713 to manufacturing use, and retention of elevational changes, (2) retention of portal frame manufacturing building and associated structures, (3) retention of external storage areas and (4) proposed relocation of existing entrance and all associated site works at Model Farm, Dromiskin, County Louth, as amended by the further public notice received by the planning authority on the 24<sup>th</sup> day of August, 2017.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the fact that the planning application in this instance was, following the submission of further information and revised public notices, accompanied by a Natura Impact Statement, and that the application was for retention of unauthorised development, it is considered that the provisions of Section 34 (12) of the Planning and Development Act, 2000, as amended, apply, in that an appropriate assessment would have been required to be carried out if an application for permission had been made in respect of the development concerned before it was commenced. In such circumstances, the Board is, therefore, precluded from further considering the case.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2018.**