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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 18/1021**

**APPEAL** by Patrick and Fiona Molony care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 14<sup>th</sup> day of February, 2019 by Louth County Council to refuse permission.

**Proposed Development:** Retention of existing detached single storey cabin/structure for residential use in the north-east corner of the rear garden of existing dwelling at 19 Boice Manor, Tinure, Dunleer, County Louth.

**Decision**

**REFUSE permission for the above proposed development in accordance with 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 nature of the development proposed to be retained which is a new purpose built structure on site that is not linked to the existing dwelling on the site and is not considered to be a conversion of an existing garage or other outbuilding within the curtilage of the existing dwelling, the Board considered that the retention of the proposed dwelling for residential use was not in accordance with Policies SS49 and SS50 (provision of accommodation) of the Louth County Development Plan 2015-2021. The Board considered, therefore, that the retention of the development would not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board concurred with the Inspector's conclusion that the cabin/structure which is separate from the main dwellinghouse would not support its use for habitable accommodation. However, the Board noted that applicant had sought permission for the retention of an existing detached single-store cabin/structure for residential use and did not consider, in this context, that it was appropriate to grant retention permission subject to a condition that the cabin/structure not be used for residential purposes.

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

**Dated this            day of            2019.**