



An
Bord
Pleanála

Board Order
ABP-316152-23

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: S5 2023/02

WHEREAS a question has arisen as to whether the home office built within the property boundary of The Dunes, Seapoint, Termonfeckin, County Louth is or is not development or is or is not exempted development:

AND WHEREAS Valerie and Gary Keating care of Brady Hughes Consulting Engineers Limited of 26A Magdalene Street, Drogheda, County Louth requested a declaration on the said question from Louth County Council and the said Council issued a declaration on the 3rd day of March, 2023 stating that the said matter was development and was not exempted development:

AND WHEREAS Valerie and Gary Keating referred the declaration for review to An Bord Pleanála on the 28th day of March 2023:

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,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the documentation on file, including submissions from the referrer and the planning authority, and
- (g) the character and pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the home office built within the property boundary of The Dunes, Seapoint, Termonfeckin, County Louth, constitutes development as defined in Section 3 of the Planning and Development Act 2000, as amended, and
- (b) the home office built within the property boundary of The Dunes, Seapoint, Termonfeckin, County Louth does not come within the scope of Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, as it has been placed forward of the front wall of the house, as the area of the structure, when taken together with other such structures previously constructed, erected or placed within the said curtilage, would likely exceed 25 square metres and as the finishes of the structure do not conform with those of the existing house.

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 home office built within the property boundary of The Dunes, Seapoint, Termonfeckin, County Louth is development and is not exempted development.



Liam Bergin

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

Dated this 10th day of June 2024.