



Question

Whether the proposed extension to rear of existing vernacular stone cottage at Townleyhall, Drogheda, Co. Louth is or is not development and is or is not exempted development.

Location

Stone cottage at Townleyhall, Drogheda, Co. Louth

Declaration

Planning Authority

Louth County Council

Planning Authority Reg. Ref.

S5 2019/53

Applicant for Declaration

Sheila Finnamore

Planning Authority Decision

Is not exempted development

Referral

Referred by

Sheila Finnamore

Owner/ Occupier

Sheila Finnamore

Observer(s)

None

Date of Site Inspection

6th of May 2020

Inspector

Angela Brereton

1.0 Site Location and Description

- 1.1. The Referral site is located to the south of the village of Tullyallen, to the west of junction 10 of the M1 and to the north of the N51. It is located within the grounds of the former Townley Hall Golf Club which are now closed and in agricultural use. The access to the referral site is from the existing gated access to the public road. There is an agricultural shed close to the access to the road. There is an access road to the site, that appears of recent construction and has a hardcore surface. The land is fenced off on either side of the access road and was being grazed by cattle on the day of the site visit.
- 1.2. Building works have taken place inside the shell of a former stone structure/cottage which has been recently extended and this has a red brick external finish. Works have stopped and there is no roof on the structure.

2.0 The Question

- 2.1. Whether the erection of an extension to the rear of an existing vernacular stone cottage at Townleyhall, Drogheda, Co. Louth, is or is not development or is or is not exempted development.

3.0 Planning Authority Declaration

3.1. Declaration

Following an assessment of the subject works, the Planning Authority concluded that:

The extension to the rear of existing vernacular stone cottage is not considered to be exempted development under Sections 2, 3 and 4 of the Planning and Development Act, 2000 (as amended) nor Class 1 of Schedule 2, Part 1 of the Planning & Development Regulations, 2001 (as amended). The Planning Authority is satisfied that the structure on site was not a house and there is no exemption to the extension of a derelict structure.

They decided that the development is 'development' and is not 'exempted development'.

A Declaration of Exemption was thereby Refused for the proposed extension to the rear of the existing vernacular stone cottage at Townleyhall, Drogheda, Co. Louth.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report refers to the planning history of the site and has regard to the relevant statutory provisions.

Their Assessment included the following:

- They refer to Section 3 of the Planning & Development Act, 2000 (as amended) relative to the meaning of 'Development'. The Planning Authority has photographic evidence (they include photographs) of a structure on site prior to the commencement of any works. The said structure had no roof and was in a derelict state.
- They provide that the existing plans submitted are inaccurate in that they have not demonstrated the former derelict condition of the said structure.
- They refer to inspections that have taken place by their Enforcement Section and photographs showing that only part of the original structure remained.
- They are of the opinion that the development which has been undertaken on site constitutes a new dwelling.
- They refer to Class 1, Part 1, Schedule 2, of the Planning and Development Regulations 2001 (as amended) relative to exempted development. The P.A is satisfied that the structure on site was not a house (overgrown with trees and no roof as per Photographs 1 & 2) and there is no exemption to the extension of a derelict structure.
- As there was never a dwelling on site and extension to same cannot be considered as exempted development. A dwelling was subsequently built within the shell of the original structure without planning permission.
- They concluded that the extension to the rear of the existing vernacular stone cottage is not exempted development, by reason of Section 2 of the Planning

& Development Act, 2000 (as amended) and Schedule 2 Part 1 Class 1 of the Planning & Development Regulations 2001 (as amended).

3.3. Other Technical Reports

None

4.0 Planning History

- Reg.Ref.94/507 – Permission was granted by Louth County Council to John Gilmore to Renovate Buildings to Golf Clubhouse, provide sewerage facility, car parks, road and driving range.
- Ref. 19U151- Unauthorised Development File – Warning Letter served on the 10/09/19.

Copies of these files are included in the History Appendix to this Report.

5.0 Policy Context

5.1. Louth County Development Plan 2015-2021

Table 2.2 provides the Settlement Hierarchy Based on County Role. This includes Tullyallen as a Level 3 small town with good bus or rail links; c.10km from a large growth town – Drogheda. Policy SS9 seeks to support its role as a local service centre and to implement the policies and objectives relative to each settlement as provide for in Appendix 2, Volume 2(a).

A Land Use Zoning Map for Tullyallen is included in the Louth CDP and it is noted that the subject site, is located outside and to the south of the development boundary for the village. It is located within the rural area. The structure is located within Zone 6 of the LCDP 2015-2023.

Section 3.10.6 of the CDP provides: *Development Zone 6 To preserve and protect the heritage and cultural landscape of the UNESCO World Heritage Site of Bru na Boinne, the UNESCO (Tentative) World Heritage Site of Monasterboice and the Site of the Battle of the Boyne.*

Section 5.11 notes that Townley Hall Demesne is included as an Architectural Conservation Area. Policies HER 45 – 54 relate.

Policy HER 45 seeks: *To require that any development within or affecting an ACA preserves or enhances the character and appearance of the architectural conservation area. Any development should respect the character of the historic and traditional architecture in scale, design and materials. Regard should be had to the character appraisal where available/ applicable.*

6.0 The Referral

6.1. Referrer's Case

This Referral is submitted by Robert Kenny, Architectural & Engineering Services on behalf of Sheila Finnermore, Townley Hall, Tullyallen, Drogheda. It is against the decision by Louth County Council to refuse a Declaration of Exemption for a proposed extension to the rear of an existing vernacular stone cottage at the above address. This includes the following:

- A Declaration of Exemption was requested following a Warning Letter issued by Louth County Council.
- Works on the refurbishment of the cottage and extension were well advanced on site when the warning letter was issued.
- The representation was made when the building was at its most vulnerable stage with the roofing works been only partially completed.
- All works have ceased on site.
- There is no obligation under the Planning Acts to obtain a Section 5 Declaration prior to commencing works on an exempted development.
- Works would not have commenced if there was any question if the same were exempted development or not.
- They have attached drawings of the extension. These have been modified slightly from the construction on site following discussion with the Council's

Planner, to ensure compliance with the exempted development requirements. The works will be completed in accordance with these drawings.

- The decision of the Planning Authority appears to be based on site inspections carried out and photographs taken well after the works commenced on site. These do not give a true representation of the condition of the cottage before the works commenced.
- They provide details of the history of the cottage and note that it was not occupied before the refurbishment works started and during the time the surrounding lands were used as a Golf Course as access was restricted.
- Letters of support from many of the neighbours in the locality are included. Most of these people have lived in this area for generations.
- The cottage was last used as a dwelling and was not derelict. A partially completed refurbishment project does not constitute a derelict house. This was a habitable house.
- The cottage is clearly shown on all the O.S maps from 1835 up to and including the current maps (see attached). They provide that for avoidance of doubt, the convention on O.S maps to shade all buildings with a roof in grey.
- The existing cottage is being refurbished as part of the works. No alterations are proposed which will affect the external appearance of the existing cottage. They consider the works are exempt under Section 4(h) exempted development.
- The modest extension is located to the rear of the cottage and has a total floor area of 39.5sq.m. Such extensions are a Class 1 Exempted Development as defined in Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- They provide details of this and note that the extension, being of modest size, does not interfere with the character of the landscape or view or prospect of special amenity value or special interest.
- They enclose aerial photos, historic mapping and photographs.

6.2. Planning Authority Response

Their response includes the following:

- A representation was made to planning enforcement in respect of development being undertaken on this site. A site inspection confirmed development was undertaken which did not have the benefit of planning permission. The compliant was not vexatious.
- The property is located within Townley Hall Conservation Area.
- The drawings submitted are not accurate drawings of the structure on site at present or before the commencement of the current works. They are misleading and they refer for example to a disparity in the height of the eaves.
- Four no. photographs are attached of the structure on site prior to the works commencing.
- The photographs taken of the cottage submitted are not dated. It is the P.A's opinion that these photos must have been taken many decades ago.
- There was no evidence of any salvaged materials on site.
- The P.A does not consider that the works undertaken to date or proposed constitute exempted development having regard to Class 4(h) of the PDA 2000 and Section 82 of the PDA and requests the Board to dismiss this appeal.

7.0 Statutory Provisions

The appropriate legal context for the referral is the Planning and Development Act, 2000 (as amended) and the Planning and Development Regulations, 2001 (as amended). The following specific provisions are relevant to this case:

7.1. Planning and Development Act, 2000

Section 2(1) - Interpretation

In this Act, except where the context otherwise requires –

- “*habitable house*” means a house which—

(a) is used as a dwelling,

(b) is not in use but when last used was used, disregarding any unauthorised use, as a dwelling and is not derelict, or

(c) was provided for use as a dwelling but has not been occupied;

- “*house*” means a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

- “*structure*” as any building, structure, excavation or other thing constructed or made on, in or under any land, or part of a structure so defined, and-

where the context so admits, includes the land on, in or under which the structure is situate

“*use*”, in relation to land, does not include the use of the land by the carrying out of any works thereon.

- “*works*” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

Section 3(1)

In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, or under land or the making of any material change in the use of any such structures or other land.

Section 4(1)

The following shall be exempted developments for the purposes of this Act -

(h) development consisting of the use of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

(j) development consisting of the use of any structure or other land within the curtilage of a house for any purpose incidental to the enjoyment of the house as such;

4(2)(a) The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—

7.2. **Planning and Development Regulations, 2001**

Article 5

This provides Interpretations and includes:

“house” does not, as regards development of classes 1, 2, 3, 4, 6(b)(ii), 7 or 8 specified in column 1 of Part 1 of Schedule 2, or development to which articles 10(4) or 10(5) refer, include a building designed for use or used as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

Article 6(1)

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 2.

Article 9(1)

This provides *Restrictions on Exemption* to which article 6 relates.

Schedule 2 Part 1

Exempted Development – General

Development within the curtilage of a house

Class 1

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

As noted above Column 1 provides a *Description of Development* and Column 2 *Conditions and Limitations*. This includes:

1(a) where the house has not been extended previously, the floor area of any such extension shall not exceed 40sq.m.

Class 50

(a) The demolition of a building or other structure, other than—

(i) a habitable house,

(ii) a building which forms part of a terrace of buildings, or

(iii) a building which abuts on another building in separate ownership.

(b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.

8.0 **Assessment**

8.1. **Is or is not development**

- 8.1.1. The question that the Board is required to determine is whether or not the proposed extension to the dwelling constitutes 'development'. Development is defined in the Act as the carrying out of any 'works' on, in, under or over land or the making of any material change of use in any of the structures or other land. 'Works' includes the act or operation of construction, excavation, demolition, extension, alteration, repair or renewal. There can be no doubt that the proposed extension to the dwellinghouse involves construction, demolition, extension and alteration to the existing structure and as such undoubtedly falls within the definition of 'works'. It is reasonable therefore for the Board to conclude that the proposed extension to the house falls within the definition of 'works' and therefore constitutes development.

8.2. Is or is not exempted development

8.2.1. The planning merits as to whether or not the development should take place is not the basis on which to determine the referral. The sole purpose of a Section 5 Referral is to determine, when a question arises in any particular case, what is or is not development or what is or is not exempted development within the meaning of the Act. The purpose of a Section 5 Referral is therefore not to adjudicate on the particular planning merits associated with a case, or whether or not a proposal is in accordance with the proper planning and sustainable development of the area, but rather a referral under Section 5 of the Act is confined to a legal interpretation as to whether or not planning permission is required in accordance with the provisions of the Act and associated Regulations. The Board should therefore restrict its deliberations to the referral question before it and not the planning merits of the case.

8.3. Regard to the issue of 'Habitable House'

8.3.1. The Referrer puts forward that the cottage was last used as a dwelling and was not derelict. They contend that a partially completed refurbishment project does not constitute a derelict house. Therefore, they consider that this was a 'habitable house' as defined in the Planning and Development Act 2000 being a house which is not in use but when last used, disregarding any unauthorised use, as a dwelling and is not derelict.

8.3.2. They provide details of the history of the cottage and note that it was not occupied before refurbishment works started and during the time the surrounding lands were used as a Golf Course at Townley Hall as access was restricted. The golf course was established in 1994 and closed last year. They note the last occupants of the cottage and that it was covered with ivy prior to the commencement of the works. They provide that as part of the works the ivy, roof, windows and internal walls were removed before the Council instructed the works to cease. They include photographs and O.S mapping in support of this being works to a habitable house. It is noted that the photographs are not dated.

8.3.3. The Council both relevant to their Unauthorised Development file Ref. 19U151 and their Planning Report relevant to their Declaration, consider that this was a derelict

structure and that the works were not to a habitable house. Their Warning Letter dated 10th of September 2019, included reference to: *Unauthorised building works and extension to a former derelict cottage*. They note that the original structure was overgrown with trees and without a roof and as such was not a habitable dwelling. They provide that the photographs taken of the structure before development commenced clearly show that the use of the structure had been abandoned and was not habitable. Also, that this is evident as it had no roof and vegetation grew up through (they include photographs). They contend that a dwelling was subsequently built within the shell of the original cottage without the benefit of planning permission.

- 8.3.4. In this case the argument being put forward is that whether or not these works relevant to the extension are exempted development. The Planning Authority provides that they are satisfied that the structure was not in use as a house. It appears that the use may have been abandoned. Therefore, the term 'habitable house' would be irrelevant in the context of Schedule 2 Part 1 *Exempted Development – General* of the Planning and Development Regulations 2001 (as amended). It is of note that this refers to *Development within the curtilage of a house* and does not specifically refer to a *Habitable house*. As noted in Column 2 *Conditions and Limitations* regard is had to the floor area of an extension to the house. Having regard to the Conditions and Limitations of this Class 1, subsection 4(c) is of note in that it includes the word 'dwelling' and subsection 5 which refers to rear extensions includes the wording *reserved exclusively for the use of the occupants of the house*. Also, of note is Class 50 *Miscellaneous* of the said Schedule which includes regard to the *demolition of a habitable house*. Therefore, it is not stated that there is a distinction or that a house/structure which is not *habitable* can avail of the exemptions offered by Class 1 of the Schedule. Rather it could be considered as a material change of use to convert this now derelict structure where the habitable use has been long abandoned back to residential habitable use and to the implications relative to this unserviced and unzoned site in the rural area.

8.4. **Restrictions on Exempted Development**

- 8.4.1. The Referrer provides that the works should be considered as refurbishment of the existing cottage. They refer to compliance with Section 4(h) of the Planning and Development Act 2000 (as amended). They contend that the works would not

materially affect the external appearance of the structure. However, having regard to the details submitted I would consider that the works to the former structure are significant and would materially affect the exterior of the structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures. Therefore, I would not consider that this exemption would apply.

- 8.4.2. Of issue also is compliance with Class 1, Schedule 2, Part 1 of the Planning and Development Regulations, 2001 (as amended). As the Referrer considers this to be an extension to an existing house, they contend that the proposal for an extension under 40sq.m would fall within the conditions and limitations set out under the said Class. They provide a discussion of the extension relative to the conditions and limitations in this Class and consider that it complies with these exemptions. However, it is of note that the Description of Development for Class 1 refers to *Development within the curtilage of a house*. The issue of lack of clarity as to whether this structure could have been considered as a 'house' or a 'habitable house' has been noted above. Therefore, I would not consider that it has been established that this exemption would apply relevant to the subject Referral case.

8.5. Architectural Conservation Area

- 8.5.1. It is noted in the Policy Section above (Section 5.11 of the Louth CDP 2015-2021 refers) that the site is located within Townley Hall Demesne ACA. Section 82 of the Planning and Development Act 2000 (as amended) provides that: *Notwithstanding paragraph (a), (h), (i), (ia), (j), (k) or (l) of section 4(1), or any regulations made under section 4(2), the carrying out of works to the exterior of a structure located in an architectural conservation area shall be exempted development only if those works would not materially affect the character of the area.*
- 8.5.2. Having regard to the documentation submitted and to my site visit (photographs attached), I would consider that the extension works bring a new perspective to the original structure and to its context within the wider Townley Hall Demesne and would materially affect the character of the ACA.
- 8.5.3. In this regard I would also refer to Article 9 of the Planning and Development Regulations 2001 (as amended) which refers to Article 6 relative to exempted development and provides for *Restrictions on exemption*. It is of note that Article

9(1)(a)(xii) provides for a restriction on exemption where the structure concerned is located with an ACA and the development would materially affect the character of the area.

8.6. Regard to Precedent Cases

- 8.6.1. The Board has dealt with a number of Referral cases relative to extensions to various derelict structures and dwellinghouses. While dealing with different scenarios and not of specific relevance to the subject case, the following are of note relative to similar type issues being raised. These are referred to further below.
- 8.6.2. In Board Ref. ABP-304512-19 a Question arose as to whether the erection of an extension of circa 29 square metres, the erection of a boiler house, the keeping or storing of a caravan or campervan within the curtilage of a house and the re-plastering of existing masonry in lime mortar to match original finish of this house, at Ballagh, Newtownforbes, County Longford is or is not development or is or is not exempted development. This case is of particular note, relevant to the discussion concerning a derelict house. The Board concluded that the works proposed involving the provision of an extension and a boiler house to an existing derelict cottage at Ballagh, Newtownforbes, County Longford and the keeping or storing of a caravan or campervan within the curtilage of this structure are development and are not exempted development, and that the works proposed for the re-plastering of this structure are development and are exempted development.
- 8.6.3. In Board Ref. ABP-304129-19, a Question arose as to whether the proposed extension to the rear of Rockwell Cottage, Spanish Point, Miltown Malbay, County Clare is or is not development and is or is not exempted development. The Board concluded that the construction of an extension to the existing cottage falls within the definition of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 and also falls with the conditions and limitations associated with the said Class. However, it was considered that the extension would interfere with the character of a designated heritage landscape as defined in the Clare County Development Plan 2017-2023 the preservation of which is an objective of the said plan and as such the proposal would come within the restrictions on exemption as set out in Article 9(1)(a)(vi) of the said Regulations.

8.7. Screening for Appropriate Assessment

- 8.7.1. The site is located c. 0.2kms of the River Boyne and River Blackwater SAC (site code:002299) and c. 0.5kms of the River Boyne and River Blackwater SPA (site code: 004232). Regard is had to the Site Synopsis for each of these European 2000 sites on the NWPS website.
- 8.7.2. The features of Interest relative to the SAC are Alkaline fens, Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*, River Lamprey, Salmon and Otter. The overall conservation objective seeks: *To maintain or restore the favourable conservation condition of the Annex I habitats and/or the Annex II species for which the SAC has been selected.*
- 8.7.3. The Conservation species relative to the SPA is the Kingfisher. The overall objective is: *To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.*
- 8.7.4. It is noted that in this Referral the Question is relative to a rear extension, however the documentation on file does not provide clarity as to whether there was an existing habitable house on this site, for some time. As noted above while refuted by the Referrer, the photographs submitted by the Council consider that the structure was derelict prior to the works and the use had been abandoned. The plans submitted with the referral do not show the location of a well, septic tank or proprietary waste water treatment system to service the development.
- 8.7.5. However, the plans submitted with the history file Reg.Ref. 94/507 show the location of an effluent treatment system which appears to be relevant to the then 'Proposed Club House', a separate building. The subject structure is at the rear of this site and was then shown as 'Game Keeper's Cottage proposed to be restored'. It was not shown then, or in current plans how this structure now to be extended is to be connected. Therefore, while this would be appropriate relative to a planning application, these issues are currently unknown and it has not been shown that the site is suitable for the disposal of effluent.
- 8.7.6. In this event in view of the proximity of the site to the European 2000 sites, I would be concerned that adequate information has not been submitted with regard to the preservation of water quality, a key parameter in supporting the conservation

objectives of both the River Boyne SAC and SPA. In the absence of such information, it is not possible to exclude the possibility of significant effects on the River Boyne SAC or SPA. The Restrictions on Exemption as provided by Article 9(1)(a)(viiB) of the said Regulations are of note i.e: *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.*

- 8.7.7. On the basis of the information provided with the Referral and in the absence of a Natura Impact Statement the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the above European sites, or any other European site, in view of the site's Conservation Objectives. While this is a Referral, it is of note that in such circumstances the Board would be precluded from granting approval/permission.

9.0 Recommendation

- 9.1. I recommend that the Board should decide this referral in accordance with the following draft order.

WHEREAS a question has arisen as to whether the extension to the rear of existing vernacular stone cottage at Townleyhall, Drogheda, Co. Louth is or is not development or is or is not exempted development:

AND WHEREAS Robert Kenny Consultant on behalf of Ms. Sheila Finnamore requested a declaration on this question from Louth County Council and the Council issued a declaration on the 8th day of November, 2019 stating that the matter was development and was not exempted development:

AND WHEREAS Robert Kenny Consultant on behalf of Ms. Sheila Finnamore referred this declaration for review to An Bord Pleanála on the 27th day of November, 2019:

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

- (a) Sections 2(1) and 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) article 6(1) and article 9(1)(a) (viiB) and (xii) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the provisions of the Louth County Development Plan 2015-2021
- (e) planning history of the site, and
- (f) the documentation on file, including photographs submitted by the Referrer and the Council and the details regarding the proposed works:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the construction of an extension to the rear of the cottage at Townleyhall, Drogheda, Co. Louth, as per the drawings and associated documentation submitted with the referral, would constitute development,
- (b) the existing cottage structure on the site, in respect of which the works are proposed, is not in residential use and, on the basis of the documentation submitted, there is no evidence on file of any residential use of this cottage in recent times or for a significant period of time. The Board is, therefore, satisfied that the residential use of this structure has been abandoned, and the resumption of such residential use of the subject building would now constitute a

change of use that is material, having regard to the potential for consequences in planning terms, including the potential for implications in terms of wastewater, the provision of services in an unzoned, unserviced rural area, proximate to Natura 2000 sites and the potential for the intensification of use of the access and local road network in the vicinity, and would, therefore, constitute development, which development does not come within the scope of any of the legislative provisions for exempted development.

- (c) the erection of an extension to the existing structure, relies, for the purpose of the exempted development provisions, on the structure in question being construed as a 'house'. However, there is no evidence of the residential use of the structure and the Board is satisfied, therefore, that the residential use has been abandoned. Accordingly, the development in question does not come within the Scope of Class 1 of Part 1 of the Second Schedule of the Planning and Development Regulations, 2001, as amended, and
- (d) in view of its location within Townley Hall Demesne Architectural Conservation Area, and proximate to Natura 2000 sites would fall within the Restrictions on Exemption as provided by Article 9(1)(a) (xii) and (viiB) of 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 proposed extension constitutes development which is not exempted development.

Angela Brereton
Planning Inspector

14th of May 2020