



An
Bord
Pleanála

**Board Direction
ABP-300773-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/07/2018.

The Board decided, as set out in the following Order, and generally in accordance with Inspector's recommendation, that the construction of an agricultural barn is development and is exempted development.

Board Order as follows:-

WHEREAS a question has arisen as to whether the construction of an agricultural barn at Rosdooaun, Newport, Co. Mayo is or is not development or is or is not exempted development:

AND WHEREAS Ronan McGreevy requested a declaration on this question from Mayo County Council and the Council issued a declaration on the 3rd January 2018 stating that the matter was development and was not exempted development:

AND WHEREAS Ronan McGreevy referred this declaration for review to An Bord Pleanála on the 24th day of January 2018:

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) and Section 4(4) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(3) and article 9(1)(a) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 3 of Schedule 2, Class 9, to the Planning and Development Regulations, 2001, as amended,

AND WHEREAS An Bord Pleanála has concluded that:

- (a) Construction of an agricultural barn comprises works and these works constitute development within the meaning of Section 3 of the Planning and Development Act, 2000, as amended;
- (b) Construction of an agricultural barn based on the details submitted by the referrer would come within the scope of exemptions set out in Class 9, Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (c) None of the restrictions on exemption set out in article 9(1)(a) of the Regulations apply in this case.

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 construction of an agricultural barn at Rosdooaun, Newport, is development and is exempted development.

Board Member:

Date: 20/07/2018

Conall Boland