



An
Bord
Pleanála

Board Direction
ABP-301488-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/03/2019.

The Board decided, as set out in the following Order, that:

Board Order as follows: -

WHEREAS a question has arisen as to whether a field shelter for 2 horses is or is not development or is or is not exempted development:

AND WHEREAS Ciaran & Aline Morrison requested a declaration on this question from Galway County Council and the Council issued a declaration on the 5th day of April, 2016 stating that the matter was development and was not exempted development:

WHEREAS Ciaran & Aline Morrison referred this declaration for review to An Bord Pleanála on the 30th day of May, 2016:

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) Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and
- (f) the planning history of the site,

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The erection of the structure is development
- (b) The structure will be used for agricultural use
- (c) The structure will not significantly affect the integrity of the European Sites Lough Corrib SAC and SPA or any other European sites
- (d) The structure will not significantly affect the integrity of the natural heritage area Moycullen Bogs NHA Site or any other natural heritage area,

And furthermore that:

- (e) by virtue of the nature, size and location of the development, it would not be likely to have significant effects on the environment or to require an environmental impact assessment.

THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) of the 2000 Act, hereby decides that the erection of a field shelter for 2 horses is development and is exempted development.

Board Member:

Date: 14/03/2019

Terry Ó Niadh