



An  
Bord  
Pleanála

**Board Direction**  
**ABP-301512-18**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/01/2019.

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

Board Order as follows:-

**WHEREAS** a question has arisen as to whether the material widening of an existing entrance to facilitate the extraction of timber from a forestry plantation, at Attimanus, Kilnagross, Co. Leitrim is or is not development and is or is not exempted development:

**AND WHEREAS** this question was referred to An Bord Pleanála by Leitrim County Council under Section 5(4) of the Planning and Development Act, 2000, as amended (the Act) on the 20<sup>th</sup> day of April 2018:

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

- (a) Section 2(1) of the Act
- (b) Section 3(1) of the Act
- (c) Sections 4(1)(h) and 4(1)(ia) of the Act

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) the widening of the subject entrance involves works and is therefore development as defined in section 3 of the Act
- (b) The development does not come within the scope of section 4(1)(h) of the Act as it does not consist of the carrying out of works for the maintenance, improvement or other alteration of any structure;
- (c) The development does not come within the scope of section 4(1)(ia) of the Act as the material widening of the entrance is not ancillary to the construction, maintenance or improvement of a road;
- (d) There are no other exemptions set out in the Act or in the Planning and Development Regulations 2001, as amended, by which the subject development would be exempted development.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (4) of the Planning and Development Act, 2000, as amended, hereby decides that the material widening of an existing entrance to facilitate the extraction of timber from a forestry plantation, at Attimanus, Kilnagross, Co. Leitrim is development and is not exempted development.

**Board Member:**

**Date:** 28/01/2019

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John Connolly