

An
Bord
Pleanála

Board Direction ABP-303127-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/06/2024.

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

Board Order as follows:-

WHEREAS a question has arisen as to whether -

1. the provision of a new all-weather surface together with a soft surface material for the training of horses (i.e. agricultural use) at Twyford, Baylin, Athlone, County Westmeath, is or is not exempted development.
2. the repair and improvement of a pre-existing lane at Twyford, Baylin, Athlone, County Westmeath, is or is not exempted development.
3. the provision, as part of a heating system for an agricultural building, of a biomass boiler, including a boilerhouse, flues on the boiler and overground storage tank at Twyford, Baylin, Athlone, County Westmeath, is or is not development and is or is not exempted development.
4. the erection of a wall at Twyford, Baylin, Athlone, County Westmeath, is or is not development and is or is not exempted development.
5. the provision of a Class 6 agricultural shed and a Class 9 agricultural shed is development and is not exempted development at Twyford, Baylin, Athlone,

County Westmeath, is or is not development or is or is not exempted development:

AND WHEREAS Caroline Ganley care of Vitruvius Hibernicus of Convent Road, Longford by date 30th October 2018, requested a declaration on these questions from Westmeath County Council and they did not issue a declaration as per their letter dated 26th of November 2018:

AND WHEREAS Westmeath County Council referred this referral to An Bord Pleanála for determination on the 27th day of November, 2018:


AND WHEREAS An Bord Pleanála, in considering this referral, considered the nature of the questions, is satisfied that the referral should not be further considered by it:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 138(1) of the Planning and Development Act, 2000, as amended, hereby dismisses the said referral under subsection (1)(b)(i) of Section 138 of the said Act, based on the reasons and considerations set out below:

Reasons and Considerations

The Board is satisfied that, in the particular circumstances, the referral should not be further considered by it having regard to the nature of the referral which referred to questions already addressed and determined by An Bord Pleanála under reference number 25M.RL.3510, 25M.RL.3559 and 25M.RL.3814 by Order dated 24th day of July, 2018. Accordingly, it is considered that the referral should be dismissed pursuant to section 138(1)(b)(i) of the Planning and Development Act, 2000, as amended.

Board Member:



Chris McGarry

Date: 11/06/2024