



An
Bord
Pleanála

Board Direction
ABP-304915-19

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

The Board decided, as set out in the following Order, that the temporary use of lands comprising Folio MY17289 at Bunowen, Louisburgh, Co. Mayo for camping is development and is not exempted development.

Board Order as follows:-

WHEREAS a question has arisen as to whether the temporary use of lands comprising Folio MY17289 at Bunowen, Louisburgh, Co. Mayo for camping is or is not development or is or is not exempted development.

AND WHEREAS Padraic O'Donnell, of Bushfield House, Glenbrack, Gort, Co Galway requested a declaration on this question from Mayo County Council, and the Council issued a declaration on the 26th day of June 2019 stating that the matter is development and is not exempted development.

AND WHEREAS Padraic O'Donnell referred this declaration for review to An Bord Pleanála, on the 16th day of July 2019.

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended, and Class 1 of Part 3 of the Second Schedule to those Regulations;
- (c) The planning history of the subject lands;
- (d) The provisions of the Mayo County Development Plan 2014 – 2020;
- (e) The nature and scale of the subject development, as outlined by the referrer, and the receiving environment, and surrounding context, including European sites, and,
- (f) The submissions on file from the planning authority and the referrer.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The use of the subject lands for camping would represent a change of use from their current use for agricultural purposes/rough grazing, and this change of use would raise material issues relevant to the proper planning and sustainable development of the area, including impacts on the character of the landscape, potential traffic issues and impacts on public health, and this change of use would, therefore, constitute a material change of use, and is development;
- (b) The temporary use of the lands for camping, in the manner described by the referrer, comprising tents, campervans and caravans, would come within the

scope of the exemption provided for in Class 1 of Part 3 of the Second Schedule to the Planning and Development Regulations 2001, as amended;

- (c) However, it is considered by the competent authority that an appropriate assessment would be required for the development in question, having regard to its location and the connectivity of the subject lands to the West Connaught Coast Special Area of Conservation (site code 002998), because it would be likely to have a significant effect on the integrity of this European site, and accordingly the restriction on exemption under Article 9(1)(a)(viiB) of the Planning and Development Regulations 2001, as amended, would apply in this instance, and therefore the subject development would not be exempted development.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the temporary use of lands comprising Folio MY17289 at Bunowen, Louisburgh, Co. Mayo for camping is development and is not exempted development.

Board Member

Date: 14th November 2019

Philip Jones