



An
Bord
Pleanála

Board Direction
ABP-307078-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/09/2020.

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

Board Order as follows:-

WHEREAS a question has arisen as to whether the use of the curtilage of a house for the parking of a school bus at Borranstown, Ashbourne, Co. Meath, is or is not development or is or is not exempted development:

AND WHEREAS Eamonn Keenan, care of Helen T. Keenan Borranstown, Ashbourne, Co. Meath, requested a declaration on this question from Monaghan County Council, and the Council issued a declaration on the 23rd day of March 2020 stating that the matter is development and is not exempted development:

AND WHEREAS Eamonn Keenan referred this declaration for review to An Bord Pleanála on the 16th day of April 2020:

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 5, 6 9, and 10 of the Planning and Development Regulations, 2001 (as amended), and

c) the submissions of the parties to the reference in relation to the uses described in the referral

AND WHEREAS An Bord Pleanála has concluded that,

having regard to the fact that the bus is not owned or operated by the owner of the house,

a) the parking of a bus within the curtilage of the house constitutes the making of a material change in the use of the land and is, therefore, development,

b) the development is not for any purpose incidental to the enjoyment of the house as such, and therefore cannot avail of the exempted development provision of Section 4(1)(j) of the Act, and

c) no other exempted development provisions apply

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 use of the curtilage of a house for the parking of a school bus, at Borranstown, Ashbourne, Co. Meath, is development which is not exempted development.

Board Member:

Date: 17/09/2020

John Connolly