



An  
Bord  
Pleanála

## Board Direction ABP-307857-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/01/2021.

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

Board Order as follows:-

**WHEREAS** a question has arisen as to whether use for occasional events at Newpark House, Newpark Demesne, Newpark, Ballymote, County Sligo, is or is not development or is or is not exempted development:

**AND WHEREAS** Christopher & Dorothy-Ellin Kitchin, care of Kiaran O'Malley & Co. Ltd. Town Planning Consultants, requested a declaration on this question from Sligo County Council, and the Council issued a declaration on the 9<sup>th</sup> day of July 2020, stating that the matter is development and is not exempted development:

**AND WHEREAS** Christopher & Dorothy-Ellin Kitchin, care of Kiaran O'Malley & Co. Ltd. Town Planning Consultants, referred this declaration for review to An Bord Pleanála, on the 5<sup>th</sup> day of August 2020:

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

- (a) Sections 2, 3, 4, 57 and 229 of the Planning and Development Act 2000, as amended,
- (b) Articles 5, 6, 9 and 183 of the Planning and Development Regulations 2001-2020,

(c) Class 37 to Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2020, and

(d) the submissions on file from the referrer:

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

(a) the holding of the stated events would constitute an actual change of use,

(b) the actual change of use is considered to be a material change of use based on the type and number of proposed events and is therefore development within the meaning of Section 3 of the Planning and Development Act 2000, as amended, and

(c) the Board is not satisfied that the development comes within the scope of class 37 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001-2020, as amended, which is limited to local events.

**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 for occasional events at Newpark House, Newpark Demesne, Newpark, Ballymote, County Sligo, is development and is not exempted development.

In deciding not to accept the Inspector's recommendation that the use for occasional events at Newpark House, Newpark Demesne, Newpark, Ballymote, County Sligo, is exempted development, the Board did not agree that the hosting of weddings, as described by the referrer, development comes within the scope of class 37 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001-2020, as amended, which is limited to local events.

**Board Member:**

**Date:** 20/01/2021

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John Connolly