



An  
Bord  
Pleanála

**Board Direction**  
**ABP-310645-21**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/11/2022.

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

Board Order as follows:

**WHEREAS** a question has arisen as to whether the construction of a slatted shed for housing cattle at Cloonfree Townland, Strokestown is or is not development or is or is not exempted development:

**AND WHEREAS** Mr Cormac Dolan, Cloonfree, Strokestown, requested a declaration on this question from Roscommon Council and the Council issued a declaration on the 4th day of June, 2021 stating that the matter was development and was not exempted development:

**AND WHEREAS** Mr Cormac Dolan, Cloonfree, Strokestown, referred this declaration for review to An Bord Pleanála on the 25<sup>th</sup> day of June 2021:

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

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Class 6 of Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site,
- (g) the submissions on file:

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

- (a) The proposed works are development as defined in Section 3 of the Planning and Development Act 2001 as amended
- (b) The proposed works would be within the terms of development envisaged by Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations,
- (c) The proposed works would comply with the conditions and limitations of this class,
- (d) The access to the site is from the N5 at a point where sightlines are substandard and where the maximum speed limit applies and having regard to the additional traffic turning movements at this point on the road consequent to the use of the slatted shed and to the deficiency in the available sightlines, the proposed development would endanger public safety by reason of a traffic hazard or obstruction of road users.

(e) Therefore, by virtue of the provisions of Article 9(1)(a)(iii), the proposed shed does not come within the said exempted development provisions of Class 6 of Part 3 of Schedule 2 to the said Regulations.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, hereby decides that the construction of a slatted shed for housing cattle at Cloonfree Townland, Strokestown, Co Roscommon is development and is not exempted development.

**Board Member:** Maria FitzGerald **Date:** 22/11/2022  
Maria FitzGerald

