

An  
Bord  
Pleanála

Board Direction  
ABP-312339-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/05/2023.

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

Board Order as follows:-

**WHEREAS** a question has arisen as to whether a shed of 19.9 square metres to the rear of a house at Doogan's Warren, Rosslare Strand, Co. Wexford is or is not development or is or is not exempted development:

**AND WHEREAS** Helen Meehan, Carraig Ard, Coolcotts Lane, Co. Wexford requested a declaration on this question from Wexford County Council and the Council issued a declaration on the 10<sup>th</sup> day of December, 2021 stating that the shed is development and is not exempted development:

**AND WHEREAS** Leo and Helen Meehan, Carraig Ard, Coolcotts Lane, Co. Wexford referred this declaration for review to An Bord Pleanála on the 21<sup>st</sup> day of December, 2021:

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

- (a) Sections 2(1) and 3(1) of the Planning and Development Act, 2000, as amended,

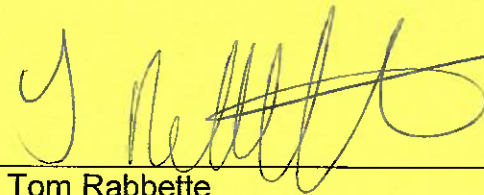
- (b) Article 3(3), Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 as amended,
- (d) the planning history of the site (reg. ref. 20191681),
- (e) the statement of the referrer that “the shed was built at the same time as the house” and therefore was not within the curtilage of an existing house at the time of its construction, and
- (f) the report of the Planning Inspector

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

the shed does not fall within the scope of Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, as it was erected at the same time as the house.

**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 erection of a shed of 19.9 square metres to the rear of a house at Doogan’s Warren, Rosslare Strand, Co. Wexford is development and is not exempted development.

**Board Member:**



Tom Rabbette

**Date:** 26/05/2023