



An  
Bord  
Pleanála

**Board Direction**  
**BD-014676-23**  
**ABP-312681-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/11/2023.

**WHEREAS** a question has arisen as to whether the erection of hoarding and advertising on the Johnstown House Estate is or is not development or is or is not exempted development:

**AND WHEREAS** Lefgem Limited requested a declaration on this question from Meath County Council and the Council issued a declaration on the 13<sup>th</sup> day of January, 2022, stating that the matter was development and was not exempted development:

**AND WHEREAS** Lefgem Limited referred this declaration for review to An Bord Pleanála on the 9<sup>th</sup> day of February, 2022:

**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, as amended.
- (c) Section 3(2)(a) of the Planning and Development Act, 2000, as amended.
- (d) Section 4(1)(h) of the Planning and Development Act, 2000, as amended.
- (e) Section 57(1) of the Planning and Development Act, 2000, as amended.
- (f) Article 6(1), 6(2) and Article 9(1)(i) of the Planning and Development Regulations, 2001, as amended.

- (g) Class 11 and Class 16 of Schedule 1, Part 1 of the Planning and Development Regulations, 2001, as amended.
- (h) Class 1 and Class 16 of Schedule 2, Part 2 of the Planning and Development Regulations, 2001, as amended.
- (i) The planning history of the site, and in particular P.A. Ref. No. 99/833 Condition No. 17 and P.A. Ref. No. TA/40538 Condition No. 5(b).
- (j) The character and pattern of development of the development's setting which includes forming part of the visual curtilage of Johnstown House, a Protected Structure, and its parkland setting,
- (k) The report of the Inspector.

**AND WHEREAS** An Bord Pleanála has concluded that the erection of hoardings and advertisements constitutes 'development' by virtue of the fact that it involves a material change of use of the lands; and that the advertisement and hoardings in question do not constitute exempted development on the basis that they do not meet the required criteria for exemptions under Class 11, Schedule 1, Part 1; Class 16 Schedule 1, Part 1; or Class 1 of Schedule 2, Part 2 of the Planning and Development Regulations, 2001, as amended. Furthermore, the Board considered that the development would contravene conditions attached to permissions granted under the Act and in the case of the uses indicated under P.A. Ref. No. TA/40538 and P.A. Ref. No. 99/833.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the Planning & Development Act, 2000, as amended, hereby decides that the erection of hoarding and advertising on Johnstown House Estate **is development and is not exempted development.**

Board Member:

  
Stephen Brophy

Date: 24/11/2023