



An
Bord
Pleanála

Board Direction
BD-014893-23
ABP-314830-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/12/2023.

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

WHEREAS a question has arisen as to whether works consisting of (1) provision of a gate entrance to leased land, and (2) filling of land with hardcore stone topped with gravel to allow for parking of cars, trailers and motorhomes at Roosky Harbour, Roosky, County Roscommon is or is not development or is or is not exempted development:

AND WHEREAS Ciaran Fallon requested a declaration on this question from Roscommon County Council and the Council issued a declaration on the 13th day of September 2022, stating that the matter was development and was not exempted development:

AND WHEREAS Ciaran Fallon referred this declaration for review to An Bord Pleanála on the 7th day of October 2022;

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 6, 8, 9 and 10 of the Planning and Development Regulations, 2001, as amended,
- (c) Parts 1 and 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site,
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The provision of a gate entrance to leased land and filling of land with hardcore stone topped with gravel to allow for parking of cars, trailers and motorhomes is development,
- (b) The proposed works do not fall under any of the classes set out in Parts 1 or 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) and therefore, is not exempted development.

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 provision of a gate entrance to leased land and filling of land with hardcore stone topped with gravel to allow for parking of cars, trailers and motorhomes comprise works and is development and is not exempted development.

Board Member:


Martina Hennessy

Date: 19/12/2023