

An
Bord
Pleanála

Board Direction
ABP-315826-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/05/2024.

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

WHEREAS a question has arisen as to whether the construction of an agricultural storage shed at Robin Hill, Stackallen, Slane, Co. Meath is or is not development or is or is not exempted development:

AND WHEREAS Edward Reilly of Byrne's Field, Farganstown, Slane, Co. Meath requested a declaration on this question from Meath County Council and the Council issued a declaration on the 20th day of January, 2023 stating that the matter was development and was not exempted development:

AND WHEREAS Edward Reilly referred this declaration for review to An Bord Pleanála on the 15th day of February 2023:

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,

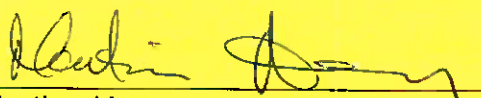
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(3) and article 9(1)(a)(iii) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 3 of Schedule 2, Class 9 to the Planning and Development Regulations, 2001, as amended,
- (f) The nature and extent of the works.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The works constitute development, being works which come with the scope of Section 3(1) of the Planning and Development Act, 2000 (as amended),
- (b) The construction of the agricultural structure comes within the scope of Class 9, Part 3 of Schedule 2, of the Planning and Development Regulations, 2001, as amended.
- (c) The construction of the agricultural structure would not endanger public safety by reason of traffic hazard or obstruction of road users:

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 agricultural storage shed is development and is exempted development.

Board Member:


Martina Hennessy

Date: 08/05/2024