



An  
Bord  
Pleanála

**Board Direction**  
**ABP-315843-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/02/2024.

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

**WHEREAS** a question has arisen as to whether the construction of an agricultural shed consistent with the description, conditions and limitations set out in Class 6 of Part 3 to Schedule 2 of the Planning and Development Regulations 2001 (as amended) on lands in the townland of Ardara Co Donegal for the housing of cattle is or is not development or is or is not exempted development.

**AND WHEREAS** Declan Gallagher C/O Joe Bonner Town Planning Consultant, requested a declaration on this question from Donegal County Council, and the Council issued a declaration on the 19th day of December 2023 stating that the matter is development and is not exempted development.

**AND WHEREAS** Declan Gallagher C/O Joe Bonner Town Planning Consultant referred this declaration for review to An Bord Pleanála, on the 14th day of February 2023.

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

- Section 2(1) of the Planning and Development Act, 2000, as amended,
- Section 3(1) of the Planning and Development Act, 2000,
- Section 4(1)(a) of the Planning and Development Act, 2000, as amended,

- article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- the provision of the Donegal County Development Plan 2018-2014 (as amended)
- the planning history of the site,
- the pattern of development in the area:

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

- The agricultural shed constitutes development as defined under Section 2 (1) of the Planning and Development Act 2000 (as amended),
- The agricultural shed, based on the details submitted by the referrer, would come within the scope of exemptions set out in Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended

**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 shed is development and is exempted development.

**Board Member:**

  
Liam Bergin

**Date:** 08/03/2024