

An
Bord
Pleanála

Board Direction
ABP-318601-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/09/2024.

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

WHEREAS a question has arisen as to whether the use of an existing permitted dwelling for use as the private residence for nuns at Billistown, Delvin, County Westmeath is or is not development or is or is not exempted development:

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

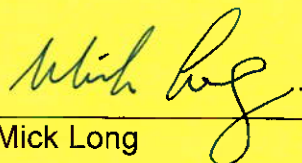
- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3 of the Planning and Development Act, 2000,
- (c) Section 4 of the Planning and Development Act, 2000, as amended,
- (d) articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended,
- (e) Part 4 of the Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site, and
- (g) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the use of an existing permitted dwelling for use as a private residence for nuns constitutes development as defined under section 3(1) of the Planning and Development Act 2000 (as amended),
- (b) the use of an existing permitted dwelling for use as a private residence for nuns constitutes a material change of use of these lands, is a change from one class of development to another, and is development, and
- (c) there are no exemptions provided for in the said Planning and Development Act, 2000 (as amended) and the Planning and Development Regulations, 2001 (as amended), by which the use of an existing permitted dwelling for use as a private residence for nuns would be exempted development, and is therefore not exempted development

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the use of an existing permitted dwelling for use as a private residence for nuns is development and is not exempted development.

Board Member:



Mick Long

Date: 17/09/2024