

An  
Bord  
Pleanála

**Board Direction  
ABP-319266-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/01/2025.

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

Board Order as follows:-

**WHEREAS** a question has arisen as to whether –

- (1) the use of the barn for the purposes of a pottery manufacturing business,
- (2) the works carried out to the barn and the site,
- (3) the construction of the access road to serve the pottery manufacturing business and
- (4) the laying of hardcore and fencing

at Fiery Lane, Glencullen, County Dublin is or is not development or is or is not exempted development:

**AND WHEREAS** David Ridgeway, care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin, requested a declaration on this question from Dun Laoghaire Rathdown County Council, and the Council issued a declaration on the 14<sup>th</sup> day of February 2024 stating that:

- (1) Change of use of barn to pottery manufacturing business is not development under Section 3(1) of the Act;

- (2) Works carried out to the exterior of the barn is development and is exempted development under Section 4(1)(h) of the Act;
- (3) Creation of access road to same manufacturing business across agricultural field, and
- (4) the laying of hardcore and fencing at agricultural entrance, is development and is exempted development per the exemptions provided for in Part 1, Class 13, and Part 3, Class 4, Article 6, Schedule 2 of the Planning and Development Regulations 2001, as amended.

A note at the end of the Notification of Declaration states the following:

"NOTE: Following the above assessment and conclusion, it is considered (regarding item 4) that no alterations have taken place to the field entrance, and that this matter as part of the application has been omitted from the final determination."

**AND WHEREAS** David Ridgeway, referred this declaration for review to An Bord Pleanála, on the 11<sup>th</sup> day of March 2024:

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

- (a) Sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act 2000, as amended,
- (b) Part 1 and Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (c) The submissions made in respect of the declaration application and the referral,
- (d) The provisions of Dun Laoghaire Rathdown County Development Plan 2022-2028;
- (e) The pattern of development in the area, and
- (f) The report and recommendation of the Planning Inspector,

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

- (a) the use of the for the purposes of a pottery manufacturing business is not development,
- (b) the works carried out to the barn comprising provision of new corrugated metal cladding, a chimney flue, an external water tank, along with internal alterations associated with the pottery manufacturing business, is development and is exempted development,
- (c) the construction of the access road to serve the pottery manufacturing business is development and is exempted development, and
- (d) the laying of hardcore and fencing is development and is exempted development,

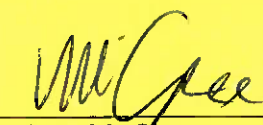
at the barn, located south-east of Granite Lodge, at Fiery Lane, Glencullen, County Dublin.

**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 –

- (a) the change of use of the barn to a pottery manufacturing business is not a material change of use and is not development, on the basis that it is consistent with the established industrial and storage uses on the site,
- (b) the said development as set out at (b) above comprising provision of corrugated metal cladding to the barn, a chimney flue, an external water tank, along with internal alterations associated with the pottery manufacturing business, and at (c) comprising the construction of the access road to serve the pottery manufacturing business, and at (d) comprising the laying of hardcore and fencing, is development and is exempted development,

at the barn, located south-east of Granite Lodge, at Fiery Lane, Glencullen, County Dublin.

**Board Member:**

  
Liam McGree

**Date:** 22/01/2025