

An  
Bord  
Pleanála

## Board Direction ABP-320707-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/05/2025.

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

**WHEREAS** a question has arisen as to whether the development of (i) new boundary wing wall and piers within the curtilage of a protected structure, (ii) the relocation of a public access point into Bellamont Forest, (iii) the fencing/enclosure of an access habitually used by the public during the 10 years preceding such enclosure for recreational purposes and use as a means to access to Dromore river and Bellamont Forest at Station Road, Cootehill, County Cavan is or is not development or is or is not exempted development:

**AND WHEREAS** the said question was referred to An Bord Pleanála by Cavan County Council of Johnston Central Library, Farnham Street, Cavan on the 2<sup>nd</sup> day of September 2024:

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


- (a) sections 2, 3, 4 and 57 of the Planning and Development Act, 2000, as amended,
- (b) the planning history of the site,
- (c) the pattern of development in the area, and
- (d) a photographic review of the entrance over time using Google Street Maps:

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

- (a) the construction of a new boundary wing wall and piers within the walls surrounding the attendant grounds of a protected structure constitute works that is development within the meaning of Section 3 of the Planning and Development Act 2000, as amended,
- (b) the materials used in the new boundary wing wall and piers with the attendant grounds of a protected structure are inconsistent with the existing stone wall and would materially affect the special architectural interest of the protected structure and would not come within the scope of Section 4(1)(h) or 57(1)(a) and (b) of the Planning and Development Act, 2000, as amended,
- (c) the information relating to the parts of the question raised in relation to the relocation of a public access point into Bellamont Forest and the fencing/enclosure of an access habitually used by the public during the 10 years preceding such enclosure for recreational purposes and use as a means to access to Dromore river and Bellamont Forest was insufficient for a determination to made in respect of these parts, and

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that that the new boundary wing wall and piers within the curtilage of a protected structure at Station Road, Cootehill, County Cavan is development and is not exempted development.

**Board Member:**

  
Patricia Calleary

**Date:** 21/05/2025