

An  
Coimisiún  
Pleanála

**Direction**  
**ABP-322245-25**

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The submissions on this file and the Inspector's report were considered at a meeting held on 10/04/2026.

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

**WHEREAS** a question has arisen as to whether a temporary structure, 14 metres by six metres by four metres high, including the dismantling of the 2.1 metres from eastern gable of the structure and attaching the dismantled section to the western gable at Knockillaree, Aughanure, County Galway is or is not development and is or is not exempted development:

**AND WHEREAS** Patrick Curran requested a declaration on this question from Galway County Council and the Council issued a declaration on the 12<sup>th</sup> day of March, 2025 stating that the matter was development and was not exempted development:

**AND WHEREAS** Patrick Curran referred this declaration for review to An Coimisiún Pleanála on the 8<sup>th</sup> day of April, 2025:

**AND WHEREAS**, An Coimisiún 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, as amended,
- (c) Section 4(2) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(1) and Article 9 (1) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) previous referrals to the Commission,
- (g) the planning history of the site,
- (h) the documentation on the file, including submissions on behalf of the referrer,
- (i) the pattern of development in the area, and
- (j) the report and recommendation of the Planning Inspector:

**AND WHEREAS,** An Coimisiún Pleanála, has concluded that:

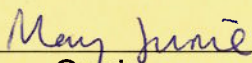
- (a) the placing on land of the temporary shed structure constitutes development, as it involves the carrying out of 'works',
- (b) the lands which are in use for said temporary shed structure and works are located at Knockkillaree, Auganure, County Galway and, on the basis of the information submitted, there is no evidence that the lands constitute land adjoining a development that is about to be carried out pursuant to a permission or as exempted development,
- (c) accordingly, the temporary structure and associated works do not come within the exempted development provisions of Class 16 or Class 17 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and
- (d) do not come within any of the other exempted development provisions of the Act or Regulations:

**NOW THEREFORE** An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the placing of a temporary structure 14 metres by six metres by four meters high, including the dismantling of the 2.1 metres from eastern gable of the structure and attaching the dismantled section to the western gable at Knockillaree, Aughanure, County Galway, is development and is not exempted development.

**Planning**

**Commissioner:**

**Date:** 23/04/2026

  
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Mary Gurrie