

An  
Coimisiún  
Pleanála

**Direction**  
**ACP-323586-25**

---

The submissions on this file and the Inspector's report were considered at a meeting held on 12/06/2026.

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

Commission Order as follows:-

**WHEREAS** a question has arisen as to whether the provision of temporary accommodation (small log cabin) for the use of the applicant during the period in which exempted works are being carried out at Kilmore, Lisronagh, Co. Tipperary is or is not development or is or is not exempted development.

**AND WHEREAS** Gerard Purcell Jnr, requested a declaration on this question from Council, and the Council issued a declaration on the 21st day of August 2025 stating that the matter is development and is not exempted development.

**AND WHEREAS** Gerard Purcell Jnr referred this declaration for review to An Coimisiún Pleanála, on the 5th day of September 2025.

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

- a. Section 2(1), 3(1), 4(1)(j), 4(4) of the Planning and Development Act, 2000, as amended,
- b. article 6(1) and article 9(1) of the Planning and Development Regulations 2001, as amended
- c. Class 17 of Part 1 Schedule 2 of the Planning and Development Regulations 2001, as amended,
- d. the planning and development history of the site,
- e. the submission of the Planning Authority,
- f. the report of the Planning Inspector:

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

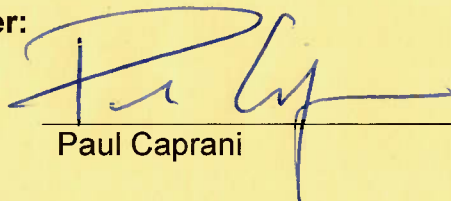
- a. The referral concerns the construction of temporary accommodation (small log cabin), therefore comes within the scope of the definition of development as set out in Section 3 of the Planning and Development Act 2000, as amended.
- b. The structure referred to in the question does not come within the scope of Class 17 of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, as the Commission is not satisfied that it relates to the carrying out of any development that is being or is about to be carried out pursuant to any permission, consent, approval or confirmation, or as exempted development, or how the works referred to are temporary in nature, having regard to its long presence on the site, and the works associated with the structure, including the provision of a proprietary wastewater treatment system, a gravel driveway and associated landscaping surrounding the log cabin, suggests the provision of a more permanent structure beyond that which would be required beyond that which would be normally associated with a temporary structure to be used during a renovation/ extension of a domestic dwelling and the onus of proving that such works are exempted development lies on the person seeking to come within any exemption.;

- c. There are no other exemptions in the Planning and Development Act, 2000, as amended, or in the Planning and Development Regulations, 2001, as amended, whereby the provision of temporary accommodation (small log cabin) would constitute exempted development.

**NOW THEREFORE** An Coimisiún 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 provision of temporary accommodation (small log cabin) for the use of the applicant during the period in which exempted works are being carried out is development and is not exempted development.

**Planning**

**Commissioner:**



Paul Caprani

**Date:** 12/06/2026