An Coimisiún Pleanála

Direction
ACP-323649-25

The submissions on this file and the Inspector's report were considered at a meeting held on 04/11/2026.

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

Commission Order as follows:-

WHEREAS a question has arisen as to whether the installation of an industrial water tank is or is not development or is or is not exempted development.

AND WHEREAS QK Cold Storage Limited requested a declaration on this question from Kildare County Council and the Council issued a declaration on the 20th day of August 2025 stating that the matter was development and was not exempted development:

AND WHEREAS QK Cold Storage Limited referred this declaration for review to An Coimisiún Pleanála on the 15th day of September 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(1) 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) Parts 1 and 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,

(f) Class 21 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 as amended,

(g) the planning history of the site,

(h) the pattern of development in the area:

AND WHEREAS An Coimisiún Pleanála has concluded that the installation of an industrial water tank is development and is not exempted development

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 industrial water tank is development and is not exempted development.

Planning Commissioner:

Date: 04/11/2026

Stephen Bohan