

An
Coimisiún
Pleanála

Direction
ACP-324064-26

The submissions on this file and the Inspector's report were considered at a meeting held on 07/07/2026.

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

Commission Order as follows:-

WHEREAS a question has arisen as to whether the alteration of the existing stone boundary wall on the grounds of Bishop's House, Old Dublin Road, County Carlow, for the propose of the installation of a 1.2-meter-high timber gate for the purpose of creating a new opening is or is not development or is or is not exempted development:

AND WHEREAS the Kildare and Leighlin Diocesan Trust requested a declaration on the said question from Carlow County Council and the said Council issued a declaration on the 13th day of January, 2026 stating that the matter was development and was not exempted development:

AND WHEREAS the Kildare and Leighlin Diocesan Trust referred this declaration for review to An Coimisiún Pleanála on the 9th day of February, 2026:

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

- (a) Sections 2(1), 3(1), 4(1)(h), Section 4(2) and Section 4(3) of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Classes 5 and 9 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) The documentation on file, including the submission on behalf of the requestor, the Kildare & Leighlin Doicesan Trust,
- (e) The report and recommendation of the inspector,

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) The alteration of the stone boundary wall, for the purposes of creating a new opening in the wall, constitutes the construction of a gateway which constitutes works and which in turn constitutes development within the meaning of the Planning and Development Act 2000, as amended,
- (b) The height of this constructed gateway would be 3.075m (arising from the height of the existing boundary wall and by reference to the submitted drawing number 24001-002 PL1),
- (c) The proposed gateway would not benefit from an exemption by reference to Section 4(1)(h) of the Planning and Development Act, 2000, as it would

materially affect the external appearance of the boundary wall so as to render the appearance inconsistent with the character of the remaining wall structure along the Old Dublin road frontage,

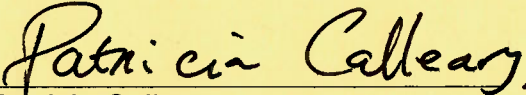
- (d) The Conditions and Limitations as set out in Column 2 of both Class 5 and Class 9 of Part 1 of Schedule 2 the Planning and Development Regulations 2001, as amended, includes a height limitation of 2m on such gateways,
- (e) As the gateway height exceeds the limitations set out in Column 2 of both Class 5 and Class 9 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, the development does not come within the scope of either Classes 5 or 9 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, or any other class or provision of the 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 alteration of the existing stone wall, installation of a gate for the purpose of creating a new opening at Bishop's House, Old Dublin Road, County Carlow is development and is not exempt development.

Planning

Commissioner:

Date: 09/07/2026


Patricia Calleary.