An Coimisiún Pleanála

Direction
ACP-324443-26

The submissions on this file and the Inspector's report were considered at a meeting held on 13/11/2026.

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

WHEREAS a question has arisen as to whether 5 stables and associated works for an equestrian isolation and quarantine facility at Thomastown, Caragh, Co. Kildare is or is not development or is or is not exempted development is or is not development or is or is not exempted development

AND WHEREAS Patrick Byrne requested a declaration on this question from Kildare County Council and the Council issued a declaration on the 29th day of June, 2026 stating that the matter was development and was not exempted development

AND WHEREAS Patrick Byrne referred this declaration for review to An Coimisiún Pleanála on the 14th day of July, 2026

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,

(c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,

(d) article 6(3) and article 9(1) of the Planning and Development Regulations, 2001, as amended,

(e) Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and use class 6 in particular,

(f) the planning history of the site,

(g) the pattern of development in the area:

AND WHEREAS An Coimisiún Pleanála has concluded that the construction of a stables constitutes works and therefore constitutes development within the meaning of the Planning and Development Act 2000, as amended,

AND WHEREAS the works and the description of the development does not come within the scope of the exemption under Class 6 of Part 3 of Schedule 2 in Column 1 of the Planning and Development Regulations 2001 (as amended), for Agricultural Structures in that the drawings submitted do not clearly demonstrate that the gross floor space does not exceed 300 metres,

AND WHEREAS the proposed development does not comply with the conditions and limitations in Column 2 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), for Agricultural Structures, as the structure is situated within 100 metres of houses and the consent of any owner or occupier has not been provided,

AND WHEREAS the proposed development does not comply with the conditions and limitations in Column 2 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), for Agricultural Structures, as the use of this class of exemption requires a declaration from the relevant Planning Authority declaring the exemption prior to the commencement of construction, and construction has commenced on site,

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5 of the 2000 Act (as amended), hereby decides that the construction of 5 stables and associated works for an equestrian isolation and quarantine facility at Thomastown, Caragh, Co. Kidlare is development and is not exempted development.

Planning Commissioner: **Date:** 13/11/2026

Mick Long