



Board Direction

Ref: 16.RL.3461

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13th, June 2016.

The Board generally approved of the terms of the attached draft order, subject to the amendments shown in manuscript.

The Board decided that the works consisting of the placing of concrete planters beside the carriageway at Circular Road, Cong, Co. Mayo were development and were not exempted development

WHEREAS a question has arisen as to whether the placing of concrete planters beside the carriageway at Circular Road, Cong, Co. Mayo is or is not development, or is or is not exempted development:

AND WHEREAS this question was referred to An Bord Pleanála by Mayo County Council on the 15th day of February, 2016:

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

- (a) sections 2, and 3 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended and
- (c) the planning history of the site, including the planning permission granted under planning authority Reg. Ref. 04/2997 and, in particular, conditions number 2 and 6 attached to that permission

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The land that is the subject of this referral has been designated for use for car parking pursuant to the terms of the planning permission granted under planning authority Register Reference 04/2997,

(b) The use of the car parking area as an amenity area for the placing of concrete planters constitutes a change of use;

(c) The use of the car parking area as an amenity area for the placing of concrete planters raises issues of a planning nature including traffic and pedestrian safety and visual amenity, and therefore constitutes a material change of use, which is development and

(d) There are no provisions under the Planning and Development Act, 2000, as amended or under the Planning and Development Regulations, 2001, as amended providing for an exemption in relation to works of this nature,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the works consisting of the placing of concrete planters beside the carriageway at Circular Road, Cong, Co. Mayo is development and is not exempted development:

Board Member: _____
Paddy Keogh

Date: 14th, June 2016