



An
Bord
Pleanála

**Board Direction
RL92.RL3512**

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 17th 2017.

The Board decided, as set out in the Board Order as follows:-

WHEREAS a question has arisen as to whether the change of use of a vehicle repair and maintenance workshop garage area to permanent public display and information area for external windows and door samples is or is not development and is or is not exempted development:

AND WHEREAS Mr Andy Hennessy requested a declaration on this question from Tipperary Council and the Council issued a declaration on the 18th day of October, 2016 stating that the matter was development and was not exempted development:

AND WHEREAS referred this declaration for review to An Bord Pleanála on the 14th day of November, 2016:

AND WHEREAS An Bord 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) of the Planning and Development Act, 2000, as amended,
- (d) article 5(1), 6 and article 10(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Parts 1 and 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,

AND WHEREAS An Bord Pleanála has concluded that:

The proposal involves the change of use from class 4 use as a light industrial building to class 1, a shop and there is no relevant provision for exemption under the Planning and Development Regulations 2001, as amended,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the changes from commercial vehicle repair / garage / workshop to public display area for external window and door samples is development and is not exempted development

Board Member:

Date: 17.07.17

Paul Hyde