



An
Bord
Pleanála

**Board Direction
RL93.RL3548**

The submissions on this file and the Inspector's report were considered at a Board meeting held on September 10th 2018.

The Board decided, as set out in the following Order, that the erection of a store/games room at 12 The Dell, Grantstown Park, Waterford constitutes development that is not exempted development

Board Order as follows: -

WHEREAS a question has arisen as to whether the erection of a store/games room at 12 The Dell, Grantstown Park, Waterford is or is not development or is or is not exempted development:

AND WHEREAS Stephen Morrissey, 12 The Dell, Grantstown Park, Waterford requested a declaration on this question from Waterford City and County Council failed to issues a declaration within the required period:

WHEREAS Stephen Morrissey referred this declaration for review to An Bord Pleanála on the 10th day of February, 2017:

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

(a) Section 2(1), 3(1), and 4(2)(a)(i) of the Planning and Development

Act, 2000, as amended,

- (b) Article 6(1) and article 9(1) and Class 3, Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (c) the planning history of the site,
- (d) the Report of the Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The development comes within the scope of Sections 2(1), and 3(1) of the Planning and Development Act 2000, as amended, and constitutes development, and
- (b) The total floor area, which exceeds 25 square metres, does not come within the scope of Class 3, Part 1, Schedule 2, of the Planning and Development Regulations, as amended,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (b) of the 2000 Act, hereby decides that the erection of a store / games room at 12 The Dell, Co. Waterford is development and is not exempted development.

Board Member

Date: 10.09.18

Paul Hyde