



An
Bord
Pleanála

**Board Direction
PL91.RL3579**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11th May 2018.

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

Board Order as follows:-

WHEREAS a question has arisen as to whether construction of curved roof hay barn with green corrugated metal sheeting at Shannongrove House (a Protected Structure) Pallaskenry, Co Limerick is or is not development or is or is not exempted development:

AND WHEREAS Carleton Varney sought a declaration on this question from Limerick City and County Council on the 10th day of March 2017, and the council issued a declaration on the 10th day of April 2017, stating that the matter was development and was not exempted development:

AND WHEREAS Carleton Varney referred this declaration for review to An Bord Pleanála on the 8th day of May 2017:

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

- (a) Section 2(1) Planning & Development Act 2000, as amended.
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 57(1) of the Planning and Development Act, 2000, as amended,
- (d) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (e) Class 9, Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The construction of the haybarn constitutes works within the meaning of Section 2 of the Planning & Development Act 2000, as amended.
- (b) The hay-barn, located at a distance of some 270m from the main building, 'Shannongrove House' protected structure, is screened from view of the main house by a substantial grove of trees.
- (c) The curved roof structure comes within the scope of Section 57(1) of the Planning and Development Act, 2000, being works which does not materially affect the character of 'Shannongrove House', protected structure, or any element of the protected structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.
- (d) The development comes within the scope of Class 9, Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- (e) None of the restrictions on exemptions set out in Article 9(1) of Planning and Development Regulations 2001, as amended, apply in this case.

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 construction of a curved roof hay barn with green corrugated metal sheeting at Shannongrove House (a Protected Structure) Pallaskenry, Co Limerick is development and is exempted development.

Board Member

Date: 11th May 2018

John Connolly