



An  
Bord  
Pleanála

**Board Direction**  
**06D.RL3597**

---

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 30<sup>th</sup> 2018.

The Board decided, as set out in the following Order, that the construction of a temporary access road at the site of a permitted residential development (register reference number D13A/0689, An Bord Pleanála reference PL06D.243799) on lands at Knockrabo, Mount Anville Road, Goatstown, Dublin 14 is development and is exempted development.

Board Order as follows:-

**WHEREAS** a question has arisen as to whether the construction of a temporary access road at the site of a permitted residential development (register reference number D13A/0689, An Bord Pleanála reference number PL06D.243799) on lands at Knockrabo, Mount Anville Road, Goatstown, Dublin 14 is or is not development or is or is not exempted development.

**AND WHEREAS** Knockrabo Investments DAC c/o Tom Phillips and Associates, 80 Harcourt Street, Dublin 2, requested a declaration on this question from Dun Laoghaire Rathdown County Council, and the Council issued a declaration on the 13<sup>th</sup> day of June 2017 stating that the matter was development and was not exempted development.

**AND WHEREAS** Knockrabo Investments DAC referred this declaration for review to An Bord Pleanála, on the 28<sup>th</sup> day of June 2017.

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000, as amended,
- (b) Class 16 of Part 1 of the Second Schedule to the Planning and Development Regulations 2001, as amended,
- (c) The planning history of the subject site and in particular planning permission register reference number D13A/0689 (An Bord Pleanála reference number PL06D.243799),
- (d) The Roads Act, 1993, as amended, and,
- (e) The report of the Board's Inspector, including the report of his inspection of the subject site on the 25<sup>th</sup> day of June 2018.

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) The provision of the temporary access road in question involved the carrying out of 'works', and is therefore development within the meaning of the Planning and Development Act 2000, as amended;
- (b) The temporary access road is, on the basis of the inspection carried out, being used for construction-related purposes in connection with the residential development permitted under planning permission register reference number D13A/0689 (An Bord Pleanála reference PL06D.243799), and therefore comes within the scope of the exemption under Class 16 of

Part 1 of the Second Schedule to the Planning and Development Regulations 2001, as amended;

- (c) Subject to the temporary access road being removed at the expiry of the period in which this residential development is being carried out, and the land being reinstated in accordance with that planning permission (or any subsequent planning permission), as required under the Condition and Limitation to which Class 16 is subject, the development would be exempted development.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that construction of a temporary access road at the site of a permitted residential development (register reference number D13A/0689, An Bord Pleanála reference PL06D.243799) on lands at Knockrabo, Mount Anville Road, Goatstown, Dublin 14 is development and is exempted development.

**Board Member**

**Date:** 30<sup>th</sup> July 2018

---

Philip Jones