



An
Bord
Pleanála

**Board Direction
PL29S.RL 3803**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 6th July, 2018.

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

Board Order as follows: -

WHEREAS a question has arisen as to whether or not the replacement of an existing natural grass rugby pitch with an artificial grass rugby pitch, together with the alteration of ground levels of less than 200 millimetres arising from the removal of the grass rugby pitch, is or is not development and if it is development, is or is not exempted development,

AND WHEREAS the High School, Zion Road, Rathgar, Dublin 6 care of Tom Phillips and Associates, Town Planning Consultants, requested a declaration on this question from Dublin City Council on the 24th July, 2017 and the Council issued a declaration stating that the matter was exempted development under the provisions of Class 33 (C) of Part 1, Schedule 2 of the Planning and Development Act, 2000 as amended,

AND WHEREAS the High School, Zion Road, Rathgar, Dublin 6 care of Tom Phillips and Associates, Town Planning Consultants, referred this question to an Bord Pleanála for review in accordance with Section 5(3) of the Planning and Development Act, 2000 (as amended)

AND WHEREAS the Board in considering this referral had particular regard to

- (a) Sections 2 and 3 of the Planning and Development Act, 2000 as amended, and
- (b) Articles 6 and 9 and Class 33(c) of Schedule 2 of Part 1 of the Exempted Development – General Regulations set out under Article 6 in the Planning and Development Regulations, 2001 (as amended)

AND WHEREAS An Bord Pleanála decided that:

1. The replacement of the pitch involves the carrying out of works and is therefore development and
2. The development in question comes within the scope of Class 33 (C) of Part 1 of the Second Schedule of the Planning and Development Regulations, 2001, as amended,

NOW THEREFORE An Bord Pleanála in exercise of its powers, conferred on it by Section 5(3)(a) of the 2000 Act (as amended), hereby decides that the replacement of an existing natural grass rugby pitch with an artificial grass rugby pitch which includes alterations of ground levels of less than 200 millimetres constitutes development and is exempted development.

Board Member

Date: 6th July 2018

Terry O’Niadh