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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P17/954**

**WHEREAS** a question has arisen as to whether the construction of an agricultural barn at Rosdooaun, Newport, County Mayo is or is not development or is or is not exempted development:

**AND WHEREAS** Ronan McGreevy care of John Lambe, Architectural and Engineering Services Limited of Quay Street, Westport, County Mayo requested a declaration on the question from Mayo County Council and the Council issued a declaration on the 3<sup>rd</sup> day of January, 2018 stating that the matter is not exempted development:

**AND WHEREAS** Ronan McGreevy referred the declaration for review to An Bord Pleanála on the 24<sup>th</sup> day of January, 2018:

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

- (a) Sections 2(1), 3(1), 4(1)(a) and 4(4) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(3) and 9(1)(a) of the Planning and Development Regulations, 2001, as amended, and
- (c) Class 9 of Part 3 of Schedule 2 to those Regulations:

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

- (a) construction of an agricultural barn comprises works and these works constitute development within the meaning of Section 3 of the Planning and Development Act, 2000, as amended,
- (b) construction of an agricultural barn, based on the details submitted by the referrer, would come within the scope of exemptions set out in Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and
- (c) none of the restrictions on exemption set out in Article 9(1)(a) of those Regulations 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 the construction of an agricultural barn at Rosdooaun, Newport, Co. Mayo is development and is exempted development.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Conall Boland**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**