



Planning and Development Acts 2000 to 2018

Planning Authority: Leitrim County Council

WHEREAS a question has arisen as to whether the material widening of an existing entrance to facilitate the extraction of timber from a forestry plantation at Attimanus, Kilnagross, County Leitrim is or is not development or is or is not exempted development:

AND WHEREAS the question was referred to An Bord Pleanála by Leitrim County Council of Áras an Chontae, Carrick-on-Shannon, County Leitrim on the 20th day of April, 2018:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to sections 2(1), 3(1), 4(1)(h), and 4(1)(ia) of the Planning and Development Act, 2000, as amended:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the widening of the subject entrance involves works and is therefore development as defined in section 3 of the Planning and Development Act, 2000, as amended,
- (b) the development does not come within the scope of section 4(1)(h) of that Act, as it does not consist of the carrying out of works for the maintenance, improvement or other alteration of any structure,
- (c) the development does not come within the scope of section 4(1)(ia) of that Act, as the material widening of the entrance is not ancillary to the construction, maintenance or improvement of a road, and
- (d) there are no other exemptions set out in the Act or in the Planning and Development Regulations 2001, as amended, by which the subject development would be exempted development:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the material widening of an existing entrance to facilitate the extraction of timber from a forestry plantation at Attimanus, Kilnagross, County Leitrim is development and is not 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.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.