



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: ED 17/52

WHEREAS a question has arisen as to whether an existing agricultural shed of approximately 288 square metres at Tonroe, Ardrahan, County Galway is or is not development or is or is not exempted development:

AND WHEREAS Frank Higgins care of Grealish Glynn and Associates of 1 The Punchbowl, Ennis Road, Gort, County Galway requested a declaration on the question from Galway County Council and the Council issued a declaration on the 31st day of July, 2018 stating that the matter is development and is not exempted development:

AND WHEREAS Frank Higgins referred the declaration for review to An Bord Pleanála on the 22nd day of August, 2018:

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

- (a) sections 2, 3(1), and 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (b) articles 6(1) and 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Part 3 of Schedule 2 to those Regulations,
- (d) the planning history of the site, and
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the use of the shed was not linked to any agricultural activity and therefore could not be considered within the scope of Class 9 or Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and
- (b) the shed could not be screened for appropriate assessment and therefore it could not be concluded that there would not be a negative impact on the conservation objectives of any European site within the immediate vicinity:

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 an existing agricultural shed of approximately 288 square metres at Tonroe, Ardrahan, County Galway 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.

Paul Hyde

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

Dated this day of 2019.