

Planning and Development Acts 2000 to 2022

Planning Authority: Westmeath County Council

Planning Register Reference Number: S5-23-18

WHEREAS a question has arisen as to whether:

- (a) the provision of a new all-weather surface together with a soft surface material for the training of horses (i.e. agricultural use) is or is not development or is or is not exempted development,
- (b) the repair and improvement of a pre-existing lane is or is not development or is or is not exempted development,
- (c) the provision, as part of a heating system for an agricultural building, of a biomass boiler, including a boiler house, flues on the boiler and overground storage tank is or is not development or is or is not exempted development,
- (d) the erection of a wall is or is not development or is or is not exempted development,
- (e) the provision of a Class 6 agricultural shed and a Class 9 agricultural shed is or is not development or is or is not exempted development,

all at Twyford, Baylin, Athlone, County Westmeath,

AND WHEREAS Caroline Ganley care of Vitruvius Hibernicus of Convent Road, Longford requested a declaration on the said questions from Westmeath County Council and the Council did not issue a declaration as per its letter dated the 26th day of November, 2018,

AND WHEREAS Westmeath County Council referred the questions for review to An Bord Pleanála on the 27th day of November, 2018,


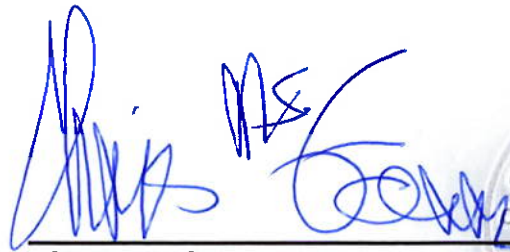
AND WHEREAS An Bord Pleanála, in considering the nature of the questions, is satisfied that the referral should not be further considered by it,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 138(1) of the Planning and Development Act 2000, as amended, hereby dismisses the said referral under subsection (1)(b)(i) of Section 138 of the said Act based on the reasons and considerations set out below.



Reasons and Considerations

The Board is satisfied that, in the particular circumstances, the referral should not be further considered by it having regard to the nature of the referral which referred to questions already addressed and determined by An Bord Pleanála under reference number 25M.RL.3510, 25M.RL.3559 and 25M.RL.3814 by Order dated the 24th day of July, 2018. Accordingly, it is considered that the referral should be dismissed pursuant to section 138(1)(b)(i) of the Planning and Development Act 2000, as amended.



Chris McGarry

Member of An Bord Pleanála

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

Dated this

14th day of June

2024.