



Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: EX 11/19

WHEREAS a question has arisen as to whether the construction and operations of a track/gallops for the exercising of equine animals as constructed on the southern part of the grounds of the former Kiltiernan Hotel and Country Club, Kiltiernan which is located in the townland of Killegar, Enniskerry, County Wicklow is or is not development or is or is not exempted development:

AND WHEREAS Nijinsky Property Company care of Manahan Planners of 38 Dawson Street, Dublin requested a declaration on the said question from Wicklow County Council and the said Council issued a declaration on the 20th day of March, 2019 stating that the said matter is development and is not exempted development:

AND WHEREAS the said Nijinsky Property Company referred the declaration for review to An Bord Pleanála on the 20th day of March, 2019:

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

- (a) section 2, 3 and 4 of the of the Planning and Development Act, 2000, as amended,
- (b) Article 5(2), 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended, and
- (c) Class 10 of Part 3 of the Planning and Development Regulations, 2001:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the construction of a track/gallops for the exercising of equine animals constitutes works,
- (b) the works constitute development pursuant to section 3 of the Planning and Development Act, 2000, and
- (c) the development does not come within the scope of Class 10 of Part 3 of Schedule 2 to the Planning and Development Regulations 2000 as the track/gallops exceeds two metres in height and, therefore, does not constitute exempted development.

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 and operations of a track/gallops for the exercising of equine animals as constructed on the southern part of the grounds of the former Kiltiernan Hotel and Country Club, Kiltiernan which is located in the townland of Killegar, Enniskerry, County Wicklow 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.

Terry Ó Niadh

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

Dated this day of 2019.