



Planning and Development Acts 2000 to 2019

Planning Authority: Meath County Council

Planning Register Reference Number: AA/S51911

WHEREAS a question has arisen as to whether (a) the display and storage of garden pods/sheds and (b) the construction of a structure for use as a café at Ashbrook Garden Centre, Coolfore, Ashbourne, County Meath are or are not development or are or are not exempted development:

AND WHEREAS Alan Battersby care of Manahan Planners, Town Planning Consultants of 38 Dawson Street, Dublin requested a declaration on this question from Meath County Council, and the Council issued a declaration on the 9th day of April 2019 stating that the matter is development and is not exempted development:

AND WHEREAS Alan Battersby referred this declaration to An Bord Pleanála for review on the 3rd day of May, 2019:

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

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) articles 6(1), 9(1) and 10(1) of the Planning and Development Regulations, 2001, as amended, and
- (c) the planning history of the site:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the display and storage of garden pods/sheds constitutes works and material change of use, and is development as defined in section 3 of the Planning and Development Act, 2000, as amended,
- (b) there are no provisions in the Planning and Development Act, 2000, as amended or in the Planning and Development Regulations, 2001, as amended, whereby such development consisting of the display and storage of garden pods/sheds constitutes exempted development,
- (c) the construction of a structure for use as a café constitutes works and material change of use, and is development as defined in section 3 of the Planning and Development Act, 2000, and
- (d) there are no provisions in the Planning and Development Act, 2000, as amended, or in the Planning and Development Regulations, 2001, as amended, whereby such development consisting of the construction of a structure for use as a café constitutes 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 (a) the display and storage of garden pods/sheds and (b) the construction of a structure for use as a café at Ashbrook Garden Centre, Coolfore, Ashbourne, County Meath are development and are 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 2020.