



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: FS5/048/19

WHEREAS a question has arisen as to whether the use of the curtilage of a house for the parking of a school bus at Borranstown, Ashbourne, County Dublin is or is not development or is or is not exempted development:

AND WHEREAS Eamonn Keenan care of Helen T. Keenan of Borranstown, Ashbourne, County Meath requested a declaration on this question from Fingal County Council and the Council issued a declaration on the 23rd day of March, 2020 stating that the matter is development and is not exempted development:

AND WHEREAS Eamonn Keenan referred the declaration for review to An Bord Pleanála on the 16th day of April, 2020:

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 5, 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended, and
- (c) the submissions of the parties to the referral in relation to the uses described in the referral:

AND WHEREAS An Bord Pleanála has concluded that, having regard to the fact that the bus is not owned or operated by the owner of the house,

- (a) the parking of a bus within the curtilage of the house constitutes the making of a material change in the use of the land and is, therefore, development,
- (b) the development is not for any purpose incidental to the enjoyment of the house as such, and therefore cannot avail of the exempted development provision of Section 4(1)(j) of the Planning and Development Act, 2000, as amended, and
- (c) no other exempted development provisions apply:

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 use of the curtilage of a house for the parking of a school bus at Borranstown, Ashbourne, County Dublin 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 2020.