



An
Bord
Pleanála

Board Order
ABP-307857-20

Planning and Development Acts 2000 to 2020

Planning Authority: Sligo County Council

Planning Register Reference Number: ED/396

WHEREAS a question has arisen as to whether use for occasional events at Newpark House, Newpark Demesne, Newpark, Ballymote, County Sligo, is or is not development or is or is not exempted development:

AND WHEREAS Christopher and Dorothy-Ellen Kitchin care of Kieran O'Malley and Company Limited, Town Planning Consultants of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin requested a declaration on this question from Sligo County Council and the Council issued a declaration on the 9th day of July, 2020 stating that the matter is development and is not exempted development:

AND WHEREAS Christopher and Dorothy-Ellen Kitchin care of Kieran O'Malley and Company Limited, Town Planning Consultants referred this declaration for review to An Bord Pleanála on the 5th day of August, 2020:

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

- (a) Sections 2, 3, 4, 57 and 229 of the Planning and Development Act 2000, as amended,
- (b) Articles 5, 6, 9 and 183 of the Planning and Development Regulations 2001-2020,
- (c) Class 37 to Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2020, and
- (d) the submissions on file from the referrer:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the holding of the stated events would constitute an actual change of use,
- (b) the actual change of use is considered to be a material change of use based on the type and number of proposed events and is therefore development within the meaning of Section 3 of the Planning and Development Act 2000, as amended, and
- (c) the Board is not satisfied that the development comes within the scope of class 37 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001-2020, as amended, which is limited to local events.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the use for occasional events at Newpark House, Newpark Demesne, Newpark, Ballymote, County Sligo, 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.

In deciding not to accept the Inspector's recommendation that the use for occasional events at Newpark House, Newpark Demesne, Newpark, Ballymote, County Sligo, is exempted development, the Board did not agree that the hosting of weddings, as described by the referrer, is development which comes within the scope of class 37 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001-2020, as amended, which is limited to local events.

John Connolly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2021