

An
Bord
Pleanála

Board Order
ABP-309911-21

Planning and Development Acts 2000 to 2021

Planning Authority: Kerry County Council

Planning Register Reference Number: EX885

WHEREAS a question has arisen as to whether the construction of a farm storage shed at Ardmore, Sneem, County Kerry is or is not development or is or is not exempted development:

AND WHEREAS Diarmuid Breen care of Frank Coffey of Daly's Lane, Killorglin, County Kerry requested a declaration on the said question from Kerry County Council and the Council issued a declaration on the 8th day of March, 2021 stating that the matter was development and was not exempted development:

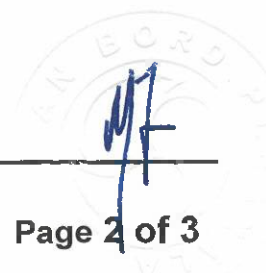
AND WHEREAS Diarmuid Breen referred the declaration for review to An Bord Pleanála on the 6th day of April, 2021:

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

- (a) Sections 2, 3 and 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(3) and 9(1) of the Planning and Development Regulations 2001, as amended,
- (c) Part 3 of Schedule 2 to those Regulations,
- (d) the planning history of the site, and
- (e) the nature and extent of the works:

AND WHEREAS An Bord Pleanála has concluded that -


- (a) The works of construction of a farm storage shed come within the scope of ‘development’ as set out in Section 3 of the Planning and Development Act 2000, as amended.
- (b) The proposed agricultural storage shed would come within the scope of exemption provided at Class 9 of Part 3 of Schedule 2 to the Planning and Development Regulations 2001, as amended.
- (c) The proposed development would endanger public safety by reason of traffic hazard or obstruction of road users and would therefore be restricted by the terms of Article 9(1)(a)(iii) of those Regulations.



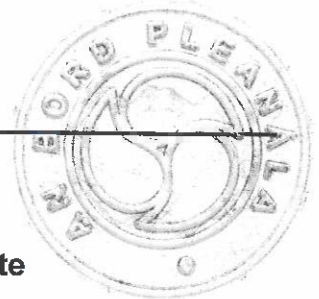
NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the construction of a farm storage shed at Ardmore, Sneem, County Kerry at Ardmore, Sneem, County Kerry is development and is not exempted development.

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.



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



Dated this 3rd day of March 2022.