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**Planning and Development Acts 2000 to 2022**

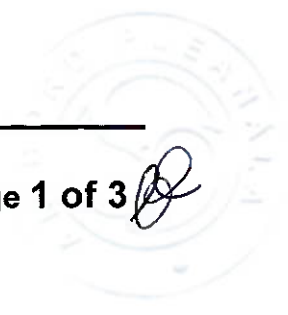
**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: DEC627**

**WHEREAS** a question has arisen as to whether the selective felling and clearing of trees and construction of a new road access corridor to and from the public road within a forest plantation for purposes other than forestry and the development of an access road within a forest plantation for purposes other than forestry is development or is not development and is or is not exempted development, all at a Coillte forest at Glenpipe, Tullogher, County Kilkenny

**AND WHEREAS** Alex Walsh of High Trees, Glenpipe, Tullogher, County Kilkenny requested a declaration on the said question from Kilkenny County Council and the said Council issued a declaration on the 31<sup>st</sup> day of March, 2021 stating that the said matter is exempted development:

**AND WHEREAS** Alex Walsh referred the declaration for review to An Bord Pleanála on the 28<sup>th</sup> day of April 2021.

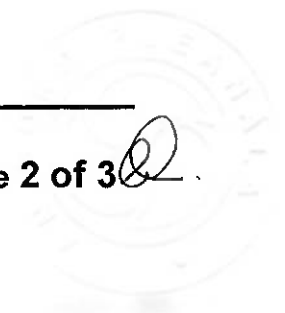


**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –


- (a) Sections 2(1), 3(1) and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 8F and 8G of the Planning and Development Regulations, 2001, as amended,
- (c) the documentation and submissions received from the parties to the referral,
- (d) the planning history of the site, and
- (e) the report of the Planning Inspector.

**AND WHEREAS** An Bord Pleanála has concluded that -

- (a) the works carried out at Glenpipe, Tullogher, County Kilkenny provide for the felling and clearance of trees and the maintenance and improvement of existing forestry tracks come within the scope of definition of development as contained in section 3 of the Planning and Development Act, 2000 (as amended), and
- (b) the felling and clearance of trees and the widening and improvement of existing forestry tracks, come within the scope of Articles 8F and 8G of the Planning and Development Regulations, 2001, (as amended).



**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 felling and clearance of trees and the widening and improvement of existing forestry tracks at Glenpipe, Tullogher, County Kilkenny is development and is exempted development.

  
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**Mick Long**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this *14<sup>th</sup>* day of *August* 2024.