

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: 22/2021

WHEREAS a question has arisen as to whether the construction of an agricultural shed at Glenmacnass, Laragh, County Wicklow is or is not development or is or is not exempted development:

AND WHEREAS Nathan Nicholl of Echofield, Kingston, Rathdrum, County Wicklow requested a declaration on the said question from Wicklow County Council and the said Council issued a declaration on the 30th day of April, 2021 stating that the said matter was development and was not exempted development:

AND WHEREAS Nathan Nicholl referred the declaration for review to An Bord Pleanála on the 26th day of May, 2021:

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

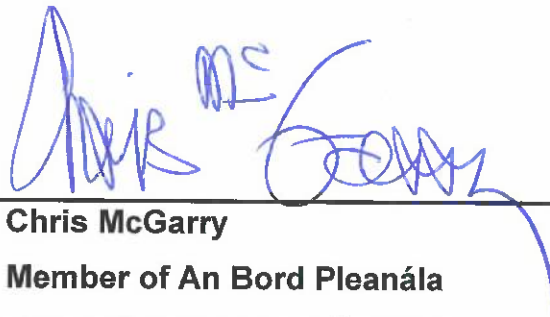
- (a) Section 2(1), 3(1) and (1)(a) of the Planning and Development Act, 2000, as amended,
- (b) articles 6(1) and 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site,
- (e) the pattern of development in the area, and
- (f) the report of the Inspector.

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the shed constitutes development as defined under Section 2 (1) of the Planning and Development Act 2000, as amended, by virtue of the carrying out of works,
- (b) the shed is not linked to any agricultural activity and therefore could not be considered within the scope of Class 9, Parts 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended. and

- (c) there are no other exemptions in the Planning and Development Act 2000, as amended, or in the Planning and Development Regulations 2001, as amended, by which the construction of the shed would constitute 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 the construction of an agricultural shed at Glenmacnass, Laragh, County Wicklow is development and is not exempted development.



Chris McGarry

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



Dated this  day of  2022.