

Planning and Development Acts 2000 to 2021

Planning Authority: Roscommon County Council

Planning Register Reference Number: DED460

WHEREAS a question has arisen as to whether the construction of a slatted shed for housing cattle at Cloonfree Townland, Strokestown, County Roscommon is or is not development or is or is not exempted development:

AND WHEREAS Cormac Dolan care of Martin Dowd of Rathcroghan Designs, Ballingare, County Roscommon requested a declaration on this question from Roscommon County Council and the Council issued a declaration on the 4th day of June, 2021 stating that the matter was development and was not exempted development:

AND WHEREAS Cormac Dolan referred this declaration for review to An Bord Pleanála, on the 25th day of June, 2021:

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

- (a) Sections 2(1), 3(1) and 4(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) Class 6 of Part 3 of Schedule 2 to those Regulations,
- (d) the planning history of the site, and
- (e) the submissions on file:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the proposed works are development as defined in Section 3 of the Planning and Development Act 2000, as amended,
- (b) the proposed works would be within the terms of development envisaged by Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (c) the proposed works would comply with the conditions and limitations of this class,
- (d) the access to the site is from the N5 at a point where sightlines are substandard and where the maximum speed limit applies and having regard to the additional traffic turning movements at this point on the road consequent to the use of the slatted shed and to the deficiency in the available sightlines, the proposed development would endanger public safety by reason of a traffic hazard or obstruction of road users, and

(e) therefore, by virtue of the provisions of Article 9(1)(a)(iii) and (viii) the proposed shed does not come within the exempted development provisions of Class 6 of Part 3 of Schedule 2 to 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 Planning and Development Act, 2000, as amended, hereby decides that the construction of a slatted shed for housing cattle at Cloonfree Townland, Strokestown, County Roscommon is development and is not exempted development.

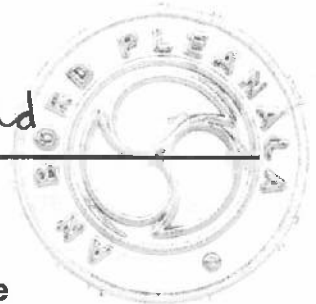
DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 24th day of November 2022.