



An
Bord
Pleanála

Board Order
ABP-311366-21

Planning and Development Acts 2000 to 2021

Planning Authority: Wexford County Council

Planning Register Reference Number: 2008/1365

WHEREAS a question has arisen as to whether the current use of the existing agricultural shed to house pigs is a change of use and is or is not development or is or is not exempted development, and whether the additional floor area, the construction of slatted tanks, the raised ground level and the addition of a concrete ramp is or is not development or is or is not exempted development, all at Killugger Farm, Killugger, Killinick, County Wexford,

AND WHEREAS the question was referred to An Bord Pleanála by Wexford County Council on the 8th day of September, 2021,

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

- (a) Sections 2(1), 3(1), 4(1)(a) and 4(1)(h) of the Planning and Development Act 2000, as amended, and
- (b) the planning history of the site,

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the use of the subject shed for agricultural use, which includes the storage of pigs, is an intensification of use based on the increased floor area of the shed above the permitted size of development which amounts to a material change of use and hence development,
- (b) having regard to Section 4(4) of the Planning and Development Act 2000, as amended, and the information on file, it is not clear that an Environmental Impact Assessment or an Appropriate Assessment of the development is not required. Therefore, the development cannot avail of any exemptions that might otherwise be available for use of a building for agricultural purposes under Section 4(1)(a) of the Act, or under the Planning and Development Regulations 2001, as amended,
- (c) the construction of additional floor area and the construction of a ramp is development and is not exempted development, and
- (d) the construction of slatted tanks and the raising of the ground level is development and is not exempted development,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the Planning and Development Act 2000, as amended, hereby decides that a material change of use has occurred that is development and is not exempted development, that the additional floor area and the addition of a concrete ramp is development and is not exempted development, and that the construction of slatted tanks and the raised floor level is development and is not exempted development.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

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

Dated this 18 day of April 2023.