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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: ED/00900**

**WHEREAS** a question has arisen as to whether the erection of a steel container for use as a temporary shelter, a drying room and personal storage room for on-site staff at Ballyonan, Broadford, County Kildare is or is not development or is or is not exempted development,

**AND WHEREAS** Keegan Quarries of Trammon Quarry, County Meath requested a declaration on this question from Kildare County Council and the Council issued a declaration on the 17<sup>th</sup> day of November, 2021 stating that the erection of a steel container for use as an on-site welfare facility (temporary shelter, drying room and personal storage room) constitutes the carrying out of works which results in development as defined by Section 3(1) of the Planning and Development Act 2000, as amended,

**AND WHEREAS** the said Keegan Quarries referred this declaration for review to An Bord Pleanála on the 13<sup>th</sup> day of December, 2021,

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

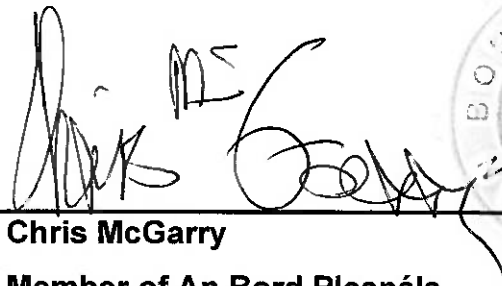
- (a) Sections 2(1), 3(1), 4(1), 4(2)(ai), 4(4) of Part 1 and Section 177 (U)(9) of Part XAB of the Planning and Development Act 2000, as amended,
- (b) Articles 6(1) and 9(1)(a)(i) and (viiB) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 16, 17 and 18 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and
- (d) the documentation on file and the report of the Planning Inspector,

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

- (a) the said steel container comes within the scope of Sections 2(1) and 3(1) of the Planning and Development Act 2000, as amended, and consists of the carrying out of works and, therefore, constitutes development,
- (b) the said steel container does not come within the scope of Class 16, 17 or 18 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended, and
- (c) that there are no other exemptions within legislation relevant to the development,



A handwritten signature in black ink is written over a faint circular stamp. The stamp contains the text 'AN BORD PLEANÁLA' around the perimeter. The signature appears to be 'M36'.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) of the Planning and Development Act 2000, as amended, hereby decides that the use of a steel container as a temporary shelter, a drying room and a personal storage room for on-site staff, 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  2023.