



Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: FS5/063/21

WHEREAS a question has arisen as to whether the development of an agricultural shed/barn at Shallon Lane, The Ward, County Dublin is or is not development or is or is not exempted development:

AND WHEREAS Kenneth McCarthy of Shallon Lane, The Ward, County Dublin requested a declaration on this question from Fingal County Council and the Council issued a declaration on the 2nd day of December, 2021 stating that the matter was development and was not exempted development:

AND WHEREAS Kenneth McCarthy referred the declaration for review to An Bord Pleanála on the 6th day of January, 2022:

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) Part 3 of Schedule 2, Class 9 to those Regulations,
- (d) the planning history of the site, and
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that the proposed development has not been shown to be used for the purposes of any agricultural or forestry activity and, therefore, could not be considered to come within the scope of Class 9, Part 3 of Schedule 2 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 development of an agricultural shed/barn at Shallon Lane, The Ward, County Dublin is development and is not exempted development.



Dave Walsh

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

Dated this 10th day of August 2022.

