

An
Bord
Pleanála

Board Order
ABP-312681-22

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: TAS52160

WHEREAS a question has arisen as to whether the use of hoarding and advertising of the Johnstown House Estate, Enfield, County Meath is or is not development or is or is not exempted development:

AND WHEREAS Lefgem Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin requested a declaration on this question from Meath County Council and the Council issued a declaration on the 13th day of January, 2022 stating that the matter was development and was not exempted development:

AND WHEREAS Lefgem Limited referred the declaration for review to An Bord Pleanála on the 9th day of February, 2022:

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

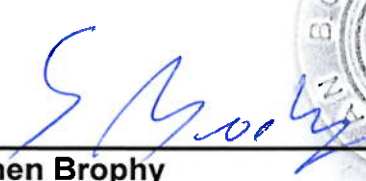

- (a) Sections 2(1), 3(1), 3(2)(a), 4(1)(h) and 57(1) of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1), 6(2), and 9(1)(i) of the Planning and Development Regulations, 2001, as amended,
- (c) Classes 11 and 16 of Schedule 1, Part 1 of those Regulations,
- (d) Classes 1 and 16 of Schedule 2, Part 2 of those Regulations,
- (e) the planning history of the site, and in particular planning register reference number 99/833, condition number 17, and planning register reference number TA/40538, condition number 5(b),
- (f) the character and pattern of development of the development's setting which includes forming part of the visual curtilage of Johnstown House, a Protected Structure, and its parkland setting, and
- (g) the report of the Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that the erection of hoardings and advertisements constitutes 'development' by virtue of the fact that it involves a material change of use of the lands; and that the advertisement and hoardings in question do not constitute exempted development on the basis that they do not meet the required criteria for exemptions under Class 11, Schedule 1, Part 1; Class 16 Schedule 1, Part 1; or Class 1 of Schedule 2, Part 2 of the Planning and Development Regulations, 2001, as amended. Furthermore, the Board considered that the



development would contravene conditions attached to permissions granted under the Planning and Development Act, 2000, as amended, and, in the case of the uses indicated, under planning register reference numbers TA/40538 and 99/833:

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 use of hoarding and advertising of the Johnstown House Estate, Enfield, County Meath is development and is not exempted development.

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

Dated this 8th day of January 2024.