

An
Bord
Pleanála

Board Order
ABP-312682-22

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: TAS52161

WHEREAS a question has arisen as to whether the use of sea shipping containers for maintenance, repair and renewal works to lodges at 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:

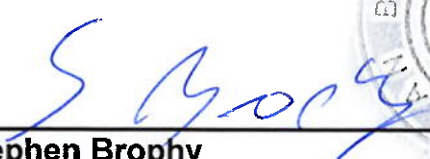

AND WHEREAS Lefgem Limited referred the declaration for review to An Bord Pleanála on the 9th day of February, 2022:

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

- (s) Sections 2(1), 3(1), 4(1)(h), and 57(1) of the Planning and Development Act, 2000, as amended.
- (b) Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 16, Schedule 2 of those Regulations,
- (d) the planning history of the site,
- (e) the pattern of development and character of Johnstown House, a Protected Structure, in a parkland setting, and
- (f) the report of the Planning Inspector.

AND WHEREAS An Bord Pleanála has concluded that the location of sea shipping containers (for maintenance, repair and renewal works to lodges at Johnstown House Estate), constitutes 'works' on the basis that acts or operations on land were required to install these containers and is 'development'. Furthermore the Board was not satisfied on the basis of the evidence on file that the containers were positioned or provided on site in a manner that could be described as easily and/or readily accessible for the carrying out of interior works to the referrers 32 lodges, nor that the containers are necessary or in active use for such purposes, and therefore the Board considered that the development in question is 'not exempted development':

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 sea shipping containers for maintenance, repair and renewal works to lodges at 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.