



Planning and Development Acts 2000 to 2022

Planning Authority: Carlow County Council

Planning Register Reference Number: S5/22/02

WHEREAS a question has arisen as to whether (a) a new non-permanent wood-clad cabin on block pad foundation measuring 25 square metres is in place for the purpose of acting as a place of worship, and (b) improvement of existing gravel and construction of a private footpath not exceeding three metres at Pollerton Little, Carlow is or is not development or is or is not exempted development,

AND WHEREAS the said question was referred to An Bord Pleanála by Carlow County Council on the 4th day of March, 2022,

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

- (a) Section 2(1) of the Planning and Development Act 2000, as amended,
- (b) Section 3 of the Planning and Development Act 2000, as amended,
- (c) Section 4 of the Planning and Development Act 2000, as amended,

- (d) Articles 6, 9 and 10 of the Planning and Development Regulations 2001, as amended,
- (e) Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (f) Part 4 of the Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (g) the planning history of the site,
- (h) the pattern of development in the area, and
- (i) the report and recommendation of the Inspector,

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the new non-permanent wood clad cabin on block pad foundation and its use as a place of worship, and the improvement of the existing gravel way and construction of a private footpath not exceeding three metres constitutes development as defined under section 3(1)(a) of the Planning and Development Act 2000, as amended,
- (b) the new non-permanent wood clad cabin on block pad foundation and its use as a place of worship is not exempted development as it does not come within the scope of Section 4 of the Planning and Development Act 2000, as amended, or the provisions stated in the Planning and Development Regulations 2001, as amended, which would exempt the construction of a place of worship or the erection or placement of a temporary type structure all year round on a site without the benefit of a planning permission,
- (c) there are no exemptions provided for in the Planning and Development Act 2000, as amended, or the Planning and Development Regulations 2001, as amended, and



- (d) the improvement of the existing gravel and construction of a private footpath not exceeding three metres is development and is exempted development as it comes within the scope of Class 13 Part 1 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 (4) of the 2000 Act, hereby decides that (a) the new non-permanent wood clad cabin on block pad foundation measuring 25 square metres and its use as a place of worship is development and is not exempted development, and (b) the improvement of the existing gravel way and construction of a private footpath not exceeding three metres, at Potterton Little, Carlow, is development and is exempted development.



Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 23th day of September 2024.