



Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: KAS52214

WHEREAS a question has arisen as to whether the gate erected at the entrance sited on south-eastern boundary of lands in Folio MH 56744F on Local Road L40042 in Rathcairn, Athboy, County Meath is or is not development or is or is not exempted development:

AND WHEREAS Colm Griffin care of Jim Brogan Planning and Development Consultant of Unit B1, Laurel Lodge Business Centre, Castleknock, Dublin requested a declaration on this question from Meath County Council and the Council issued a declaration on the 25th day of March, 2022, stating that the matter was development and was not exempted development:

AND WHEREAS Colm Griffin referred this declaration for review to An Bord Pleanála, on the 21st day of April, 2022:

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

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

- (b) article 6(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 9 of Part 1 of Schedule 2 of those Regulations, and
- (d) the submissions on file and the report of the planning authority:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the erection of the gate constitutes works, which in turn constitutes development, within the meaning of the Planning and Development Act 2000, as amended, and
- (b) the gate erected does not come within the scope of Class 9 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, as the height of the gatepost (steel girder), which forms part of the gate or gateway, exceeds two metres:

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 gate erected at the entrance sited on south-eastern boundary of lands in Folio MH 56744F on Local Road L40042 in Rathcairn, Athboy, County Meath is development and is not exempted development.



Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *10th* day of *October* 2023.

