

Planning and Development Acts 2000 to 2022

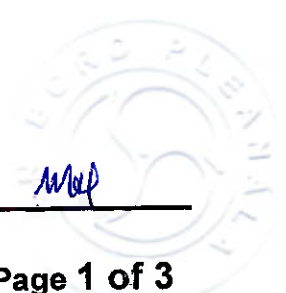
Planning Authority: Monaghan County Council

Planning Register Reference Number: EX 22-15

WHEREAS a question has arisen as to whether the construction of an agricultural shed at Cormoy, Lisdoonan, Carrickmacross, County Monaghan is or is not development or is or is not exempted development:

AND WHEREAS Pauric Courtney care of CLW Environmental Planners Limited of The Mews, 23 Farnham Street, Cavan, County Cavan requested a declaration on the said question from Monaghan County Council and the said Council issued a declaration on the 30th day of June, 2022 stating that the said matter is development and is not exempted development:

AND WHEREAS Pauric Courtney referred the declaration for review to An Bord Pleanála on the 20th day of July, 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(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site, and
- (g) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the agricultural shed constitutes development as defined under Section 2(1) of the Planning and Development Act 2000, as amended,
- (b) the agricultural shed, based on the details submitted by the referrer, would come within the scope of exemptions set out in Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and
- (c) the structure would contravene a condition (condition number 7 attached to planning register reference number 18/538) and would,

therefore, be contrary to Article 9(1)(a)(i) 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 construction of an agricultural shed at Cormoy, Lisdoonan, Carrickmacross, County Monaghan is development and is not exempted development.



Mary Henchy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 6th day of February 2024.