



An
Bord
Pleanála

Board Order
ABP-314443-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: ED/00931

WHEREAS a question has arisen as to whether the reduction of the floor space of an existing structure from circa 244 square metres to 190 square metres, the removal of the roof ridge line turret, and the use of the resulting building for agricultural purposes, specifically as a stable block, at Coughlanstown, Ballymore Estate, County Kildare is or is not development or is or is not exempted development,

AND WHEREAS Matthew Buckley care of CGA Consulting Engineers of 16 South Main Street, Naas, County Kildare requested a declaration on this question from Kildare County Council and the Council issued a declaration on the 18th day of August, 2022, stating that the matter is development and is not exempted development,

AND WHEREAS the said Matthew Buckley care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin referred this declaration for review to An Bord Pleanála on the 22nd day of August, 2022,

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

- (a) Sections 2(1), 3(1)(a), 4(1)(a), 4(1)(h), 5(3)(a) and 5(3)(b) of the Planning and Development Act 2000, as amended,
- (b) Articles 6(1), 6(3) and 9(1)(a)(viii) of the Planning and Development Regulations 2001, as amended,
- (c) Class 50(a)(iv) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) Classes 6 and 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (e) the documentation on file, including submissions from the referrer and the planning authority,
- (f) the planning history, scale and design of the existing structure, and
- (g) relevant precedent referrals and judgments,

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the existing structure is development and would not come within the scope of exempted development under section 4(1)(a) of the said Act or Classes 6 or 9 of Part 3 of Schedule 2 of the said Regulations,

- (b) the proposed alterations are development and would not come within the scope of exempted development under section 4(1)(h) of the said Act, or Class 50(a)(iv) of Part 1 or Class 6 of Part 3 of Schedule 2 of the said Regulations, and
- (c) the subsequent use of the resulting building for agricultural purposes, specifically as a stable block, is development and would not come within the scope of exempted development under section 4(1)(a) of the said Act,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the Planning and Development Act 2000, as amended, hereby decides that the reduction of the floor space of an existing structure from circa 244 square metres to 190 square metres, the removal of the roof ridge line turret, and the use of the resulting building for agricultural purposes, specifically as a stable block, at Coughlanstown, Ballymore Estate, County Kildare is development and is not exempted development.



Stewart Logan

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

Dated this 29 day of January 2024.