

An
Bord
Pleanála

Board Order
ABP-315843-23

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: S5 22/45

WHEREAS a question has arisen as to whether the construction of an agricultural shed consistent with the description, conditions and limitations set out in Class 6 of Part 3 to Schedule 2 of the Planning and Development Regulations 2001 (as amended) on lands in the townland of Ardara, County Donegal for the housing of cattle is or is not development or is or is not exempted development.

AND WHEREAS Declan Gallagher care of Joe Bonner Town Planning Consultant of The Airport Hub, Unit 1 Furry Park, Old Swords Road, Santry, Dublin, requested a declaration on this question from Donegal County Council, and the Council issued a declaration on the 19th day of December 2022 stating that the matter is development and is not exempted development.

AND WHEREAS Declan Gallagher care of Joe Bonner Town Planning Consultant of The Airport Hub, Unit 1 Furry Park, Old Swords Road, Santry, Dublin referred this declaration for review to An Bord Pleanála, on the 14th day of February 2023.



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

- (a) Section 2(1), 3(1) and 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (b) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Part 3 of Schedule 2 to those Regulations,
- (d) the provisions of the Donegal County Development Plan 2018-2014 (as amended)
- (e) the planning history of the site, and
- (f) 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 6 of Part 3 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(3)(a) of the Planning and Development Act 2000, as amended, hereby decides that the agricultural shed for the housing of cattle at Ardara, County Donegal is development and is exempted development.



Liam Bergin

Member of An Bord Pleanála

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

Dated this 29th day of March 2024.