



An  
Bord  
Pleanála

Board Order  
ABP-317413-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: D/14/23**

**WHEREAS** a question has arisen as to whether the construction of two number agricultural sheds at Long Island, Schull, County Cork is or is not development or is or is not exempted development:

**AND WHEREAS** Albert Manifold care of McCutcheon Halley, Chartered Planning Consultants of Kreston House, Arran Court, Arran Quay, Dublin requested a declaration on the said question from Cork County Council and the said Council issued a declaration on the 26<sup>th</sup> day of May, 2023 stating that the said matter is not exempted development:

**AND WHEREAS** the said Albert Manifold referred the declaration for review to An Bord Pleanála on the 20<sup>th</sup> day of June, 2023:

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

- (a) Sections 2(1), 3(1) and 4 of the Planning and Development Act 2000, as amended,
- (b) Articles 6(3) and 9(1) of the Planning and Development Regulations 2001, as amended,

**AND WHEREAS** An Bord Pleanála has concluded that –

- (a) The construction of the two number agricultural sheds constitutes development, being works which come within the scope of section 3(1) of the Planning and Development Act 2000, as amended;
- (b) The development, alone and in-combination with other plans and projects, would have likely resulted in a significant effect on the Roaringwater Bay and Islands Special Area of Conservation (Site code: 000101) in view of the site's conservation objectives. Therefore, the development is subject to an Appropriate Assessment and cannot be considered exempted development under Section 4(4) of the Planning and Development Act 2000, as amended;
- (c) The development comes within the scope of Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The development complies with the conditions and limitations of Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;

- (e) The development would interfere with the character of a designated high value landscape area under the Cork County Development Plan 2022-2028 and would interfere with sea views in which Objectives GI14-9, GI14-10 and GI14-12 of the Cork County Development Plan 2022-2028 seek to protect. Therefore, the development comes within the restriction on exemption in article 9(1)(a)(vi) of the Planning and Development Regulations 2001, as amended;
- (f) The development comes within the restriction on exemption in article 9(1)(a)(vii) 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 construction of two number agricultural sheds is development and is not exempted development.

  
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**Stephen Bohan**

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

Dated this *9<sup>th</sup>* day of *May* 2024

