

An  
Bord  
Pleanála

## Board Order ABP-317892-23

**Planning and Development Acts 2000 to 2022**

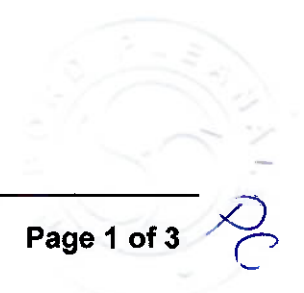
**Planning Authority: Cork County Council**

**Planning Register Reference Number: D/213/23**

**WHEREAS** a question has arisen as to whether the construction of a single storey agricultural shed at Woodview, Curraghphadeen, Mallow, County Cork is or is not development or is or is not exempted development,

**AND WHEREAS** Daniel McAuliffe care of Building Design Lab Limited of Suite 103, NSC Campus, Loughmahon, Mahon, Cork requested a declaration on this matter from Cork County Council and the Council issued a declaration on the 1<sup>st</sup> day of August, 2023 stating that the matter is development and is not exempted development,

**AND WHEREAS** Daniel McAuliffe care of Building Design Lab Limited of Suite 103, NSC Campus, Loughmahon, Mahon, Cork referred this declaration for review to An Bord Pleanála on the 28<sup>th</sup> day of August, 2023,



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

- (a) Section 2(1), Section 3(1) and Section 4 of the Planning and Development Act 2000, as amended,
- (b) Article 6(3) and Article 9(1) of the Planning and Development Regulations 2001, as amended,
- (c) Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and the conditions and limitations attached to this class,
- (e) the submissions of the parties to the referral,
- (f) the pattern of development in the area, and
- (g) the report and recommendation of the Planning Inspector,

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

- (a) the construction of the single storey agricultural shed constitutes development, being works which come within the scope of section 3(1) of the Planning and Development Act 2000, as amended,
- (b) it has not been adequately demonstrated that the shed is linked to agricultural activity and, therefore, could not be considered within the scope of Class 9 Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and
- (c) there are no other exemptions in the Planning and Development Act 2000, as amended, or in the Planning and Development Regulations 2001, as amended, by which the construction of the shed would constitute exempted development,

**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 a single storey agricultural shed at Woodview, Curraghphadeen, Mallow, County Cork is development and is not exempted development.



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**Paul Caprani**

**Member of An Bord Pleanála**

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

**Dated this 12<sup>th</sup> day of November 2024.**