

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kilkenny County Council.**

**Planning Register Reference Number: DEC 769.**

**WHEREAS** a question has arisen as to whether:

- (1) the laying out of lands for aviation sports at Kilkenny Airfield between 1<sup>st</sup> day of October 1964 and 15<sup>th</sup> day of May 1994,
- (2) the use of the lands for aviation sports at Kilkenny Airfield between 1<sup>st</sup> day of October 1964 and 15<sup>th</sup> day of May, 1994, and
- (3) any intensification of use of the lands for aviation sports at Kilkenny Airfield between 1<sup>st</sup> day of October, 1964 and 15<sup>th</sup> day of May, 1994

is or is not development or is or is not exempted development:

**AND WHEREAS** Irish Skydiving Club GLG of Kilkenny Airfield, Airfield Road, Holdensrath, County Kilkenny requested a declaration on the questions raised from Kilkenny County Council on the 16<sup>th</sup> day of October 2023 and no declaration was made:

P.C.


**AND WHEREAS** the said question was referred to An Bord Pleanála by Kilkenny County Council of County Hall, John Street, Kilkenny on the 16<sup>th</sup> day of November, 2023:

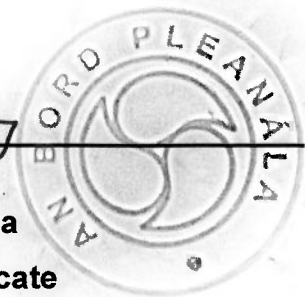
**AND WHEREAS** An Bord Pleanála, having considered the nature of the question, is satisfied that the referral should not be further considered by it:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 138 (1) of the Planning and Development 2000 Act, as amended hereby dismisses the said referral under subsection (1)(b)(i) of Section 138 of the said Act, based on the reasons and considerations set out below.

### **Reasons and Considerations**

The Board is satisfied that, in the particular circumstances, the referral should not be further considered by it having regard to the historic nature of the referral which refers to a time period between the 1<sup>st</sup> day of October 1964 and 15<sup>th</sup> day of May 1994, which predates Section 5 of the Planning and Development Act 2000, as amended. Having regard to the fact that the 1963 Act has been repealed, under Section 263 of the Planning and Development Act 2000, as amended, it is considered that the Board lacks a factual and evidential basis to make declarations in relation to matters in a time period 1964-1994.

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



Dated this 28 day of February 2025.