



An
Bord
Pleanála

Board Order
ABP-319805-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kilkenny County Council

Planning Register Reference Number: DEC 792

WHEREAS a question has arisen as to whether the construction of circa 40 number self-contained units/apartments within the equestrian shed (granted under permission P97/396) at Wallslough Equestrian Facility, Wallslough Village, Wallslough, County Kilkenny is or is not development or is or is not exempted development:

AND WHEREAS Mark Hennessy of Wallslough, County Kilkenny requested a declaration on the said question from Kilkenny County Council and the said Council issued a declaration on the 22nd day of April, 2024 stating that the said matter was development and was exempted development:

AND WHEREAS Mark Hennessy of Wallslough, County Kilkenny referred the declaration for review to An Bord Pleanála on the 20th day of May, 2024:

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

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) Section 181(1)(a) of the Planning and Development Act, 2000, as amended,
- (e) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (f) S.I. 306/2022 European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022, and
- (g) the planning history of the site:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the construction of circa 40 number self-contained units/apartments within the equestrian shed constitutes development as defined under Section 3(1)(a) of the Planning and Development Act 2000, as amended,

- (b) the construction of circa 40 number self-contained units/apartments within the equestrian shed is exempted development as it consists of the repurposing of existing buildings and facilities in order to provide temporary protection to displaced persons for the following classes of development: reception and integrations facilities; residential accommodation, including ancillary recreational and sporting facilities,, emergency management coordination facilities, structures or facilities ancillary to development referred to above, including administration and storage facilities and Infrastructure and other works ancillary to the above development. As such it comes within the scope of S.I. 306/2022 European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022, for the duration of the relevant period:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3)(a) of the 2000 Act, hereby decides that the construction of circa 40 number self-contained units/apartments granted under permission P97/396) at Wallslough Equestrian Facility, Wallslough Village, Wallslough, County Kilkenny is development and is exempted development.


Stephen Bohan

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

Dated this  21st day of  January 2024.