

An  
Coimisiún  
Pleanála

Commission Order  
ACP-323389-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Cork County Council**

**Planning Authority Reference Number: D27325**

**WHEREAS** a question has arisen as to whether the use of an existing shed as a dry store/machinery shed at Knockduff Upper, Meelin, County Cork is or is not development or is or is not exempted development:

**AND WHEREAS** Michael O'Callaghan of Cordy Enterprises Limited, Knockskelhy, Tullylease, Charleville, County Cork requested a declaration on this question from Cork County Council, and the Council issued a declaration on the 21<sup>st</sup> day of July 2025 stating that the matter was development and was not exempted development:

**AND WHEREAS** Michael O'Callaghan referred this declaration for review to An Coimisiún Pleanála on the 14<sup>th</sup> day of August 2025:

**WHEREAS** An Coimisiún Pleanála, in considering this referral, had regard particularly to

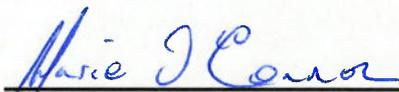
- (a) Section 2(1) and Section 3 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Part 3 of the Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site,
- (e) existing buildings on the site and environs,
- (f) the pattern of development in the area, and
- (g) the report of the Planning Inspector:

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

- (a) the shed constitutes development as defined under section 3(1) of the Planning and Development Act 2000 (as amended);
- (b) On the basis of the information submitted as part of the referral including the details submitted in relation to the planning applications for retention permission for the commercial dog kennels and the photographs submitted, the Commission is satisfied that alterations have been carried out to the structure which consist of alteration of an unauthorised structure,
- (c) accordingly, the development is development and is not exempted development.

**NOW THEREFORE** An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act (as amended), hereby decides that the use of an existing shed as a dry store/machinery shed at Knockduff Upper, Meelin, County Cork is development and is exempted development.

In deciding not to accept the Inspectors recommendation, the Commission considered that alterations to an existing unauthorised building, in accordance with article 9(1)(a)(viii) of the Planning and Development Regulations, 2001, as amended prevented them from considering the question referred in isolation.



**Marie O'Connor**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this *17* day of *December* 2025.