An Coimisiún Pleanála

Commission Order
ACP-324443-26

Planning and Development Act 2000, as amended

Planning Authority: Kildare County Council

Planning Authority Reference Number: ED/1364

WHEREAS a question has arisen as to whether five stables and associated works for an equestrian isolation and quarantine facility at Thomastown, Caragh, County Kildare is or is not development or is or is not exempted development:

AND WHEREAS Patrick Byrne requested a declaration on this question from Kildare County Council and the Council issued a declaration on the 29th day of June 2026 stating that the said matter is development and is not exempted development:

AND WHEREAS Patrick Byrne referred this declaration for review to An Coimisiún Pleanála on the 14th day of July 2026:

AND WHEREAS An Coimisiún 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) article 6(3) and article 9(1) of the Planning and Development Regulations, 2001, as amended,

(e) Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and class use 6 in particular,

(f) the planning history of the site, and

(g) the pattern of development in the area:

AND WHEREAS An Coimisiún Pleanála has concluded that the construction of stables constitutes works and, therefore, constitutes development within the meaning of the Planning and Development Act 2000, as amended,

AND WHEREAS the works and the description of the development does not come within the scope of the exemption under Class 6 of Part 3 of Schedule 2 in Column 1 of the Planning and Development Regulations 2001 (as amended), for Agricultural Structures, in that the drawings submitted do not clearly demonstrate that the gross floor space does not exceed 300 metres,

AND WHEREAS the proposed development does not comply with the conditions and limitations in Column 2 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), for Agricultural Structures, as the structure is situated within 100 metres of houses and the consent of any owner or occupier has not been provided,

AND WHEREAS the proposed development does not comply with the conditions and limitations in Column 2 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), for Agricultural Structures, as the use of this class of exemption requires a declaration from the relevant planning authority declaring the exemption prior to the commencement of construction, and construction has commenced on site,

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5 of the 2000 Act (as amended), hereby decides that the construction of five stables and associated works for an equestrian isolation and quarantine facility at Thomastown, Caragh, County Kildare, is development and is not exempted development.

Mick Long
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 16th **day of** November **2026.**