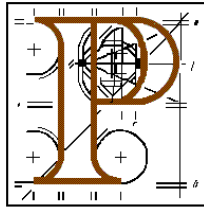


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Authority Reference Number: EF15121

An Bord Pleanála Reference Number: 04.RL.3417

WHEREAS a question has arisen as to whether the erection of a playground climbing frame and the erection of a Perspex roof over an existing play area in connection with a crèche premises at Little Paradise Crèche, Ballycurreen, Frankfield, Douglas, County Cork are or are not development or are or are not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Cork County Council on the 7th day of October, 2015:

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

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) the definitions of a “structure” and of “works” set out in Section 2 of the Planning and Development Act, 2000, as amended, and
- (c) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the playground climbing frame constitutes a structure, the erection of which required works to be undertaken, and which, therefore, constitutes development,
- (b) a Perspex roof over the play area would constitute a structure, the erection of which would require works to be undertaken, which would, therefore, constitute development, and
- (c) having regard to the location of this development within a crèche premises, there are no provisions in the planning and development legislation under which the development could avail of an exemption from the general obligation to obtain planning permission:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the erection of a playground climbing frame and the erection of a Perspex roof over an existing play area in connection with a crèche premises at Little Paradise Crèche, Ballycurreen, Frankfield, Douglas, County Cork are development and are not exempted development.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

Dated this day of 2016.