



An
Bord
Pleanála

Board Order 93.RL.3538

Planning and Development Acts 2000 to 2017

Planning Authority: Waterford City and County Council

Planning Register Reference Number: D5/201632

WHEREAS a question has arisen as to whether the creation of two number new vehicular entrances onto a pedestrian right of way at Coolbunnia, Cheekpoint, County Waterford is or is not development or is or is not exempted development:

AND WHEREAS Helen Keane of Hurthill House, Coolbunnia, Cheekpoint, County Waterford requested a declaration on the said question from Waterford City and County Council and the said Council issued a declaration on the 20th day of December, 2016 stating that the said matter is development and is exempted development:

AND WHEREAS the said Helen Keane referred the declaration for review to An Bord Pleanála on the 18th day of January, 2017:

AND WHEREAS An Bord Pleanála, in the light of the documentation on the file, and the content of the declaration, has reformulated the question as follows:-

“whether the erection of a new gate and gate post and the replacement of an existing gate to existing vehicular entrances at Coolbunnia, Cheekpoint, County Waterford is or is not development or is or is not exempted development”:

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

- (a) sections 2(1), 3(1), 4(2)(a)(i) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1), 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 9 of Part 1 of Schedule 2 of the said Regulations,
- (d) section 2(1) of the Roads Act, 1993,
- (e) the pattern of development and the character of the landscape in the area, and
- (f) the report of the Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the development comes within the scope of Sections 2(1) and 3(1) of the Planning and Development Act 2000, as amended, and constitutes development,

