

## Board Order 93.RL.3548

Planning and Development Acts 2000 to 2018 Planning Authority: Waterford City and County Council Planning Register Reference Number: D5/2017/01

**WHEREAS** a question has arisen as to whether the erection of a store/games room at 12 The Dell, Grantstown Park, Waterford is or is not development or is or is not exempted development:

**AND WHEREAS** Stephen Morrissey care of Liam Buck of Glen, Clonea, Dungarvan, Waterford requested a declaration on the question from Waterford City and County Council and no declaration issued by the planning authority:

**AND WHEREAS** Stephen Morrissey referred the question for decision to An Bord Pleanála on the 10<sup>th</sup> day of February, 2017:

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

- (a) Sections 2(1), 3(1) and 4(2)(a)(i) of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1), Article 9(1) and Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (c) the planning history of the site, and
- (d) the report of the Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the works come within the scope of Sections 2(1) and 3(1) of the Planning and Development Act, 2000, as amended, and, therefore, constitute development, and
- (b) the total floor area, which exceeds 25 square metres, does not come within the scope of Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (b) of the 2000 Act, hereby decides that the erection of a store/games room at 12 The Dell, Grantstown Park, Waterford is development and is 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 2018