



Planning and Development Acts 2000 to 2017

Planning Authority: Louth County Council

Planning Register Reference Number: S5/2016/14

WHEREAS a question has arisen as to whether the placing of a mobile home on lands in association with farming and animal husbandry at site located south of Drogheda Street, Collon, County Louth is or is not exempt from the requirement to obtain planning permission:

AND WHEREAS Tara Mulholland of 18 Willow Grove, Carrickmacross Road, Dundalk, County Louth requested a declaration on the said question from Louth County Council and the said Council issued a declaration on the 10th day of March, 2017 stating that the said matter is development and is not exempted development:

AND WHEREAS Tara Mulholland referred the declaration for review to An Bord Pleanála on the 3rd day of April, 2017:

AND WHEREAS An Bord Pleanála reconfigure the question as follows:

“whether the placing of a mobile home on lands in association with farming and animal husbandry at site located south of Drogheda Street, Collon, County Louth is or is not development and is or is not exempted development”.

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 agriculture as set out in Section 2(1) of the Planning and Development Act, 2000, as amended,
- (c) Article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (d) Class 17 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, and
- (e) the report of the Inspector:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the placing of a mobile home on lands in association with farming and animal husbandry constitutes an object for the purpose of human habitation. The use of the land would, therefore, materially change, and constitute development, in accordance with section 3(2)(b)(i) of the Planning and Development Act 2000, as amended,
- (b) the placing of a mobile home on lands in association with farming and animal husbandry would not be exempted under the provisions of Section 4(1)(a) of the Planning and Development Act, and
- (c) the mobile home does not constitute temporary on-site accommodation and, therefore, does not come within the exempted development provisions set out under Class 17 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, and

