



An
Bord
Pleanála

Board Order 91.RL.3579

Planning and Development Acts 2000 to 2017

Planning Authority: Limerick City and County Council

Planning Register Reference Number: EC17/16

WHEREAS a question has arisen as to whether construction of a curved haybarn with green corrugated metal sheeting at Shannongrove House, a protected structure, is or is not development or is or is not exempted development:

AND WHEREAS Carlton Varney care of Cáit Ní Cheallacháin of 'Saoirse', Old Park Road, Corbally, Limerick requested a declaration on the question from Limerick City and County Council and the Council issued a declaration on the 10th day of April, 2017 stating that the matter is development and is not exempted development:

AND WHEREAS Carlton Varney referred the declaration for review to An Bord Pleanála on the day of 8th day of May, 2017:

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

- (a) Section 2(1) Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 57(1) of the Planning and Development Act, 2000, as amended,
- (d) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended, and
- (e) Class 9, Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the construction of the haybarn constitutes works within the meaning of Section 2 of the Planning and Development Act, 2000, as amended,
- (b) the haybarn, located at a distance of some 270 metres from the main building, 'Shannongrove House', a protected structure, is screened from view of the main house by a substantial grove of trees,

- (c) the curved roof structure comes within the scope of Section 57(1) of the Planning and Development Act, 2000, as amended, being works which does not materially affect the character of 'Shannongrove House', a protected structure, or any element of the protected structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest,
- (d) the development comes within the scope of Class 9, Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and
- (e) none of the restrictions on exemptions set out in Article 9(1) of the Planning and Development Regulations, 2001, as amended, apply in this case:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that construction of a curved haybarn with green corrugated metal sheeting at Shannongrove House, a protected structure, Pallaskenry, County Limerick is development and is exempted development.

