

Derryclare Cottage,
Cloonnacartan,
Recess,
Co. Galway
H91YP6X

23 June 2022

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

AN BORD PLEANÁLA	
LDG-	<u>084 351-77</u>
ABP-	
24 JUN 2022	
Fee: €	<u>220</u> Type: <u>Cheque</u>
Time:	By: <u>post</u>

**Re: Section 5 declaration in respect of placing on land of machinery at Cloonnacartan, Recess,
Co. Galway**

Dear Sir/Madam,

Pursuant to Section 5(3)(a) of the Planning and Development Act, 2000 ("the Act"), I wish to refer the declaration of the planning authority issued on 16 June 2022 in respect of the above development for review by An Bord Pleanála ("the Board") and I enclose the fee of €220.

I enclose a copy of the application form and letter addressed to Galway County Council ("the Council") and attachments dated 17 May 2022 (Attachment 1) which sets out the basis for the declaration sought together with a copy of the planning authority declaration issued on 16 June 2022 (Attachment 2).

In my experience, a section 5 declaration issued by the Council is accompanied by a Planner's Report which sets out the reasons and considerations required by Section 5(2)(a) of the Act on which the Council's decision is based but the single page declaration is all I received.

The Council's decision is that the "placing on land of construction machinery at Cloonnacartan, Recess, Co Galway is development and is exempted development only where it meets what is described under 'Class 16', with the associated Conditions and Limitations, of Schedule 2 Part 1 of the Planning and Development Regulations 2001 (as amended)".

Class 16, which comes under the heading 'temporary structures and uses' states: "The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development consisting of works (other than mining) is being or is about to be, carried out pursuant to a permission under the Act or as exempted development, of structures, works, plant or machinery