

Comhairle Contae Chill Dara  
Kildare County Council



Date: 18/08/2022.  
Our Ref: ED/00931.

**REGISTERED POST**

Mathew Buckley,  
c/o Colin Gamble,  
CGA Consulting Engineers,  
16 South Main Street,  
Naas,  
Co. Kildare

**RE: Application for a Declaration of Exempted Development under Section 5  
Address: Coughlanstown, Ballymore Eustace, Co. Kildare**

Dear Sir/Madam,

I refer to your correspondence received 21st March 2022 and 29<sup>th</sup> July 2022 in connection with the above.

Please find attached declaration made under Section 5 of Planning and Development Acts 2000 as amended in this regard.

Yours sincerely,

  
Senior Executive Officer.  
Planning Department.

**NOW THEREFORE** Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the works are development and are not considered exempted development because:

- The development is a type of development which falls within the provisions of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) as provided for under Article 6 of the Planning and Development Regulations 2001 (as amended). However, that exemption is restricted by Article 9(1) which states that development to which Article 6 relates shall not be exempted development for the purposes of the Act—(a) if the carrying out of such development would – (iii) *endanger public safety by reason of traffic hazard or obstruction of road users*. The proposed development would lead to an intensification of use of the existing sub-standard entrance which would therefore endanger public safety by reason of traffic hazard.

Please note that any person issued with a declaration under subsection 2(a) of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

18<sup>th</sup> August 2022

  
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Director of Services