

An
Bord
Pleanála

Board Direction
ABP-318469-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/02/2025.

The Board decided, as set out in the following Order, that

WHEREAS a question has arisen as to whether (1) the laying out of lands for aviation sports at Kilkenny Airfield between 1st day of October, 1964 and 15th day of May, 1994, (2) the use of the lands for aviation sports at Kilkenny Airfield between 1st day of October 1964 and 15th day of May, 1994, and (3) any intensification of use of the lands for aviation sports at Kilkenny Airfield between 1st day of October, 1964 and 15th day of May, 1994 is or is not development or is or is not exempted development:

AND WHEREAS Irish Skydiving Club GLG of Kilkenny Airfield, Airfield Rod, Holdensrath, County Kilkenny requested a declaration on the questions raised from Kilkenny County Council on the 16th day of October, 2023:

AND WHEREAS the said question was referred to An Bord Pleanála by Kilkenny County Council of County Hall, John Street, Kilkenny on the 16th day of November, 2023:

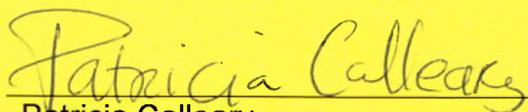
AND WHEREAS An Bord Pleanála, having considered the nature of the question, is satisfied that the referral should not be further considered by it:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 138 (1) of the Planning and Development 2000 Act, as amended hereby dismisses the said referral under subsection (1)(b)(i) of Section 138 of the said Act, based on the reasons and considerations set out below.

Reasons and Considerations

The Board is satisfied that, in the particular circumstances, the referral should not be further considered by it having regard to the historic nature of the referral which refers to a time period between the 1st day of October, 1964 and 15th day of May 1994, which predates Section 5 of the Planning and Development Act 2000, as amended. Having regard to the fact that the 1963 Act has been repealed, under Section 263 of the Planning and Development Act 2000, as amended, it is considered that the Board lacks a factual and evidential basis to make declarations in relation to matters in a time period 1964-1994.

Board Member:


Patricia Calleary

Date: 24/02/2025