



An
Bord
Pleanála

Board Direction
ABP-309975-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/05/2022.

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

WHEREAS a question has arisen as to whether the construction of an extension to the rear of the existing dwellinghouse, including minor works and repairs to the existing dwellinghouse at No 6 Palace Road, Elphin, Co Roscommon is or is not development or is or is not exempted development:

AND WHEREAS John McRae care of Tony McManus T & R Consulting Engineers of Ballynamony, Carrick On Shannon, Co Leitrim requested a declaration on this question from Roscommon County Council and the Council issued a declaration on the 18th day of March, 2021 stating that the matter was development and was not exempted development:

AND WHEREAS John McRae referred this declaration for review to An Bord Pleanála on the 14th day of April, 2021:

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

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) The prior demolition of the previously existing rear annex to the rear of the house

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The activity proposed in this referral comprises “development” as defined in section 3 of the Planning and Development Act 2000,
- (b) The previously existing rear annex now demolished is not relevant to the question, and
- (c) The proposed extension exceeds 40 square metres and does not come within the scope of Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3)(a) of the Planning and Development Act, 2000, hereby decides that the construction of an extension to the rear of the existing dwellinghouse, including minor works and repairs to the existing dwellinghouse at No 6 Palace Road, Elphin, Co Roscommon is development and is not exempted development.

Board Member:

Patricia Calleary

Patricia Calleary

Date: 24/05/2022

