



Board Direction
BD-018527-24
ABP-319371-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/12/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, in accordance with the following draft order.

WHEREAS a question has arisen as to whether the construction of an extension to the rear of existing dwelling at Portroyal, Partry, County Mayo is or is not development or is or is not exempted development:

AND WHEREAS Sean Bourke requested a declaration on this question from Mayo County Council and the Council issued a declaration on the 26th day of February 2024 stating that the construction of an extension to the rear of existing dwelling is development and is not exempted development:

AND WHEREAS Sean Bourke referred this declaration for review to An Bord Pleanála, on the 22nd day of March 2024:

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

- (a) Sections 2(1), 3(1) and 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (b) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,

- (c) Parts 1 and 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site,
- (e) the pattern of development in the area, and
- (f) there being no subdivision associated with the development and, therefore, no intensification of use of an existing access as a result of the proposed development:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The construction of a single storey extension to the rear of a property constitutes development.
- (b) The proposed extension will not have an impact on traffic safety at this location and is therefore considered exempted development under Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended, meeting the conditions and limitations of Column 2.

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, as amended, hereby decides that the construction of an extension to the rear of existing dwelling at Portroyal, Partry, County Mayo is development and is exempted development.

Board Member


Eamonn James Kelly

Date: 19/12/2024