

An  
Coimisiún  
Pleanála

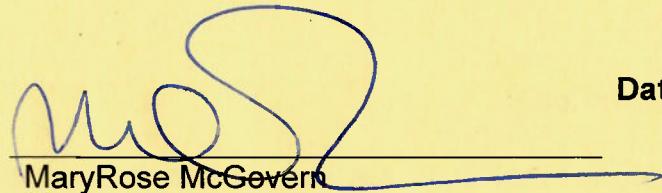
**Direction**  
**CD-021631-25**  
**ACP-323524-25**

The submissions on this file were considered at a meeting held on 23/12/2025.

The Commission decided, as set out in the following Order, to dismiss this appeal under section 138(1)(b)(i) of the Planning and Development Act, 2000 based on the reasons and considerations set out below.

**Planning**

**Commissioner:**



MaryRose McGeown

**Date:** 30/12/2025

**DRAFT WORDING FOR ORDER**

**WHEREAS** Mr Marcos Silveira requested Roscommon County Council to consider an application consisting of the change of use of the former Horse and Jockey public house building at St. Patrick's Street, Castlerea, Co Roscommon F45 T672, to 8 no. apartments, under S.I. 75 of 2022

**AND WHEREAS** Roscommon County Council assessed the question to be determined as: whether (a) the conversion of a vacant pub into eight apartments is exempted development and whether (b) a proposed development that proposes no parking on a town centre site could constitute a traffic hazard or obstruction under Article 9(1)(a)(iii) under the Planning and Development Regulations 2018.

**AND WHEREAS** Roscommon County Council did not issue a declaration on this matter and referred this declaration for review to An Coimisiún Pleanála on the 26<sup>th</sup> day of August 2025

**AND WHEREAS** An Coimisiún Pleanala, in considering the nature of the question, is satisfied that the referral should not be considered by it

**NOW THEREFORE** An Coimisiún Pleanala, in exercise of the powers conferred on it by section 138(1) of the Planning and Development Act, 2000, as amended, hereby dismiss 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 Commission is satisfied that, in the particular circumstances, the referral should not be further considered by it, having regard to the nature of the referral, including the question which, in the Commission's opinion, is raised by the referral, which relates to whether the conversion of a vacant pub at St. Patrick's Street, Castlerea, Co Roscommon F45 T672, into 8 apartments, is or is not development, or is or is not exempted development.

The Commission notes the previous determinations of Roscommon County Council in relation to the same, or substantially the same question, and in respect of the same land, under Referral DED 644 issued by Roscommon County Council on 12<sup>th</sup> February 2024, and Referral DED 678 issued by Roscommon County Council on the 22<sup>nd</sup> July 2024, which was declared to be development which is not exempted development, and there has been no change in the question, planning facts or circumstances since the previous determination was made that would have relevance to the referral case now before the Commission.

Notwithstanding the Inspector's observations regarding the conditions and limitations attached to Article 10(6)(b) of the Planning and Development Regulations, 2001 as

as amended, and the Inspector's opinion, in relation to traffic safety per criterion (xi), that there is no reference to the restriction under Article 9(1)(a)(iii) of the Planning and Development Regulations, 2001 as amended, such that matters in relation to traffic safety do not apply under this criterion or the other criteria/restrictions on the exemption, the Commission is satisfied that, in the particular circumstances, the referral should not be further considered by it.