

An
Coimisiún
Pleanála

Direction
ACP-323858-25

The submissions on this file and the Inspector's report were considered at a meeting held on 17/02/2026.

The Commission decided, as set out in the following Order, that
Commission Order as follows:-

WHEREAS a question has arisen as to whether a ground floor extension works to the rear of the house at Broughillstown, Rathvilly, Co. Carlow is or is not development or is or is not exempted development:

AND WHEREAS: Garrett Donnelly requested a declaration on this question on the 3rd day of November, 2025 from An Bord Pleanála:

WHEREAS: An Coimisiun Pleanála, in considering this referral, had regard particularly to –

- a) section 2(1) and 3(1) of the Local Government (Planning and Development) Act 1963, as amended,
- b) section 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- c) article 9(1) and article 10(1) of the Local Government (Planning and Development) Regulations 1994 and Class 1 of Part 1 of the Second Schedule to those Regulations,

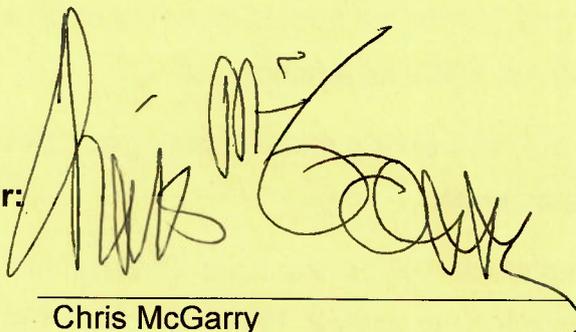
- d) article 6(1) and article 9(1) of the Planning and Development Regulations 2001-2018 and Class 1 of Part 1 of Schedule 2 to those Regulations,
- e) the planning and development history of the site,
- f) the submission of the Planning Authority,
- g) the report of the Planning Inspector:

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) The development as proposed constitutes development.
- (b) the gross floor area of the extension together with the previously permitted extension as per PA Ref CW8018 exceeds 40sq.m.
- (c) the extension, therefore, fails to come within the scope of Class 1 of Part 1 of the Second Schedule to the Planning and Development Regulations 2000, as amended, and all Conditions and Limitations attached to this Class.

NOW THEREFORE: An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the proposed alterations to the single storey extension to the dwelling house at Broughillstown, Rathvilly, Co. Carlow is development and is not exempted development

**Planning
Commissioner:**



Chris McGarry

Date: 17/02/2026