



Board Direction

Ref: 20.RL.3433

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14th, March 2016.

The Board generally approved of the terms of the attached draft order, subject to the amendments shown in manuscript.

The Board decided that works consisting of re-roofing in particular the overhang over the public road at Derreenasoo, Leitrim, Carrick-on-Shannon Co. Roscommon is development and is exempt development.

WHEREAS the question has arisen as to whether works consisting of re-roofing in particular the overhang over the public road at Derreenasoo, Leitrim, Carrick-on-Shannon Co. Roscommon is or is not development and is or is not exempted development.

AND WHEREAS Annette McGuinness requested a declaration on this matter from An Bord Pleanála on the 13th day of November 2015:

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

- (a) section 2, 3, 4 and 5 of the Planning and Development Acts, as amended
- (b) section 4(1)(h) of the Planning and Development Acts, as amended
- (c) the submissions and documents including photographic submissions on file

AND WHEREAS the Board has concluded that –

- (a) works consisting of re-roofing in particular the overhang over the public road constitutes the carrying out of works which comes within the meaning of development in section 3(1) of the Planning and Development Act 2000,
- (b) having regard to the character and nature of the replacement roof which does not differ in material terms from the previous roof the works consisting of re-roofing constitute development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, and as such comes within the scope of section 4(1)(h) of the Planning and Development Acts , as amended

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 whether works consisting of re-roofing in particular the overhang over the public road at Derreenasoo, Leitrim, Carrick-on-Shannon Co. Roscommon is development and is exempt development.

Board Member: _____
Paddy Keogh

Date: 16th, March 2016