

Planning and Development Acts 2000 to 2021

Planning Authority: Roscommon County Council

Planning Register Reference Number: DED 444

WHEREAS a question has arisen as to whether the construction of an extension to the rear of the existing dwellinghouse, including minor works and repair to the existing dwellinghouse at number 6 Palace Road, Elphin, County Roscommon is or is not development or is or is not exempted development:

AND WHEREAS John McRae care of T&R Designs of Ballynamony, Carrick-on-Shannon, County Leitrim requested a declaration on the said question from Roscommon County Council and the said Council issued a declaration on the 18th day of March, 2021 stating that the said matter is development and is not exempted development:

AND WHEREAS John McRae care of T&R Designs of Ballynamony, Carrick-on-Shannon, County Leitrim referred the declaration for review to An Bord Pleanála on the 14th day of April, 2021:

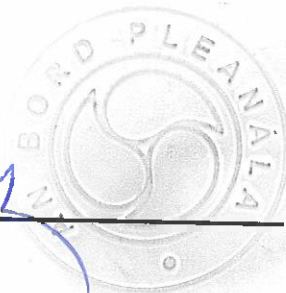
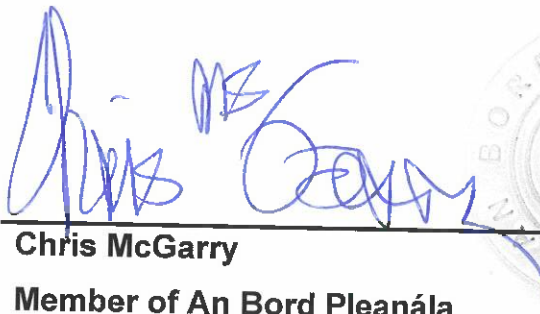
AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) section 4(1)(h) 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, and
- (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 works proposed in this referral comprise “development” as defined in section 3 of the Planning and Development Act, 2000, as amended,
- (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, as amended:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, as amended, hereby decides that the construction of an extension to the rear of the existing dwellinghouse, including minor works and repair to the existing dwellinghouse at number 6 Palace Road, Elphin, County Roscommon is development and is not exempted development



Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 1st day of June 2022