



Planning and Development Acts 2000 to 2021

Planning Authority: Roscommon County Council

Planning Register Reference Number: DED 450

WHEREAS a question has arisen as to whether the construction of crenellated parapets or battlements to the north-west facing corner tower of Cloontykilla Castle, Rockingham Estate, Boyle, County Roscommon (protected structure) is or is not development or is or is not exempted development:

AND WHEREAS Eoin Brady of 4 The Stables, Knocknacarrow, Cootehall, Boyle, County Roscommon requested a declaration on this question from Roscommon County Council on the 22nd day of March, 2021 and the Council did not issue a declaration:

AND WHEREAS Roscommon County Council of Áras an Chontae, Roscommon referred this declaration for review to An Bord Pleanála on the 19th day of May, 2021:

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

- (a) Sections 2, 3, 4(1)(h) and 57(1) of the Planning and Development Act, 2000, as amended,
- (b) the fact that Cloontykilla Castle is a protected structure as set out in the Roscommon County Development Plan 2022-2028, and
- (c) the planning history of the site:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the works that are subject matter of the referral constitute development within the meaning of Section 3 of the Planning and Development Act, 2000, as amended,
- (b) Section 4(1) (h) allows for works to be carried out that are for the maintenance, improvement or other alteration of the structure being works.... 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
- (c) the reconstruction of crenellated parapets or battlements to the north-western tower materially affects the character of elements of the protected structure which contribute to its special architectural interest, as it has a material impact on the historic fabric and architectural character of this protected structure, and therefore, the subject works are not exempted development under 4(1)(h) as the restriction on exemption provided for under Section 57 of the Planning and Development Act, 2000, as amended, applies in this instance.

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 crenellated parapets or battlements to the north-west facing corner tower of Cloontykilla Castle, Rockingham Estate, Boyle, County Roscommon (protected structure number 006000283) is development and is not exempted development.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this *11th* day of *January* 2023.

