

An
Bord
Pleanála

Board Order
ABP-318601-23

Planning and Development Acts 2000 to 2022

Planning Authority: Westmeath County Council

Planning Register Reference Number: S5-28-23

WHEREAS a question has arisen as to whether the use of an existing permitted dwelling for use as the private residence for nuns at Billistown, Delvin, County Westmeath is or is not development or is or is not exempted development:

AND WHEREAS the Coptic Orthodox Church care of McCutcheon Halley Chartered Planning Consultants of 6 Joyce House, Barrack Square, Ballincollig, Cork requested a declaration on this question from Westmeath County Council and the Council issued a declaration on the 8th day of November 2023 stating that the matter was development and was not exempted development:

AND WHEREAS the Coptic Orthodox Church referred this declaration for review to An Bord Pleanála on the 4th day of December 2023:


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

- (a) Sections 2(1), 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended,
- (c) Part 4 of the Schedule 2 to those Regulations,
- (d) the planning history of the site, and
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the use of an existing permitted dwelling for use as a private residence for nuns constitutes development as defined under section 3(1) of the Planning and Development Act 2000, as amended,
- (b) the use of an existing permitted dwelling for use as a private residence for nuns constitutes a material change of use of these lands, is a change from one class of development to another, and is development, and
- (c) there are no exemptions provided for in the said Planning and Development Act, 2000, as amended and the Planning and Development Regulations, 2001, as amended, by which the use of an existing permitted dwelling for use as a private residence for nuns would be exempted development, and is therefore not exempted development:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the use of an existing permitted dwelling for use as a private residence for nuns at Billistown, Delvin, County Westmeath is development and is not exempted development.




Mick Long

Member of An Bord Pleanála

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

Dated this 25th day of September 2024.