

An
Bord
Pleanála

Board Order ABP-320280-24

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: P24/219

WHEREAS a question has arisen as to whether refurbishment works to an existing cottage, existing access roadway will be used, no new development taking place, at Cloonlara, Swinford, County Mayo is or is not development or is or is not exempted development,

AND WHEREAS Niamh O'Malley care of Martin Lavelle of Knockaleanore, Partry, Ballinrobe, County Mayo requested a declaration on the said question from Mayo County Council and the Council issued a declaration on the 9th day of July, 2024 stating that refurbishment works to the existing cottage, existing access roadway will be used, no new development taking place, is development and is not exempted development,

AND WHEREAS Niamh O'Malley referred this declaration for review to An Bord Pleanála on the 24th day of July, 2024,

AND WHEREAS An Bord Pleanála reconfigured the question as follows:

- (1) Whether the use of the existing access road is or is not exempted development.
- (2) Whether the refurbishment works to the existing cottage is or is not exempted development.

AND WHEREAS An Bord Pleanála, in considering the referral, had regard particularly to:

- (a) Sections 2(1), 3(1) and 4(1)(a) of the Planning and Development Act 2000, as amended,
- (b) Articles 6(1) and 9(1) of the Planning and Development Regulations 2001, as amended,
- (c) Parts 1 and 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) the planning history of the site,
- (e) the pattern of development in the area, and
- (f) the report of the Inspector.

AND WHEREAS An Bord Pleanála has concluded that:

Question 1:

The use of the existing access road and the established entrance to the existing dwelling, which appears habitable and has not been abandoned, is not development.

Question 2:

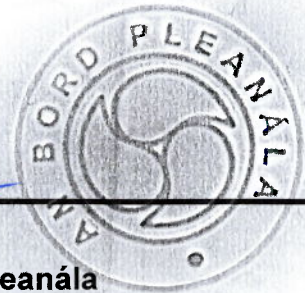
The existing dwelling appears habitable, has not been abandoned and no change of use is proposed. In the absence of any information that informs the Board of the level of refurbishment works to be undertaken to the existing cottage, there is no specific question with which to make a declaration.

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 use of the existing access road and the established entrance to the existing dwelling, which appears habitable and has not been abandoned, at Cloonlara, Swinford, County Mayo is not development.



Marie O'Connor

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this *14* day of *April* 2025.