



Planning and Development Act 2000, as amended

Planning Authority: Carlow County Council

Planning Authority Reference Number: SEC5/25/28

WHEREAS a question has arisen as to whether ground floor extension works to the rear of a dwellinghouse at Broughillstown, Rathvilly, County Carlow is or is not development or is or is not exempted development,

AND WHEREAS Garrett Donnelly requested a declaration on this question from Carlow County Council and the Council issued a declaration on the 10th day of October, 2025 stating that the matter is development and is not exempted development,

AND WHEREAS Garrett Donnelly referred the matter to An Coimisiún Pleanála for consideration on the 3rd day of November, 2025,

AND WHEREAS in considering the referral the Commission had regard to:

- (a) Section 2(1) and Section 3(1) of the Local Government (Planning and Development) Act 1963, as amended,

- (b) Section 2(1), Section 3(1) and Section 4(1)(h) of the Planning and Development Act 2000, as amended,
- (c) Article 9(1) and Article 10(1) of the Local Government (Planning and Development) Regulations 1994, as amended, and Class 1 of Part 1 of the Second Schedule of those Regulations,
- (d) Article 6(1) and Article 9(1) of the Planning and Development Regulations 2001, as amended, and Class 1 of Part 1 of Schedule 2 of those Regulations,
- (e) the planning and development history of the site,
- (f) the submission of the planning authority, and
- (g) the report and recommendation of the Planning Inspector,

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) the development, as proposed, constitutes development,
- (b) the gross floor area of the extension together with the previously permitted extension as per planning register reference number CW8018 exceeds 40 square metres, and
- (c) the extension, therefore, fails to come within the scope of Class 1 of Part 1 of the Second Schedule of the Planning and Development Regulations 2001, as amended, and all conditions and limitations attached to this Class,



NOW THEREFORE An Coimisiún 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 ground floor extension works to the rear of a dwellinghouse at Broughillstown, Rathvilly, County Carlow is development and is not exempted development.



Chris McGarry

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 20th day of February 2026.