An Coimisiún Pleanála

Commission Order
ACP-324196-26

Planning and Development Act 2000, as amended

Planning Authority: Roscommon County Council

Planning Authority Reference Number: DED 923

WHEREAS a question has arisen as to whether:

(A) the restoration of a previously existing 1.2 metres (high) stone wall within the boundary of site and surrounding house with lime mortar pointing (outlined in red on the submitted drawing number 10389_001 dated 2nd April 2026) and

(B) the proposed construction of 1.2 metres high stone wall within the boundary of site with lime mortar pointing (outlined in blue on the submitted drawing number 10389_001 dated 2nd April 2026)

at Termonbeg, Tarmon, Castlerea, County Roscommon, is or is not development or is or is not exempted development:

AND WHEREAS John Larkin requested a declaration on this question from Roscommon County Council and the Council issued a declaration on the 9th day of March 2026 stating that:

(a) The elements of the said development described as "restore 1.2 metres high stone wall within the boundary of the site and surrounding house (lime and mortar pointing)" indicated on plans and particulars received as "reinstate wall using reclaimed stone and lime mortar pointing" and outlined red on the site layout plan received is exempted development.

(b) The elements of the said development described as "restore 1.2 metres high stone wall within the boundary of the site and surrounding house (lime and mortar pointing)" indicated on plans and particulars received as "wall to be built along the eastern site boundary" and outlined in green on the site layout plan received is not exempted development.
(Note, this wall is marked as blue in the drawing submitted to the Commission)

AND WHEREAS John Larkin referred this declaration for review to An Coimisiún Pleanála on the 7th day of April, 2026:

AND WHEREAS An Coimisiún 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,

(c) section 4(1)(a) 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) Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and

(f) the planning history of the site and immediate vicinity.

AND WHEREAS An Coimisiún Pleanála has concluded that:

(a) Under section 3(1) of the Planning and Development Act, 2000, as amended, item (A) the restoration of a previously existing 1.2 metres (high) stone wall within the boundary of site and surrounding house with lime mortar pointing (outlined in red on the submitted plan), and item (B) the proposed construction of 1.2 metres high stone wall within the boundary with lime mortar pointing (outlined in blue on the submitted plan) is development,

(b) Under Class 11 of Part 1 of Schedule 2 to Article 6(1) of the Planning and Development Regulations, 2001, as amended, the restoration of an existing boundary wall, as indicated in item (A) of the referral, is exempted development, and

(c) Under Article 9(1)(a)(iii) of the Planning and Development Regulations, 2001, as amended, the construction of the proposed boundary wall, as indicated in item (B) of the referral, is not exempted development as it was deemed to endanger public safety by reason of traffic hazard or obstruction of road users,

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, as amended, hereby decides that

(a) item A the restoration of a previously existing 1.2 metres (high) stone wall within the boundary of site and to the front of the house with lime mortar pointing (outlined in red on the submitted drawing number 10389_001 dated 2nd April 2026) is development and is exempted development, and

(b) item B the proposed construction of 1.2 metres high stone wall within the boundary of site and to the east of the house with lime mortar pointing (outlined in blue on the submitted drawing number 10389_001 dated 2nd April 2026) is development and is not exempted development.

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

Dated this 29th **day of** October **2026.**