

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Roscommon County

Planning Authority Reference Number: DED 174

An Bord Pleanála Reference Number: 20.RL.3430

WHEREAS a question has arisen as to whether the provision of signs at O'Connor's Bar and The Friary Restaurant, Tulsk, County Roscommon is or is not development or is or is not exempted development:

AND WHEREAS Eugene O'Connor care of Vitruvius Hibernicus of Convent Road, Longford requested a declaration on the said question from Roscommon County Council and the said Council issued a declaration on the 22nd day of October, 2015 stating that the said matter is development and is not exempted development:

AND WHEREAS the said Eugene O'Connor referred the declaration for review to An Bord Pleanála on the 3rd day of November, 2015:

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

- (a) sections 2(1), 3(1), 3(2) and 4 of the Planning and Development Act, 2000, as amended,
- (b) the definitions of “advertisement”, “advertisement structure”, “land” and “structure”, as set out in section 2(1) of the Planning and Development Act, 2000, as amended,

- (c) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (d) Classes 1, 2, 4, 5, 6, 11 and 13 of Part 2 of Schedule 2 to these Regulations, and
- (e) the reports of the planning authority and of the Inspector:

AND WHEREAS An Bord Pleanála has concluded that –

- (i) the letters “Restaurant” painted onto the south-eastern roof slope of the bar/restaurant building constitute an advertisement within the meaning of section 2(1) of the Planning and Development Act, 2000, which has resulted in this structure becoming used for the exhibition of an advertisement, and the use of the land has, therefore, materially changed, and constitutes development, in accordance with section 3(2) of the said Act,
- (ii) the following each constitute advertisements as defined in section 2(1) of the Planning and Development Act, 2000, as amended, the installation or erection of which required the carrying out of works, and therefore, constitute development:
 - A. “The Friary Café and Restaurant” sign on the roof of the single-storey lean-to extension at the south-eastern elevation of the bar/restaurant,
 - B. the “Restaurant” sign displayed on the flagpole at the south-western side of the property along the N5,
 - C. the three banner signs stating “bar”, “lotto” and “shop” affixed to the south-western elevation of the shop and bar/restaurant facing the N5,
- (iii) all of these signs might come within the scope of Class 1 of Part 2 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,

