



An
Coimisiún
Pleanála

Inspector's Report

PL-501337-RN-26

Development

Retention permission and permission for development of a Protected Structure (RPS 02600449) consisting of the retention and completion of renovation works to the partly reconstructed two-storey annex, located to the rear of the property.

Location

Main Street, Castlerea, County Roscommon.

Planning Authority

Roscommon County Council

Planning Authority Reg. Ref.

PD/25/60167

Applicant

Kearney Chemist Ltd.

Type of Application

Permission.

Planning Authority Decision

Permission with conditions.

Type of Appeal	Third Party
Appellants	Mary O'Dowd and Aisling Flanagan
Observers	None
Date of Site Inspection	22 nd July 2026.
Inspector	Derek Daly

1.0 Site Location and Description

- 1.1. The site is located on the southern side of Main Street in the central area of the town of Castlerea in County Roscommon in close proximity to the junction of Saint Patrick's Street and Main Street. The structure on the site is two storied terraced property and there is a two storied property to the east and a three storied property to the west. The building on the site forms part of the historic commercial streetscape of Main Street of Castlerea.
- 1.2. At the rear of the property is an open space / yard area which is surrounded by properties to the east and west also fronting onto Main Street and also properties to the east and south which fronts onto St. Patrick Street and the appeal site has no frontage onto St. Patrick Street.
- 1.3. The property on the site at the time of inspection was vacant and partially renovated with a new roof. There is also a partially constructed extension to the rear of the property. The interior of the building was largely removed.
- 1.4. The site has a stated area of 0.029 hectares.

2.0 Proposed Development

- 2.1. The proposed development as received by the planning authority on the 15th April 2025 was for;
 - The retention and completion of renovation works to the partly reconstructed two storey annexe located to the rear of the property which is partially two storied and partially single storied.
 - The retention and completion of renovation works to the ground-floor retail unit and first-floor living accommodation, including: new floor joists, new internal stud walls, upgrade to the electrical and plumbing outfit, upgrade to the property fenestration, installation of new stairs, and all associated site works.
 - The proposal provides a retail unit at ground floor level, an entrance which facilitates access also to the upper floor and a canteen area in the main area

of the structure. In addition to the rear of the main structure an area for storage and a W.C. is proposed in a reconstructed annexe to the building.

- At first floor level a living unit is proposed with a living area, two bedrooms, bathroom, laundry and kitchen which incorporates the main structure and the annexe area which it is proposed to reconstruct.
- The floor area of the proposed overall retention is stated as 154.0m² with the existing building on the site having a stated area of 108.0m².

2.2. A cover letter submitted with the application indicates that the applicant purchased the subject property and commenced renovation works, which included the internal strip-out and the reconstruction of an external annex that had fallen into complete dereliction and that the applicant was not aware that the structure was a protected structure and was under the impression that the works being undertaken constituted exempted development under the Planning and Development Act 2000 (as amended). Following the issuance of an enforcement notice by the Planning Authority, all works have ceased. As a result, the property remains in an incomplete state. It states that no material change of use or material alteration has been carried out and the applicant purchased the property with the intention of restoring the building to its former use. The buildings were stripped out to facilitate the safe removal of materials that had substantially deteriorated due to a prolonged period of vacancy. Our clients fully intend to replace all removed elements with new, like-for-like materials, which will also meet current building standards. The external front-facing elevations of the respective buildings (onto Main Street) have not been altered in any way. The rear annex of the property had deteriorated to such an extent that, following the removal of overgrown vegetation, the structure was found to be structurally unstable and subsequently partially collapsed. In the interest of health and safety, and to enable safe site access and mobility during ongoing restoration works, our clients removed the remaining structure. The applicant has consistently affirmed their intention to reconstruct the annex. This reconstruction will ensure that the annex matches the existing building in both appearance and character. Upon completion of the works, the rear elevation of the property will remain unchanged in form, with structural defects fully addressed. The applicant is cognisant that the buildings are located within the Castlerea Architectural Conservation Area (ACA). The restoration efforts undertaken are intended to prevent two separate properties

comprising ground floor retail and first-floor accommodation from falling into total disrepair and to activate previously vacant residential stock and significantly enhance the streetscape.

The cover note indicates that the applicant was unaware that the property is included in the Record of Protected Structures (RPS) for County Roscommon and remains fully amenable to the direction and guidance of the Planning Authority. Should planning permission be granted, all further works will be carried out under the supervision of a registered Conservation Architect. In addition, the applicant will submit relevant materials and supplier documentation for approval by the Planning Authority, as required. It is considered that this process is best undertaken post-planning, as both the Building Control Authority and the Fire Officer will also need to be consulted at that stage.

The overarching goal is to restore two long-vacant and deteriorating properties, providing a quality residential unit to support town-centre living, while also upgrading a retail unit that will enhance the streetscape.

2.3. In addition to the drawings a structural survey report was submitted in relation to the structure outlining that the property is suffering from ongoing water ingress, which has compromised the roof structure and led to significant rising damp within the building; that the roof needs to be removed and replaced; the floor joist need to be replaced as they have currently failed structurally; all structural cracks need to be stitched, and we would recommend that the ground floor is broken out and wall plaster removed; to further prevent the rising damp, mitigation measures such as installing a DPC, and osmosis wire should be implemented to inhibit ongoing moisture infiltration; all stonework needs to be repointed; there is dry rot present in the building and the dwelling will need a full rewire and re plumb.

2.4. Further details was submitted on the 12th March 2026 in response to a request of further information outlining;

- a schedule of works to be undertaken to the external of the structure,
- an Architectural Heritage Impact Assessment. The assessment addresses overall impact indicating that the works described are primarily repair, renewal and completion to a protected structure that has suffered significant damage over time. In principle, conservation-led works that arrest decay and return the

building to sound condition will have a positive impact on the protected structure and the ACA, provided external interventions are carefully detailed and limited to what is necessary. The assessment outlines a method statement for works and a conservation strategy concluding that provided the works are executed in line with appropriate Principles of Conservation as outlined above and the Castlerea LAP ACA guidance, particularly in relation to joinery proportions, wall finishes and shopfront composition, the works are assessed as overall beneficial, supporting the conservation of the protected structure and reinforcing the character of the ACA through use, repair, reinstatement and improved fabric condition; that the proposed works will not adversely affect the special character of this protected structure and will ensure the continued protection of the building by bringing it back into use and consider that the proposed works will be consistent with the objectives of Roscommon County Council County Development Plan 2022-2028, Castlerea Local Area Plan 2012-2018 and the provisions of Part IV of the Planning and Development Act (Architectural Heritage).

- revised drawings and details including a site layout map indicating open space provision to construct a 1.8m high stone wall as boundary treatment finished to match the limestone of the surrounding structures and a 1.5m high timber palisade fence is proposed to provide separation between the shop yard and the common/recreation area serving the first-floor apartment, with gated access provided from the common area. An open space area is outlined described as a recreational area.
- the response also includes clarification in relation to landownership with folio maps and
- a response in relation to the demolition of an out building which it is contended did not form part of the protected structure and did not comprise part of its protected fabric, setting or attendant grounds. Accordingly, it was respectfully submitted that the former rear shed should not be interpreted as falling within the protected status of the Main Street building and that its removal was understood by the applicant to constitute exempted development. The out building in question is outlined on drawings submitted.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The decision of the Planning Authority was to grant planning permission subject to thirteen conditions. Condition nos.2 and 3 related to architectural heritage. Condition nos 10,11 and 12 relate to external finishes and signage.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report dated the 9th June 2025 refers to the planning history, development plan provisions, submissions received referring to a 3rd party observation and an assessment of the development. The principle of the development was considered acceptable but further information was recommended requiring further details in relation to the works, architectural impact, revised site plans, provision of open space and also in relation to land ownership.

The planning report dated the 22nd April 2026 was an assessment which focused on the further information submitted. Permission was recommended.

- 3.3. The application was referred to other departments of the planning authority including the heritage officer and no responses were received.

3.4. Other submissions

A 3rd party submission was received referring to the issues of ownership and boundaries and overlooking an adjoining property.

- 3.5. The application was referred to statutory bodies and no submissions were received.

4.0 Planning History

- 4.1.1. There are previous permissions on the site and a current enforcement file.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. The statutory development plan is the Roscommon County Development Plan 2022–2028.
- 5.1.2. Chapter 4 towns and villages and refers to in the decline of once vibrant town centres, with commercial vacancy becoming more evident and contributing to a visible reduction in the quality of the urban streetscapes and if left unchecked, this will lead to an irreversible ‘hollowing out’ of urban centres. The towns and villages throughout County Roscommon have different levels of needs in terms of addressing dereliction and depopulation, and as such specifically tailored responses to address each settlements’ individual needs are required.
- 5.1.3. The CDP supports initiatives and proposals that encourage town centre living, including the conversion of the upper floors of buildings (i.e. above ground floor) into residential use, in order to revitalise the social and physical fabric of urban areas in the county. A relaxation in development standards will be considered for such projects, where it is sufficiently demonstrated that the development proposal will deliver high quality accommodation.
- 5.1.4. The Roscommon County Development Plan 2022–2028 identifies Main Street, Castlerea as part of a designated Architectural Conservation Area (ACA) in map 9.3 and a protected urban core where conservation-led regeneration and reuse are encouraged.
- 5.1.5. Volume 1. Chapter 9 refers to Built Heritage and section 9.2 to Architectural Heritage. Specific to protected structures policy objectives include

BH 9.2 to protect all structures included on the Record of Protected Structures and their settings, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest.

BH 9.3 to encourage the sympathetic re-use and secure the long-term viability of Protected Structures without detracting from their special interest and character.
- 5.1.6. Section 9.3 refers to Architectural Conservation Areas

There is reference to Castlerea ACA and that this ACA is of interest because of the group value of the tightly-knit terraces of largely classical buildings lining the streets of the town centre and dating mostly from the nineteenth century. It contains the main street in the town which was the focus of the town's development. The ACA is also of special historical interest as the plan of the town's layers of development in the 18th century and redevelopment in the 19th century is evident.

Policy objectives in relation to ACAs include;

BH 9.5 Ensure that new developments within or adjacent to an ACA respects the context of the area and contribute positively to the ACA in terms of design, scale, setting and material finishes.

BH 9.6 Protect existing buildings, structures, groups of structures, sites, landscapes and features such as street furniture, which are considered to be intrinsic elements of the special character of the ACA, from demolition or removal and non-sympathetic alterations.

BH 9.7 Ensure that all new signage, lighting, advertising and utilities to buildings within an ACA are designed, constructed and located in a manner that is complementary to the character of the ACA.

BH 9.8 Undertake an assessment to inform the potential ACA designation of special character areas considered by the Planning Authority to be worthy of such protection in County Roscommon.

5.1.7. Section 9.4 refers to Vernacular Architecture and policy objectives include;

Objective BH 9.9: Encourage the retention, appreciation and appropriate revitalisation of the vernacular heritage of County Roscommon. Discourage the replacement of good quality vernacular buildings with modern structures and by protecting vernacular buildings where they contribute to the character of an area or town and/or where they are rare examples of a structure type.

Objective BH 9.10: Support proposals to refurbish vernacular structures that are in a run-down or derelict condition, provided that all works are carried out in accordance with best conservation practice.

5.1.8. Chapter 12 refers to development management standards. Section 12.6 to Residential Development (Urban); section 12.15 refers to Commercial Development

including retail development and shop fronts; section 12.16 to Urban Character and Streetscape; section 12.23 to Architectural Conservation and Archaeology.

5.2. Volume 2 of the CDP refers to settlement plans and section 2.2 to the Castlerea Settlement Plan and the site is within an area defined as Town Core in the Castlerea Settlement plan.

5.2.1. The appeal site is also located within the Castlerea Architectural Conservation Area (ACA) as indicated on Map CA1a: Castlerea Architectural Conservation Area (ACA).

5.2.2. In the section of the plan referring to built heritage it is indicated that the main historic core of Castlerea comprises the area around Market Square in the town centre, which also serves as the main pedestrian entry point into the Demesne. The historic area of the town emanates from Market Square towards Main Street, Barrack Street and Patrick Street. From an architectural perspective, these areas of the town remain relatively unchanged since the mid-twentieth century. Much of this area is designated as an Architectural Conservation Areas (ACA).

5.2.3. Policy objectives include;

CA2 to identify and facilitate the development and renewal of vacant sites, obsolete areas, derelict sites and derelict buildings in a manner appropriate to the area.

CA8 which relates to the town core area to encourage the regeneration of derelict buildings and appropriate mixed use development on infill sites, including residential development and upper floor apartments.

5.3. In the Record of Protected Structures for County Roscommon in volume 3 of the CDP the building on the appeal site is a protected Structure RPS 02600449 referred to as Hayes Pharmacy Main Street, Castlerea Terraced House/Shop.

5.4. **National Guidance**

5.4.1. Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht, 2011).

The Architectural Heritage Protection Guidelines for Planning Authorities (2011) provides more detailed guidance in relation to ACAs and the assessment of development proposals within them on a range of matters including development control (chapter 6) and that on the whole, the best way to prolong the life of a protected structure is to keep it in active use, ideally in its original use.

- 5.4.2. Chapter 6 refers to development control and in relation to retention permission section 6.14 and that where an application for retention of unauthorised works to a protected structure is lodged, a planning authority should apply the same consideration to the works as for planning applications and should, if considering granting permission, seek to ensure that the works for which retention permission is granted have the minimum possible impact on the character of the structure.
- 5.4.3. Part 2 of the Guidance are more detailed guidance on a range of matters including different elements of the building including walls, roofs, openings, interiors, shopfronts and curtilage and attendant grounds.
- 5.4.4. Chapter 7 refers to Conservation Principles where it is indicated conservation is the process of caring for buildings and places and of managing change to them in such a way as to retain their character and special interest and that it is generally recognised that the best method of conserving a historic building is to keep it in active use, respecting earlier alterations of interest. It promotes the principal of minimum intervention (Para.7.7.1) and emphasises that additions and other interventions to protected structures should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term (7.2.2).
- 5.4.5. Chapter 13 refers to curtilage and attendant grounds and that by definition, a protected structure includes the land lying within the curtilage of the protected structure and other structures within that curtilage and their interiors. The notion of curtilage is not defined by legislation, but for the purposes of these guidelines it can be taken to be the parcel of land immediately associated with that structure and which is (or was) in use for the purposes of the structure. The extent of the curtilage will need to be determined on a case-by-case basis and should ideally be identified by the planning authority prior to inclusion of the structure in the RPS, although this is not always necessary.

5.5. NIAH reference no 31814021

NIAH Description. Terraced three-bay two-storey house, built c.1830, with 1970s tiled shopfront to ground floor. Pitched slate roof with rendered chimneystacks. Rendered walls to first floor with stucco quoins. Timber sash windows with stone sills and stucco surrounds. Round-headed doorway serving upper floors with stucco

surround containing timber and glazed door with spoked fanlight. Tiled shopfront with plastic fascia and two display windows flanking uPVC door. Building fronts onto street.

NIAH Appraisal. The regular form of this building is enhanced by stucco detailing, an attractive spoked fanlight and single-pane timber sash windows. Though it is somewhat detracted from by the tiled shopfront and replacement door, its intact original features ensure that it continues to contribute to the streetscape.

5.6. Natural Heritage Designations

- 5.6.1. The subject site is not located within a site designated as a Natura 2000 site or NHA/pNHA.

6.0 EIA Screening

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment and in this regard, I refer to Form 2 in Appendix 1 of this report. Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

The appellants grounds of appeal in summary refer to;

- The site layout map submitted with the planning application includes a large area of the appellant's site and is an infringement of their property rights and a map is included in relation to this. The map must be amended to reflect this position.

- The works on site include demolition of a historic shed the boundary wall of which formed part of boundary between the appellants' site and the applicant's site. Photos of the shed are submitted. The boundary wall was 4 metres in height. Reference is made to the exposure of the appellants' property arising from this demolition and that the application makes no reference to the demolition or to reinstate the boundary wall in a manner to match the previous wall.
- There are issues in relation to overlooking arising from the demolition the wall and overlooking from the apartment.
- There is no access from to the site other than from Main Street and there is no access to the rear from Patrick Street. There is no explanation of how refuse bins will be transferred for roadside collection. As commercial bins will not fit through the pedestrian access onto Main Street.

7.2. First Party Response

7.2.1. The applicant in a response dated the 10th June 2006 refers to;

- The boundary on the planning application is consistent with the boundary identified in the Land Registry Folio maps and reference is made to a letter from the applicant's solicitor in this regard.
- It is acknowledged that a civil dispute has arisen in this regard.
- The issue of the demolition of the shed only arose following the emergence of the civil dispute but prior to this the demolition occurred with the agreement of the appellants.
- The demolition of the shed would constitute exempted development and it was not a protected structure and comprised an old building which fell into disrepair.
- A new wall is proposed as part of the development and no access is sought through same.

- There have always been windows on the rear elevation of the appeal site property and are 25 metres from the boundary and no undue overlooking arises.
- The appellant is not seeking access onto Patrick Street and the design provides for bins to be removed via Main Street and any access arrangements will be within the applicant's lands.

8.0 **Assessment**

8.1. The main issues in this appeal relate to the principle of the development, built heritage and issues including civil / ownership matters as stated in the grounds of appeal and site specific matters. Appropriate Assessment also requires to be considered. I am satisfied that no other substantive issues arise.

8.2. In relation to the principle of the development the development is for retention permission and permission for development consisting of the retention and completion of renovation works to the partly reconstructed two-storey annex, located to the rear of the property. The property is located in the town centre and the use of the property as proposed is acceptable given the town core zoning and the provisions of the CDP and the Castlerea Settlement Plan and the site is within an area defined as Town Core in the Castlerea Settlement plan. The settlement plan in particular objectives CA2 to identify and facilitate the development and renewal of vacant sites, obsolete areas, derelict sites and derelict buildings in a manner appropriate to the area and CA8 which relates to the town core area to encourage the regeneration of derelict buildings and appropriate mixed use development on infill sites, including residential development and upper floor apartments would support the principle of the development. I would have no objection in principle to the development.

8.3. **Built heritage**

8.3.1. The appeal site is located within the Castlerea Architectural Conservation Area (ACA) as indicated on Map CA1a: Castlerea Architectural Conservation Area (ACA). The site is also listed in the Record of Protected Structures for County Roscommon as a protected Structure RPS 02600249 in the CDP.

- 8.3.2. Its designation as part of the Castlerea Architectural Conservation Area is I consider reasonable as is located in the main historic core of Castlerea comprises the area around Market Square in the town centre, which also serves as the main pedestrian entry point into the Demesne. The historic area of the town emanates from Market Square towards Main Street, Barrack Street and Patrick Street.
- 8.3.3. In the section of the plan referring to built heritage it is indicated that the main historic core of Castlerea comprises the area around Market Square in the town centre, which also serves as the main pedestrian entry point into the Demesne. The historic area of the town emanates from Market Square towards Main Street, Barrack Street and Patrick Street. From an architectural and conservation perspective, the ACA forms an important collection of buildings providing and important visual presence and the site's designation within the ACA is I consider reasonable.
- 8.3.4. Specific to the appeal site the main building on the site is listed in the Record of Protected Structures for County Roscommon as a protected Structure RPS 02600249. There is little information stated in relation to the building but the NIAH in reference no 31814021 provide a description and appraisal which identify features on the front elevation including the round-headed doorway serving upper floors with stucco surround containing timber and glazed door with spoked fanlight and additional stucco features and noted later amendments and alteration to the elevation including a tiled shopfront with plastic fascia and two display windows flanking uPVC door which detract from its original finish, its intact original features ensure that it continues to contribute to the streetscape. I would largely agree with this appraisal and that the structure's importance is its contribution to the streetscape. There is no reference to any other building within the site in any appraisal.
- 8.3.5. It is noted that the planning authority requested further information and an Architectural Heritage Impact Assessment was submitted in which the assessment addresses overall impact indicating that the works described are primarily repair, renewal and completion to a protected structure that has suffered significant damage over time. In this regard it is noted that documentation submitted also included a structural appraisal of the structure indicating many problems in relation to the exterior and interior of the structure arising from water ingress which required addressing. The Architectural Heritage Impact Assessment indicated that in

principle, conservation-led works that arrest decay and return the building to sound condition will have a positive impact on the protected structure and the ACA, provided external interventions are carefully detailed and limited to what is necessary and outlines a method statement for works and a conservation strategy concluding that provided the works are executed in line with appropriate principles of conservation and that the works as proposed are assessed as overall beneficial and will not adversely affect the special character of this protected structure and will ensure the continued protection of the building by bringing it back into use and consider that the proposed works will be consistent with the objectives of Roscommon County Council County Development Plan 2022-2028, Castlerea Local Area Plan 2012-2018 and the provisions of Part IV of the Planning and Development Act (Architectural Heritage).

- 8.3.6. It is noted that the application was referred to external bodies and also the planning authority's conservation officer and no response was received and that under section 131 the appeal was referred to statutory bodies by An Coimisiún Pleanála and no response was received.
- 8.3.7. In considering the development it is noted that remedial works were necessary given the significant deterioration of the structure and that the works as proposed will adhere to conservation principles. I would also note that the NIAH appraisal appears to focus on the front elevation of the building and that the features referred to in the appraisal are retained. There is no evidence that features relating to the interior of the building were documented.
- 8.3.8. I would note that in granting permission the planning authority has outlined conditions specific to the ongoing renovation of the structure requiring the services of a Conservation Architect for the detailed specification and supervision of the works to the protected structure and conservation works shall be carried out in accordance with the content of the Architectural Heritage Impact Assessment Report received 12th March 2026 (condition no.2), condition no 3 outlines detailed requirements in relation to existing façade door surrounds, fanlight and mouldings and façade window surrounds to be retained and where necessary repaired in accordance with an agreed conservation works schedule, sufficiently detailed drawings shall be submitted for the written agreement of the Planning Authority to illustrate the existing street front window and door surrounds and door fanlight retained and repaired

where necessary, condition no. 10 requires full details of the proposed shopfront entablature signage materials and signwriting shall be submitted for the written agreement of the Planning Authority, condition no. 11 indicates limitation on additional signs, symbols, nameplates or other advertisements and condition no.12 details on the proposed shopfront treatment.

I would have no objections to the conditions as outlined. I would note that the guidelines do require that, if possible, reinstatement to original should be aspired to if possible but there has been significant alterations to the original elevation and the main elements which remain *in situ* are to be retained and I consider that the conditions stated in the grant of permission does address retaining existing identified elements of the front elevation.

- 8.3.9. In relation to the site itself the grounds of appeal have made reference to the removal of a shed structure in the rear of the site and thereby the removal of a boundary wall and photographs were submitted in relation to this. The appellant is in the grounds of appeal request primarily reinstatement of a boundary wall to protect residential amenity rather than an issue relating to conservation. In this regard it is noted that the appellants' property has a ground floor window immediately the site boundary delineated in red and the appellants dispute this boundary contending the applicant's site only extends to the lands to the north adjoining the southern boundary of the shed/outbuilding. The applicant in response has indicated that the shed/outbuilding is not a protected structure and a new wall is proposed.

The planning authority in granting permission although raising the demolition of the shed in the request for further information in the assessment of further information indicated that the matter of the demolished shed was not adequately addressed as there remains a lack of clarity in relation to in relation to the nature of the demolition of the proposed structure and as a consequence its planning status. It further indicates that should permission be granted it does not authorise the demolition of the stone structure formerly located to the rear of the site.

In effect in granting planning permission the planning authority in a grant of permission does not authorise the demolition of the stone structure which is not referred to in the public notices and I note the conditions of the permission do not

refer in any form to the shed/outbuilding. Based on the documentation submitted I would conclude that the demolition of the shed is not within scope of this application.

Reviewing documentation relating to the building on the appeal site as a protected Structure RPS 02600449 referred to as Hayes Pharmacy Main Street, Castlerea Terraced House/Shop in the CDP with no reference to any structure other than the main building.

The Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht, 2011) refers to in chapter 13 to curtilage and attendant grounds and that by definition, a protected structure includes the land lying within the curtilage of the protected structure and other structures within that curtilage and their interiors. Curtilage is not defined, but for the purposes of these guidelines it can be taken to be the parcel of land immediately associated with that structure and which is (or was) in use for the purposes of the structure. The extent of the curtilage is required to be determined on a case-by-case basis and should ideally be identified by the planning authority prior to inclusion of the structure in the RPS which has not occurred in this case.

It is I consider reasonable to consider that the shed irrespective of disputed boundary issues is part of the site which includes the main structure on the site. It would appear based on documentation and on the NIAH description and appraisal that the main structure onto Main Street are the main consideration and there is no reference to the outbuilding.

As it does not form part of the application and its status in the context of attendant grounds it is not clear as to whether it would or would not constitute exempted development, it could be excluded from a grant of permission or specifically excluded by condition as is approach taken by the planning authority. I consider this to be a reasonable approach as there is little information submitted in the Architectural Heritage Impact Assessment specific to the shed/outbuilding to conclude that a building in the curtilage of a protected structure should have been demolished or reasons outlined to merit its demolition.

- 8.3.10. The issue of the demolition of the shed however also raises an issue in relation to the erection of a boundary wall alluded to in applicant's submissions and where the wall should be erected. The further information response in item 4 refers to *natural*

stone boundary walls currently enclose much of the perimeter of the rear area. Where boundary treatment is absent, it is proposed to construct a 1.8m high stone wall, finished to match the limestone of the surrounding structures. In addition, a 1.5m high timber palisade fence is proposed to provide separation between the shop yard and the common/recreation area serving the first-floor apartment, with gated access provided from the common area. The site layout plan does not indicate the location of the wall. It is therefore necessary that the precise location of a boundary wall is conditioned in particular to safeguard residential amenities and which is further considered in section 8.5.1 of this report. The location of the wall is dependent of the site ownership, which is part of the appeal grounds. It would therefore be desirable by condition to specify that the proposed southern boundary wall (1.8m high), be located within the site a minimum distance of 11m from the appellants property which would allow certainty in terms of protecting their privacy and without being unduly close to their property. In this regard I note that the red line of the appeal site boundary directly abuts the appellants property.

8.4. Land ownership.

- 8.4.1. The grounds of appeal specifically refer to the issue of ownership and that part of the appellants' garden is forms part of the site as applied for. This matter is contested by the first party who submitted documentary evidence in support of ownership. The information submitted would infer that the area as outlined in blue is within the applicant's ownership. In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and are outside the scope of the planning appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act where a person shall not be entitled solely by reason of a permission under this section to carry out any development.

8.5. Site specific matters.

- 8.5.1. In relation to other matters arising, it is contended that the development as submitted impacts on the privacy by reason of overlooking and loss of security. In relation to this matter, it is noted that the appellants' property has a ground floor window looking directly into the appeal site property immediately adjoining the applicant's indicated

site boundary looking northwards towards the appeal site. The development as submitted does include a kitchen window at first floor level and the rear of the property in a first floor extension which extends approximately 3160mm outwards from the main section of the structure. The window of the kitchen is in excess of 24 metres from the ground floor window. The removal of the shed has created the situation where the window on the appellants' property is openly visible from a large area of the appeal site and exceeds minimum desired separation distance.

The provision of a new proposed screen wall in conjunction with the separation distance from first floor window to the appellants' window would address this concern in relation to a loss of amenity whether it is in the approximate location of the shed replicating screening previously provided or an agreed location. The resolution of the issue of ownership may also address the matter in relation to the precise location of a screen wall. I therefore consider a boundary wall to be desirable and the location of this wall should require to be determined irrespective of any determination of the legal status of the demolition of the shed/outbuilding.

- 8.5.2. In relation to the apartment as proposed it complies with the Sustainable Urban Housing: Design Standards for New Apartments, 2023 in relation to floor area for a 2 bedroom unit, internal storage, room areas and private amenity open space. In relation to the latter the area of open space is satisfactory whether it is in relation to the site area as applied for or the reduced area as contested by the appellants. It would also be noted that the upper floor of the building would appear to have been in residential use and the proposed new residential unit would offer improved and modern standards.
- 8.5.3. In relation to the issue of refuse and the movement of refuse bins it is noted that bin storage is provided and the means of transporting the bins to the public road at Main Street can be provided for.

9.0 AA Screening

- 9.1. I have considered the development consisting of the retention and completion of renovation works to the partly reconstructed two-storey annex, located to the rear of the property with all associated site development works and services.

- 9.2. The development comprises in effect a relatively minor development as outlined in section 2 in the Inspectors report. Having regard to the location, nature and scale of the proposed development confined within an established residential property, and the absence of connectivity to European sites it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on these European sites.

10.0 Water Framework

- 10.1. The subject site is not located immediate to a waterbody The development consists of the retention and completion of renovation works to the partly reconstructed two-storey annex, located to the rear of the property. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:
- Nature of works regarding the nature and scale of the development.
 - The context of the surrounding area.
 - Location and distance from nearest Water bodies and lack of hydrological connections.

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that permission be granted.

12.0 Reasons and Considerations

12.1. Having regard to the nature of the development, the existing uses on the site; the structural condition of the building on the site the design, nature and scale of the proposed development and the pattern and character of development in the vicinity; it is considered that the development would not have a significant adverse effect on the residential amenities and would not detract from the visual character of the area and would not be contrary to the proper planning and sustainable development of the area.

13.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 15th April 2025 as amended by the Further Information submitted on the 12th March 2026, except as may otherwise be required in order to comply with the following conditions. The permission relates to the works referred to in the public notices and does not refer to any works relating to the demolition of the shed/outbuilding located on the site. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	(a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained

	building and facades structure and/or fabric; (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, and shall be designed to cause minimum interference to the building structure and/or fabric. Items that must be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement; (c) All conservation works shall be carried out in accordance with the content of the Architectural Heritage Impact Assessment Report received 12th March 2026 or where otherwise stipulated in the conditions of this permission. All off site workshop repairs and conservation works to internal joinery, window and door repairs and conservations works shall be carried out under the supervision of a Conservation Architect accredited by the Royal Institute of the Architects of Ireland or other suitably qualified professional with proven conservation skills. (d) Methodologies for remedial works, including proposed materials for all works shall be submitted. (e); Prior to the commencement of development, details of the procedures to be followed in respect of the above, including proposals with respect to work, methodologies, services installation, doors, floors, ceilings and windows shall be submitted to, and agreed in writing with, the planning authority. Reason: To ensure that the integrity of the protected structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.
3.	Existing façade door surrounds, fanlight and mouldings and façade window surrounds shall be retained and where necessary repaired in accordance with an agreed conservation works schedule. Prior to the resumption of

	development, sufficiently detailed drawings shall be submitted for the written agreement of the Planning Authority to illustrate the existing street front window and door surrounds and door fanlight retained and repaired where necessary. Original glazing shall be retained. Where secondary glazing is identified by the supervising Conservation Architect (appointed in accordance with Condition 2 above) as being a requirement, detailed plans, specifications and installation methods to be employed shall be provided for the written agreement of the Planning Authority prior to the undertaking of this intervention. All agreed detailing, finishes, inclusive of colours, shall thereafter be implemented. Reason: In the interests of visual amenity and orderly development.
4.	Prior to the resumption of development, full details of the proposed shopfront entablature signage materials and signwriting shall be submitted for the written agreement of the Planning Authority. The proposed signage shall comprise traditional materials. The signage shall be lit, where required, by agreed external illumination only. The agreed signage shall thereafter be implemented. Reason: In the interests of visual amenity and orderly development.
5.	(a) No additional signs, symbols, nameplates or other advertisements shall be erected on the external face of the premises without the prior written agreement of the Planning Authority whether or not such development would constitute exempted development. (b) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission; and (c) External roller shutters shall not be erected and any internal shutters shall be of the 'open-lattice' or 'perforated' type. Reason: In the interests of visual amenity and orderly development.
6.	The residential unit on the site shall be provided with an area of private amenity open space areas readily accessible to the occupants of the unit and shall be landscaped in accordance with a scheme of landscaping, details including a timescale for implementation shall be submitted to the

	planning authority, and agreed in writing within six months of the grant of permission. The submitted details shall also clearly delineate the area of open space and provide for a 1.5m high timber palisade fence or similar material to provide separation between the shop yard and the common/recreation area serving the first-floor apartment, with gated access provided from the common area. Reason: In the interest of residential and visual amenity.
7.	A boundary stone wall, finished to match the limestone of the surrounding structures shall be constructed in a location to be submitted to and agreed with the planning authority within six months of this grant of planning permission. The boundary wall 1.8 metres in height shall be located within the applicant's site shall be a minimum distance of 11 metres from the appellants property. Reason: In the interest of residential and visual amenity.
8.	All surface water run-off from this development shall be collected and disposed of within the site. In particular, no such water run-off shall be allowed to flow onto the public road or adjoining properties. Reason: In the interests of orderly development and public safety.
9.	The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste. Reason: In the interests of public safety and residential amenity.
10.	Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the

	planning authority. Reason: In order to safeguard the amenities of property in the vicinity
11.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way

Derek Daly

Planning Inspector

6th August 2026

Form 1 - EIA Pre-Screening

Case Reference	PL-501367-26
Proposed Development Summary	Retention permission and permission for development of a Protected Structure (RPS 02600449) consisting of the retention and completion of renovation works to the partly reconstructed two-storey annex, located to the rear of the property.
Development Address	Main Street, Castlerea, County Roscommon.
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	☐ X Yes , it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ X Yes , it is a Class specified in Part 1 .	
☐ No,	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
x No , the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
No , the proposed development is of a Class and meets/exceeds the threshold.	
Yes , the proposed development is of a Class	

but is sub-threshold. Preliminary examination required. (Form 2)	
--	--

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Derek Daly Date: 6th August 2026

Form 2 - EIA Preliminary Examination

Case Reference	PL-501367-26
Proposed Development Summary	Retention permission and permission for development of a Protected Structure (RPS 02600449) consisting of the retention and completion of renovation works to the partly reconstructed two-storey annex, located to the rear of the property.
Development Address	Main Street, Castlerea, County Roscommon.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (	<i>The development provides for a renovation to a structure dwelling in town centre location where public services are available. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</i>
Location of development (	<i>The development is situated in an area which is an urban area with an established built up town centre area in which existing services are available. The development is not located in proximity to sensitive natural habitats, designated sites and landscapes of identified significance in the County Development Plan</i>
Types and characteristics of potential impacts	<i>Having regard to the nature of the proposed development and the availability of piped services there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</i>
Conclusion	
Likelihood of Significant	Conclusion in respect of EIA

Effects	
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	No
There is a real likelihood of significant effects on the environment.	No

Inspector: Derek Daly Date: 6th August 2026