

# Offaly County Council

Áras an Chontae, Charleville Road,  
Tullamore, Co. Offaly, R35 F893.

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## REGISTERED POST

Administrative Assistant  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

**Our Ref:** DEC21/02

**Appeal Re:** Weather the alteration of the raised stone kerbing and the removal of the gravel finish surrounding the base of the war memorial is development which is exempted development at O Connor Square, Tullamore, Co Offaly

Dear Sir,

I refer to the above and to your correspondence dated 18<sup>th</sup> March 2021. I attach herewith

- a) Copy of file DEC21/02
- b) Part VIII correspondence
- c) FOI correspondence
- d) Landowner details
- e) See below for Offaly County Councils submission to ABP in this case
- f) Correspondence from OPR (Office of Planning Regulator) in this case

Offaly County Council would respectfully request An Bord Pleanála to support its assertion that the works in question are development and are exempted development.

Mr MacCabe, who has sought this section five declaration, has noted that section 4(f) of the planning act is more correctly focused on other parties carrying out work with the Councils consent. As stated in Mr MacCabe's submission dated 10/3/2021 "section 4(1)(F) simply allows others to carry out development utilizing the Council's powers under section 4(1)(aa) with their consent"

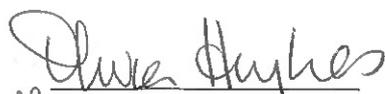
The Council considers the works to be exempted under section 4(1)(aa).

The Council strongly contests Mr MacCabe's assertion that the works in question impacted negatively on the protected structure of the War Memorial.

The Council does not consider that the works subject of this declaration materially affected the structure or any element of the structure and reports in this regard, have been included in the section five declaration from OCC Conservation Architect Ms Rachel Mc Kenna, who has vast experience in this area.

Relevant communications between Mr. MacCabe and Offaly County Council in relation to this section two request have been included.

Yours faithfully,

  
Administrative Officer  
Planning Department

Enc.

/td

Municipal District of Birr / Ceantar Bardasach Bhiorra / 057 9124900

Municipal District of Tullamore / Ceantar Bardasach Thulach Mhór / 057 9352470

Municipal District of Edenderry / Ceantar Bardasach Éadan Doire / 046 9731256

# Comhairle Chontae Uíbh Fhailí

Áras an Chontae, Bóthar Charleville,  
An Tulach Mhór, Contae Uíbh Fhailí, R35 F893.



30<sup>th</sup> March 2021