

**ROSCOMMON COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACT 2000 (as amended)**

**SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**CHIEF EXECUTIVE'S ORDER**

Order No: PL/154/25

Reference Number: DED 791

Name of Applicant: MCN Property

Agent: N/A

**WHEREAS** a question has arisen as to whether the change of use from commercial to residential at Main Street, Athleague, Co. Roscommon, F42 XN75, is or is not development and is or is not exempted development:

**AND WHEREAS** Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended.
- (c) Part 1 and 4 of Article 6 of Schedule 2 of the Planning and Development, 2001, as amended.
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (e) The planning history of the site.

**AND WHEREAS** Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed change of use from commercial to residential raises concerns in relation to endangering public safety by reason of traffic hazard or obstruction of road users as described in this case is not an exempted development.
- (c) The proposed change of use from commercial to residential don't fully comply with the conditions and limitations set out in Article 10(6)(d) of the Planning and Development Regulations, 2001, as amended, and the requirements of the "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" issued under section 28 of the Act, as described in this case is not an exempted development.
- (d) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

**NOW THEREFORE:**

By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said to development to change the use from commercial to residential at Main Street, Athleague, Co. Roscommon., is development that is **not exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:



Signed: \_\_\_\_\_

Alan O'Connell,  
Senior Executive Planner,  
Planning.

Date: 10 February, 2025

**ROSCOMMON COUNTY COUNCIL**  
**Chief Executive's Order requesting Further Information**  
**on Section 5 of the Planning & Development Act 2000 (as amended)**

Order No: PL/14/25

**Subject:** Planning & Development Act 2000 (as amended).  
Planning & Development Regulations 2001 (as amended).

**Applicant:** MCN Property

**Agent:** N/A

**Ref No.:** DED 791

**RE:** WHEREAS a question has arisen as to whether the change of use from commercial to residential at Main Street, Athleague, Co. Roscommon., is or is not development and is or is not exempted development.

**ORDER:** By virtue of the powers vested in me by the Local Government Acts 1925 - 2024 and the Planning & Development Act 2000 (as amended), it is hereby ordered that **Further Information** in relation to the request for a Declaration on development and exempted development (Reference No. DED 791) be requested from the Applicant.

Signed on the 7<sup>th</sup> January 2025

  
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Alan O'Connell,  
Senior Executive Planner,  
Planning.