

**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/274/25

Reference Number:

DED 840

Name of Applicant:

Walpole Investments Ltd

Agent:

Conor Gray

**WHEREAS** a question has arisen as to whether the internal alterations in order to meet the requirements of Rehab (proposed tenets) and the use of an existing office building as a Rehab Office at Office 2, First Floor, Carrick Retail Business Park, Cortober, Carrick-on-Shannon, Co. Roscommon, 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 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) 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.
- (d) The planning history of the site.

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

- (a) The works outlined above are development.
- (b) The proposed internal alterations in order to meet the requirements of Rehab (proposed tenets) and the use of an existing office building as a Rehab office as described in this case fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 (as amended) and are classed as an **exempt development**, which provides as follows:  
*development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*
- (c) The change of use from office use to office use within Class 3 of Part 4, Article 10 of the Planning and Development Regulations 2001 (as amended) is classed as exempt development.
- (d) The change of use of a portion of the building, 167m<sup>2</sup>, previously used as casino (Planning Ref. 13/162), is **not exempted development**, and a Planning Application would be required in order to materially change the use from Class 2 commercial leisure to Class 3 office use of the Classes of Use set out in Part 4 Article 10 of the Planning and Development Regulations 2001 (as amended).
- (e) 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 – 2024 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 development to internally alter in order to meet the requirements of Rehab (proposed tenets) and the use of an existing office building as a Rehab Office at Office 2, First Floor, Carrick Retail Business Park, Cortober, Carrick-on-Shannon, Co. Roscommon., is a **split decision** with the proposed internal alteration to the building and the change of use from office use to office use within Class 3 of Part 4, Article 10 of the Planning and Development Regulations 2001 (as amended) is **exempt development**. The change of use of a portion of the building, 167m<sup>2</sup> previously used as casino (PD/13/162), is **not an exempt development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

**Signed on behalf of the Council:**

Signed:   
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Alan O'Connell,  
Senior Executive Planner,  
Planning.

Date: 06 March, 2025