

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/279/26 _____

Reference Number: DED 923

Name of Applicant: John Larkin

Agent: N/A

WHEREAS a question has arisen as to whether the following works; to restore 1.2m high stone wall within the boundary of site & surrounding house (lime mortar pointing) at Termonbeg, Tarmon, Castlerea, 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, 5 and 9 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 5 Part 1 Schedule 2 Article 6 of the Planning and Development Regulations, 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.
- (f) The report received from Castlerea Area Office

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed works comply with the conditions and limitations associated with Class 5 Article 6 Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- (c) The elements of the said development described as "restore 1.2m high stone wall within the boundary of site & surrounding house (lime & mortar pointing)" indicated on plans and particulars received as "reinstate wall using reclaimed stone and lime mortar pointing" and outlined red on the site layout plan received is exempted development.
- (d) The elements of the said development described as "restore 1.2m high stone wall within the boundary of site & surrounding house (lime & mortar pointing)" indicated on plans and particulars received as "wall to be built along the eastern site boundary" and outlined green on the site layout plan received is deemed not exempted development for the following reasons:
 - It has been reported by Castlerea Area Office that should the proposed wall be constructed, sightlines would be greatly reduced, that roadside drainage would be impaired by the construction of the proposed wall in its new location by covering a grated manhole and that should the proposed wall be constructed, access would be greatly restricted to the adjacent cul-de -sac by the narrowing of the junction.
 - In view of the foregoing concerns set out by Castlerea Area Office the restrictions on exemption referenced under Article 9 (1) (a) (i.e. development to which Article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would (iii) endanger public safety by reason of traffic hazard or obstruction of road users) are a relevant consideration.

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 for the following works; to restore 1.2m high stone wall within the boundary of site & surrounding house (lime mortar pointing) at Termonbeg, Tarmon, Castlerea, Co. Roscommon, is a split decision as follows:

- The said development described as “restore 1.2m high stone wall within the boundary of site & surrounding house (lime & mortar pointing)” indicated on plans and particulars received as “reinstate wall using reclaimed stone and lime mortar pointing” and outlined red on the site layout plan received at Termonbeg, Tarmon, Castlerea, Co. Roscommon, is **exempt development**.
- The said development described as “restore 1.2m high stone wall within the boundary of site & surrounding house (lime & mortar pointing)” indicated on plans and particulars received as “wall to be built along the eastern site boundary” and outlined green on the site layout plan received at Termonbeg, Tarmon, Castlerea, Co. Roscommon, is **not exempt 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: 9th March, 2026