



An
Bord
Pleanála

Board Direction ABP-321042-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/02/2025.

The Board decided, as set out in the following Order, that

WHEREAS a question has arisen as to whether the alterations of side windows to comply with fire officer's requirement for means of escape from inner bedrooms at Shanks Mare, Collegelands and Arodstown, Summerhill, County Meath is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Meath County Council on the 10th day of October, 2024:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) Sections 2(1), 3, and 4 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 41(e) of Part 1 of Schedule 2, to those Regulations,
- (d) the planning history of the site, and
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the alterations of side windows to comply with fire officers requirement for means of escape from inner bedrooms is development, and
- (b) the alterations of side window which does not materially affects the external appearance of the structure so as to render the appearance inconsistent with the character of the structure is exempted development having regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000, and
- (c) the alterations of side window to a door which materially affects the external appearance of the structure so as to render the appearance inconsistent with the character of the structure is not exempted development having regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000, as amended:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the alterations of side windows for means of escape from inner bedrooms at Shanks Mare, Collegelands and Arodstown, Summerhill, County Meath is development and, the alteration of side window which does not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure is exempted development and, the alteration of side window to a door which materially affects the external appearance of the structure so as to render the appearance inconsistent with the character of the structure is not exempted development.

Board Member:


Marie O'Connor

Date: 13/02/2025