

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

Lough Ree Access for All,
c/o Killian Consulting Engineers,
Northgate St.,
Athlone,
Co. Westmeath.

Reference Number: DED 526

Application Received: 18th August, 2022.

Location: Gortnagallon, Ballyleague, Co. Roscommon.

WHEREAS a question has arisen as to whether the installation of a coffee dock in the existing waiting area and education space at Lough Ree Access for All, Gortnagallon, Ballyleague, Co. Roscommon, is or is not development or 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) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Act 2000 (as amended);
- (c) Planning history on the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The proposed development constitutes development as defined in the Planning & Development Act 2000, (as amended) and associated Regulations;
- (b) The proposed development is exempted development as defined in the Planning & Development Act 2000, (as amended) and associated Regulations.
- (c) 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 proposed development.

NOW THEREFORE:

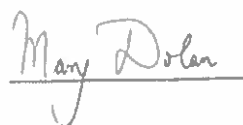
By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and, having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said works consisting of the installation of a coffee dock in the existing waiting area and education space at Lough Ree Access for All, Gortnagallon, Ballyleague, Co. Roscommon constitutes development that is exempted development as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

ADVICE NOTE

This Declaration is based on the relevant Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) at the date of issue. In the event that the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended) change prior to the works being carried out this Declaration may no longer apply.

Signed on behalf of the said Council

A handwritten signature in cursive script, appearing to read 'Mary Dolan', written over a horizontal line.

**Administrative Officer,
Planning.**

Date: 14th October, 2022

**Planner's Report on application under
Section 5 of the Planning and Development Act 2000 (as amended)**

Reference Number: DED 526

Re: Application for a Declaration under Section 5 of the Planning and Development Act 2000 as amended, regarding Exempted Development to install coffee dock in the existing waiting area and educational space at Lough Ree Access for All.

Name and Address of Applicant: Lough Ree Access for All

Location of Development: Gortnagallon, Ballyleague, Co Roscommon.

1.0 Introduction

NOTE: This report has been prepared following receipt of a response to the Planning Authority's request for further information. This report should be read in conjunction with the planning officers' original report of 14th Sept 2022 which amongst other matters details and considers:

- Development proposal and site assessment
- Relevant statutory provisions
- Planning history on site

Further information requested: 14th Sept 2022

Clarification response received: 28th Sept 2022

3.0 Planning Assessment following receipt of Further Information

Summary of issues on which further information was sought:

Item 1: Clarify:

- a) The nature of the proposed coffee dock.
- b) If it is within an existing building or a standalone structure.
- c) The exact location of same on a layout map.

Assessment of further information received:

Item 1: The applicant clarified that the proposed coffee dock is not for commercial purposes but for serving refreshments to people with disabilities after a boat tour. They further clarified that it will be located within the existing centre and same has been indicated on plans submitted. The location of the centre which was granted planning permission in 2019 (pd ref 19/311) has been identified on a site layout plan.

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2.-(1)

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

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Section 3.-(1)

In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1) (h) The following shall be exempted developments for the purposes of this Act:

(h) 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

Assessment

The question to be determined in this Section 5 referral is whether the installation of a coffee dock in the existing waiting area and educational space at Lough Ree Access for all is or is not development and is or is not exempted development. Having considered the definition of both “works” and “development” outlined above, I would deem that these proposed developments constitute works and is therefore development.

Having established that the ‘works’ undertaken amount to ‘development’, the issue to be considered is whether the development is exempted development or not. Section 4(1) of the Act defines certain types of development as being ‘exempted development’. Of potential relevance is section 4(1) which provides as follows;

(h) 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 and

I am satisfied that the development in question falls within Section 4(1) the above, in that the nature of the development will not materially affect the external appearance of the structure and therefore, can be considered to be exempted development under the provisions of the Planning & Development Act, 2000 as amended.

Planning permission was granted under pd 19/311 for a development consisting of change of use planning application to convert existing Waterways Ireland storage shed to an outdoor recreational centre/lake access centre facility to Lough Ree. The applicant has clarified that the proposed coffee dock is for the use of people using this facility and not for commercial purposes. I am satisfied the proposal is ancillary to the use permitted under Pf 19/311.

Lough Ree SAC and SPA is located c 111 m away from the site it is reasonable to conclude that on the basis of the information available, which I consider adequate in order to issue a screening determination, that 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.

Final assessment:

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Acts 2000 (as amended);
- (b) 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);

(c) Planning history on the site.

Having regard to the above, I am satisfied that the general question raised in this referral can be determined as follows:

- The works are development
- The proposed works are exempted development.

Recommendation

I have concluded that to install coffee dock in the existing waiting area and educational space at Lough Ree Access for All together with all associated site works is development and IS exempted development and I recommend that a declaration to that effect should be issued to the applicant.

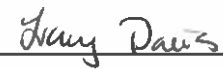
Signed


Paula Connaughton
Executive Planner

Date:

13/10/22

Signed


~~Senior Executive Planner~~
D / SP

Date:

14/10/2022



**APPROPRIATE ASSESSMENT
SCREENING REPORT FOR**

Application for a Declaration under Section 5 of the Planning and Development Act 2000 as amended, regarding Exempted Development to install coffee dock in the existing waiting area and educational space at Lough Ree Access for all Ballyleague, Co Roscommon



**Comhairle Contae
Ros Comáin**
Roscommon
County Council

Lyndee

Table 1: Project Details

Development Consent Type	Declaration Under Section 5 of the Planning and Development Act 2000 as amended
Development Location	Ballyleague, Lanesborough, Co. Roscommon
File Reference Number	Ded 526
Description of the Project	Application for a Declaration under Section 5 of the Planning and Development Act 2000 as amended, regarding Exempted Development to install coffee dock in the existing waiting area and educational space at Lough Ree Access for All

Table 2: Identification of Natura 2000 Sites (SACs and SPAs) which may be impacted by the proposed development

Please answer the following questions in order to determine whether there are any Natura 2000 sites which could potentially be impacted by the proposed development.

Special Areas of Conservation (SAC)

Impacts on Habitats

1.	Impacts on Freshwater Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or within 1km of same?</p> <p>Sites to consider Lough Ree SAC (Site Code: 000440) Distance from Site: 0.09 km Designated features: Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation (#3150)</p> <p>Lough Forbes Complex SAC (Site Code: 001818) Distance from Site: 8.73 km Designated features: Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation (#3150)</p> <p>Fortwilliam Turlough SAC (Site Code: 000448) Distance from Site: 5.85 km Designated features: Turloughs (#3180)</p>	<p>Yes</p> <p>It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. <i>However, there is no likelihood of significant effects, and no adverse impacts to site integrity are predicted</i> due to the limited scale of development.</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p>

2.	Impacts on Bog Mires and Fens Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Bog Mires and Fens habitats, or within 1km of same?</p> <p>Sites to consider Lough Ree SAC (Site Code: 000440) Distance from Site: 0.09 km Designated features: Degraded raised bogs still capable of natural regeneration (#7120), Alkaline fens (#7230)</p> <p>Lough Forbes Complex SAC (Site Code: 001818) Distance from Site: 8.73 km Designated features: Active raised bogs (#7110), Degraded raised bogs still capable of natural regeneration (#7120), Depressions on peat substrates of the Rhynchosporion (#7150)</p> <p>Brown Bog SAC (Site Code: 002346) Distance from Site: 10.66 km Designated features: Active raised bogs (#7110), Degraded raised bogs still capable of natural regeneration (#7120), Depressions on peat substrates of the Rhynchosporion (#7150)</p> <p>Corbo Bog SAC (Site Code: 002349) Distance from Site: 5.13 km Designated features: Depressions on peat substrates of the Rhynchosporion (#7150), Degraded raised bogs still capable of natural regeneration (#7120), Active raised bogs (#7110)</p> <p>Clooneen Bog SAC (Site Code: 002348) Distance from Site: 14.5 km Designated features: Degraded raised bogs still capable of natural regeneration (#7120), Depressions on peat substrates of the Rhynchosporion (#7150)</p>	<p>Yes</p> <p>It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. <i>However, there is no likelihood of significant effects, and no adverse impacts to site integrity are predicted</i> due to the limited scale of development.</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p>

3.	Impacts on Forests Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Forests habitats, or within 1km of same?</p> <p>Sites to consider Lough Ree SAC (Site Code: 000440) Distance from Site: 0.09 km Designated features: Old sessile oak woods with Ilex and Blechnum in the British Isles (#91A0), Bog woodland (#91D0)</p> <p>Lough Forbes Complex SAC (Site Code: 001818) Distance from Site: 8.73 km Designated features: Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) (#91E0)</p> <p>Clooneen Bog SAC (Site Code: 002348) Distance from Site: 14.5 km Designated features: Bog woodland (#91D0)</p>	<p>Yes</p> <p>It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. <i>However, there is no likelihood of significant effects, and no adverse impacts to site integrity are predicted</i> due to the limited scale of development.</p> <p>No significant impacts on this Natura site are likely.</p> <p>No significant impacts on this Natura site are likely</p>
4.	Impacts on Grasslands Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Grasslands habitats, or within 1km of same?</p> <p>Sites to consider Lough Ree SAC (Site Code: 000440) Distance from Site: 0.09 km Designated features: Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) (#6210)</p>	<p>Yes</p> <p>It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. <i>However, there is no likelihood of significant effects, and no adverse impacts to site integrity are predicted</i> due to the limited scale of development.</p>

5.	Impacts on Heath and Scrub Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Heath and Scrub habitats, or within 1km of same?</p> <p>Sites to consider None</p>	NA
6.	Impacts on Rocky Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Rocky habitats, or within 1km of same?</p> <p>Sites to consider <u>Lough Ree SAC</u> (Site Code: 000440) Distance from Site: 0.09 km Designated features: Limestone pavements (#8240)</p>	NA
7.	Impacts on Dunes Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Dunes habitats, or within 1km of same?</p> <p>Sites to consider None</p>	NA
8.	Impacts on Coastal Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Coastal habitats, or within 1km of same?</p> <p>Sites to consider None</p>	NA

Impacts on Species

1.	Impacts on Amphibians	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Amphibians, or within 1km of same?</p> <p>Sites to consider None</p>	NA
2.	Impacts on Anthropods	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Anthropods or within 1km of same?</p> <p>Sites to consider None</p>	NA
3.	Impacts on Fish	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Fish, or within 1km of same?</p> <p>Sites to consider None</p>	NA
4.	Impacts on Mammals	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Mammals, or within 1km of same?</p> <p>Sites to consider <u>Lough Ree SAC</u> (Site Code: 000440) Distance from Site: 0.09 km Designated features: <i>Lutra lutra</i> (Otter) (#1355)</p>	<p>Yes</p> <p>It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. <i>However, there is no likelihood of significant effects, and no adverse impacts to site integrity are predicted</i> due to the limited scale of development.</p>
5.	Impacts on Molluscs	Likely Effects

		(direct, indirect or cumulative)
	Is the development within a Special Area of Conservation whose qualifying interests include Molluscs, or within 1km of same? Sites to consider None	NA
6.	Impacts on Non-vascular Plants	Likely Effects (direct, indirect or cumulative)
	Is the development within a Special Area of Conservation whose qualifying interests include Non-vascular plants, or within 1km of same? Sites to consider None	NA
7.	Impacts on Reptiles	Likely Effects (direct, indirect or cumulative)
	Is the development within a Special Area of Conservation whose qualifying interests include Reptiles, or within 1km of same? Sites to consider None	NA
8.	Impacts on Vascular Plants	Likely Effects (direct, indirect or cumulative)
	Is the development within a Special Area of Conservation whose qualifying interests include Vascular Plants, or within 1km of same? Sites to consider None	NA

Special Protection Areas (SPA):

1.	Impacts on Birds	Likely Effects (direct, indirect or cumulative)
	Is the development within a Special Protection Area, or within 1km of same? Sites to consider <u>Lough Ree SPA</u> (Site Code: 004064) Distance from Site: 0.1 km Designated features: Little Grebe (<i>Tachybaptus ruficollis</i>) (#A004), Whooper Swan (<i>Cygnus cygnus</i>) (#A038), Wigeon	Yes It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. <i>However, there is no</i>

<p>(Anas penelope) (#A050), Teal (Anas crecca) (#A052), Mallard (Anas platyrhynchos) (#A053), Shoveler (Anas clypeata) (#A056), Tufted Duck (Aythya fuligula) (#A061), Common Scoter (Melanitta nigra) (#A065), Goldeneye (Bucephala clangula) (#A067), Coot (Fulica atra) (#A125), Golden Plover (Pluvialis apricaria) (#A140), Lapwing (Vanellus vanellus) (#A142), Common Tern (Sterna hirundo) (#A193), Wetland and Waterbirds (#A999)</p> <p><u>Ballykenny-Fisherstown Bog SPA</u> (Site Code: 004101) Distance from Site: 8.75 km Designated features: Greenland White-fronted Goose (Anser albifrons flavirostris) (#A395)</p>	<p><i>likelihood of significant effects, and no adverse impacts to site integrity are predicted due to the limited scale of development.</i></p> <p>No significant impacts on this Natura site are likely</p>
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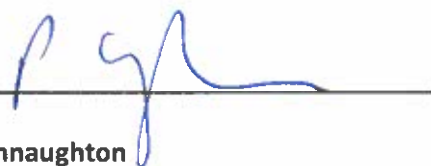
All designated sites within a 15km radius of the subject site have been considered in this screening for Appropriate Assessment.

Conclusion Table 2: If the answer to all of these questions is no, significant impacts can be ruled out for Natura 2000 sites. No further assessment is required; proceed to the Habitats Directive Conclusion Statement.

Screening for Appropriate Assessment - Conclusion Statement

Development Consent Type: Declaration Under Section 5 of the Planning and Development Act 2000 as amended
Development Location: Ballyleague, Lanesborough, Co. Roscommon
Natura 2000 sites within impact zone: SAC:002349, SAC:002348, SAC:002346, SAC:001818, SAC:000448, SAC:000440, SPA:004101, SPA:004064
Planning File Reference Number: Ded 526
Description of the Project: Application for a Declaration under Section 5 of the Planning and Development Act 2000 as amended, regarding Exempted Development to install coffee dock in the existing waiting area and educational space at Lough Ree Access for All
Describe how the project or plan (alone or in combination) could affect Natura 2000 sites(s): No significant impacts have been identified
If there are potential negative impacts, explain whether you consider if these are likely to be significant, and if not, why not: It is not considered that there will be any loss of habitat within any European Sites, nor any loss of any qualifying Annex 1 habitat outside designated sites. There is no evidence that any habitats proposed for removal within the subject lands are used by Qualifying Interests of any European sites. It is not considered therefore that there is any potential for cumulative habitat loss or disturbance impacts.
Conclusion of Screening Assessment: Following an assessment of the proposed development and any potential relationships with European Sites, it is concluded that either alone or in combination with other plans or projects; there would be no likely significant effects on any European Sites.
Documentation reviewed for making this statement: Roscommon County Development Plan 2014 – 2020, documentation submitted with the planning application
Completed by: Paula Connaughton
Date: 13/10/2022

Signed: _____



Paula Connaughton
Executive Planner

Date: _____

13/10/22

Signed: _____

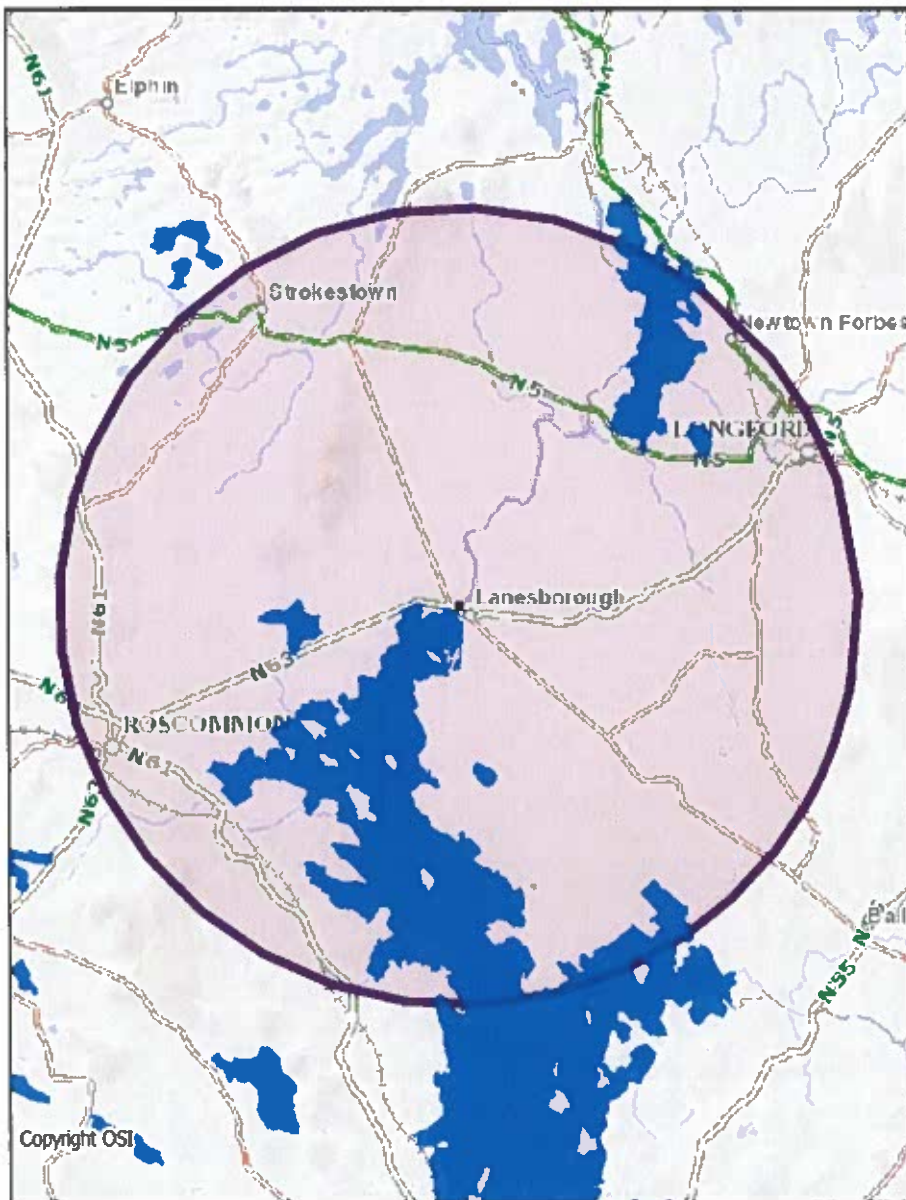
Laura Davis
~~Mary Grier~~ Mary Davis

Senior Planner

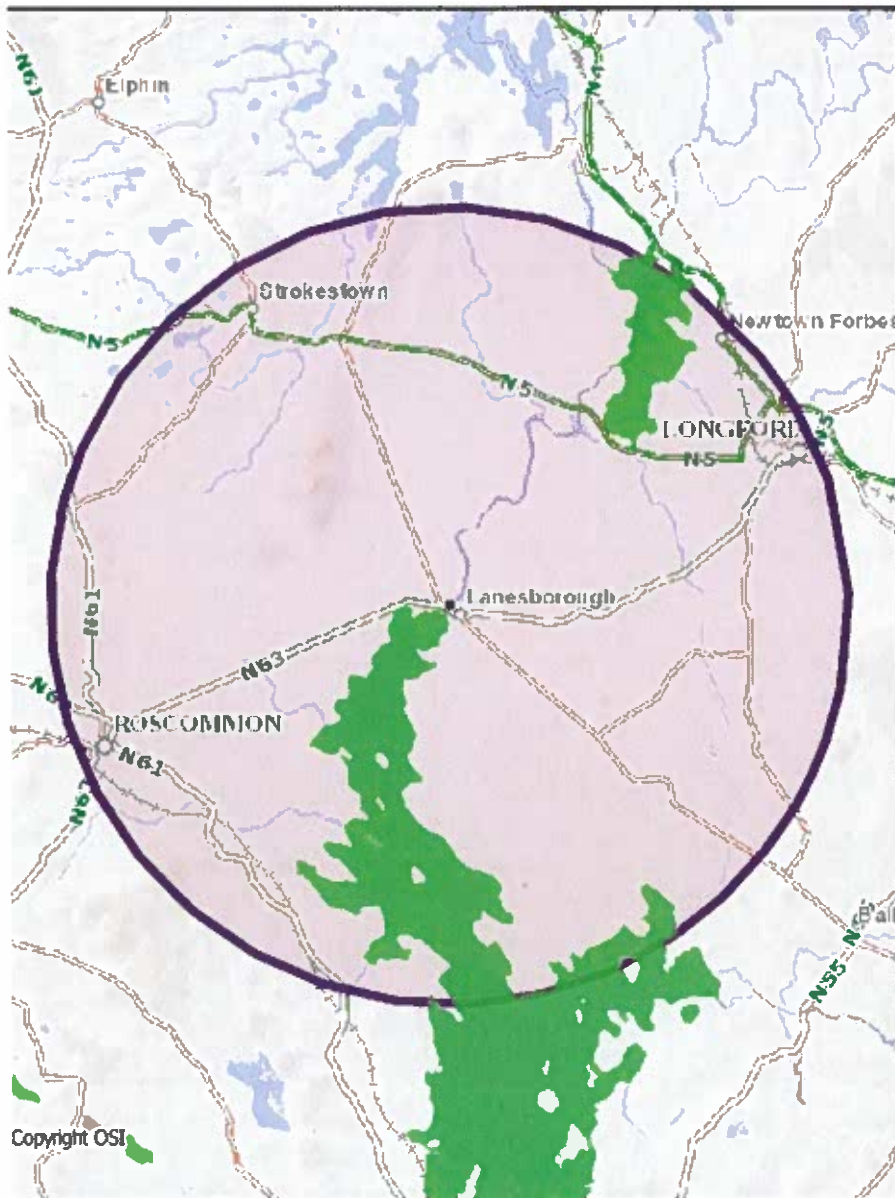
Date: _____

14/10/2022

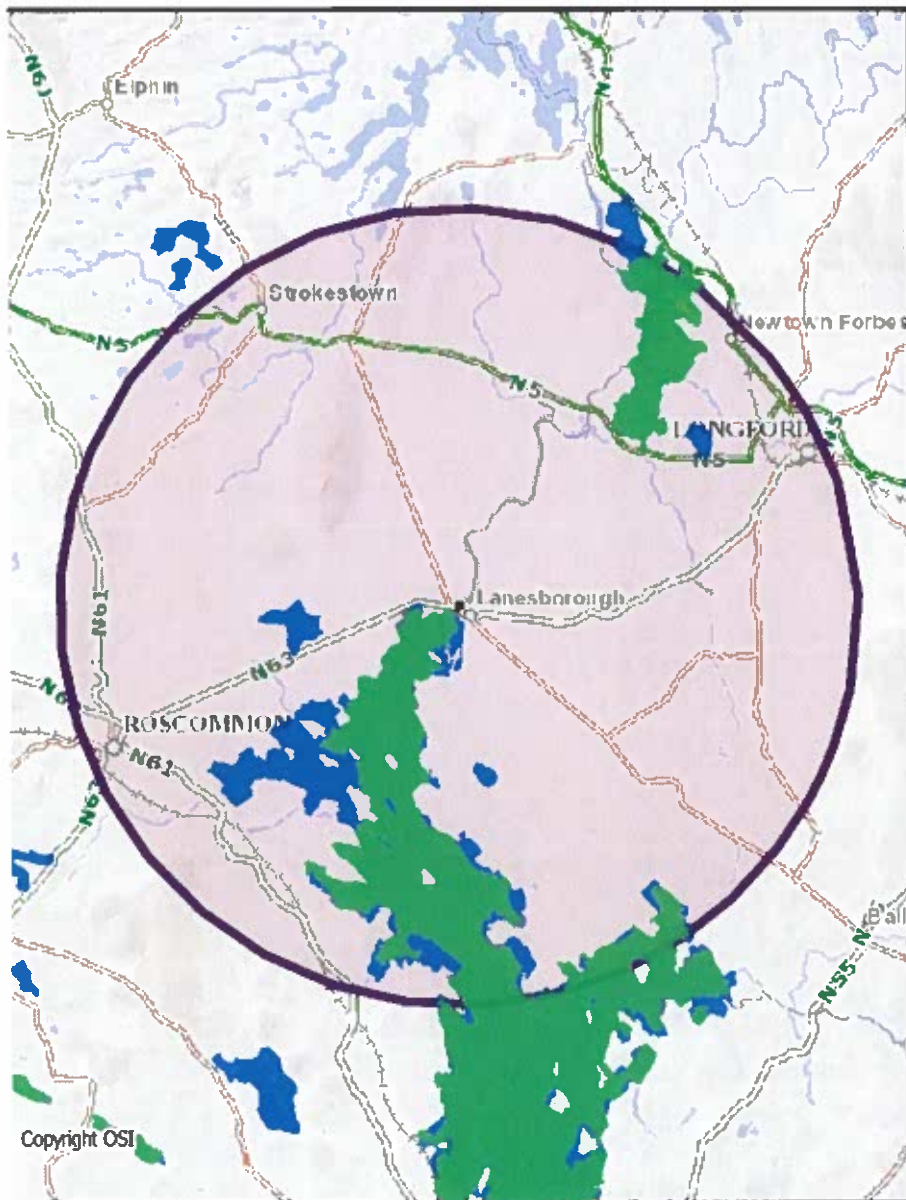




SAC (blue) within 15km of DED 526



SPA (green) within 15km of DED 526



SAC & SPA within 15km of DED 526



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e-mail: info@killian.ie
Website: www.killian.ie

Roscommon Co.Co.,
Áras an Chontae,
Roscommon,
Co. Roscommon

26th September 2022

REF: 21010-LT-10

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development – WHEREAS a question has arisen as to whether the installation of a coffee dock in the existing waiting area and education space at Lough Ree Access for All, Gortnagallon, Ballyleague, Co. Roscommon is or is not development or is or is not exempted development:

Dear Sirs

Further to your recent letter Reference No: DED 526 in relation to the above referenced application see below our response to your request for further information:

Item 1. Please clarify the following:

a) The exact nature of the proposed coffee dock i.e. will it be used for commercial activity.

Response: See below response from Lough Ree Access for All:

*"LRAFA CLG is a charity registered with the Charities Regulator of Ireland
The access for all boat and centre at Ballyleague is operated for people with disabilities and run on a not for profit basis with the help of volunteers and charitable donations.
Wheelchair users who avail of the boat service are offered refreshments in the centre as part of their day out
Our operations are therefore not commercial"*

b) If the proposed dock is within an existing building or is a standalone structure.

Response: The proposed dock is in an existing building, refer to drawing 21010-KCE-00-DR-A-00-0001 attached which was included with the original application and shows the location of the dock outlined in red. We also include drawing 21010-KCE-0-DR-A-20-8001 which shows details of the Coffee Dock.

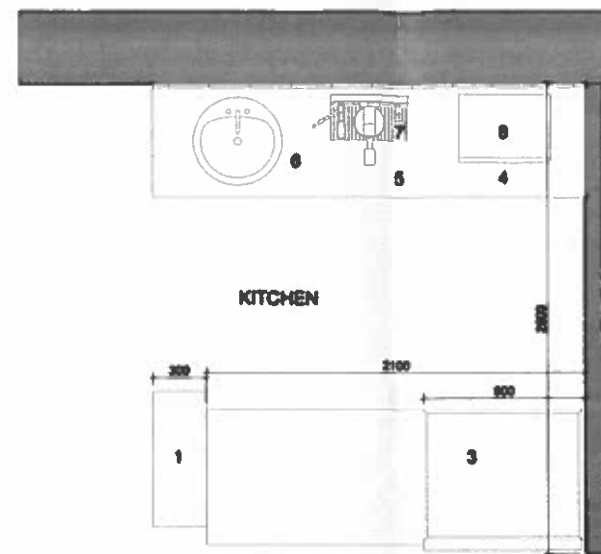
c) The exact location of same on a revised layout map.

Response: Refer to drawings 21010-KCE-00-DR-A-00-0001 and 21010-KCE-00-DR-A-10-0003 attached which show the location of the proposed dock outlined in red on a floor plan and also a site layout plan.

Trusting that this information will be sufficient in order for you to process this particular application. Should you have any queries please do not hesitate to contact us.

Yours sincerely

John Killian BE CEng MIEI
Killian Consulting Engineers

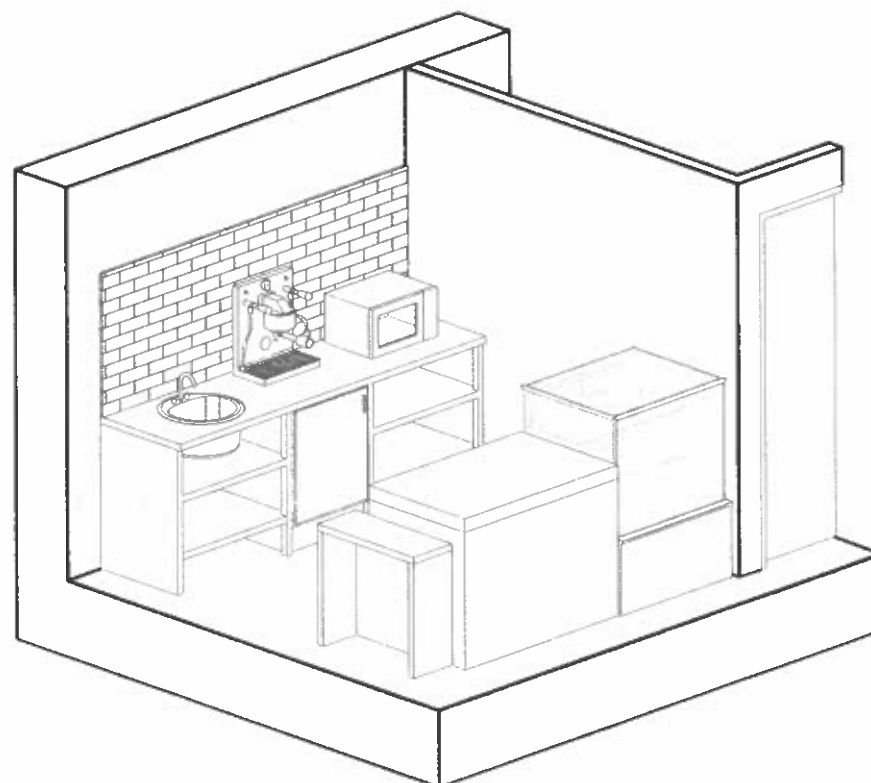


SCHEDULE FOR CANTEEN AREA

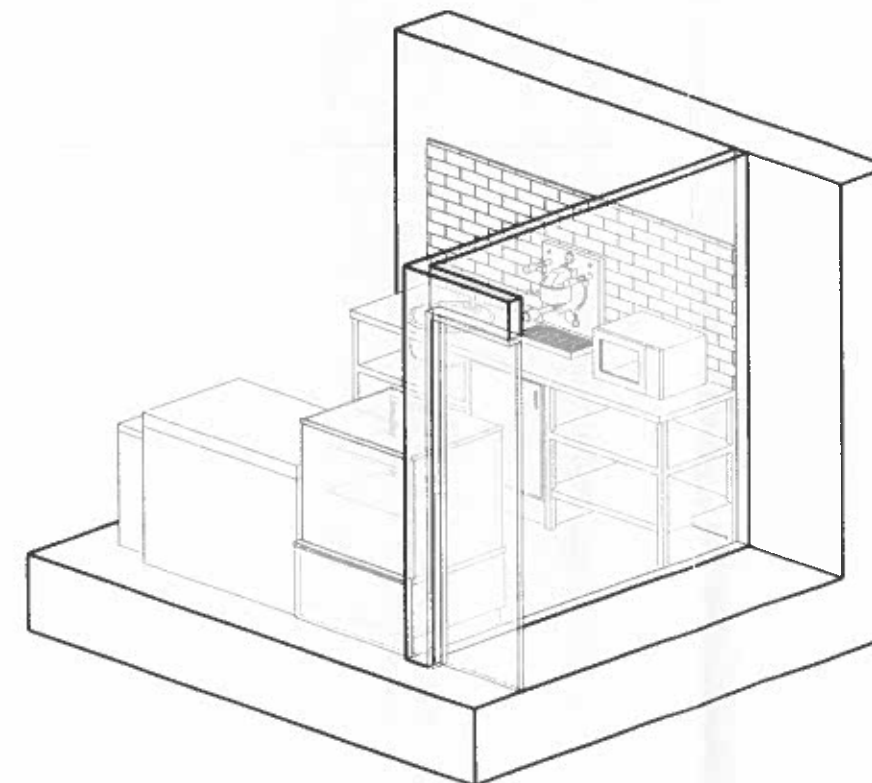
01	WHEELCHAIR ACCESSIBLE COUNTER
02	
03	PATISSERIE DISPLAYS
04	STAINLESS STEEL FOOD COUNTER
05	BELOW COUNTER FRIDGE
06	SINK AND DRAINING BOARD
07	COFFEE DISPENSER
08	MICROWAVE

R-21
Waiting Area and Education Space
25' x 25'

00 - Proposed Coffee Dock Layout
1 : 20



1 Proposed Coffee Dock Iso 1



2 Proposed Coffee Dock Iso 2

Drawn By	Rev	Checked By	Rev	Reviewed By	Rev
NOTE: © Killian Consulting Engineers Concept House					
As Indicated	As Indicated	As Indicated	As Indicated	As Indicated	As Indicated
CONCEPT	CONCEPT	CONCEPT	CONCEPT	CONCEPT	CONCEPT
DATE	DATE	DATE	DATE	DATE	DATE
2010	2010	2010	2010	2010	2010
KILLIAN CONSULTING ENGINEERS 10000 E. 11TH AVE. DENVER, CO 80231 T: 303.733.7200 F: 303.733.7201 www.killian.com					
KILLIAN CONSULTING ENGINEERS					
Project Name: _____ Location: _____ Client: _____ Designer: _____ Date: _____ Drawing Title: _____ Drawing Number: _____					





Comhairle Contae
Ros Comáin
Roscommon
County Council



BY EMAIL

Lough Ree Access for All,
c/o Killian Consulting Engineers,
Northgate St.,
Athlone,
Co. Westmeath



Date: 14th September, 2022
Reference No.: DED 526

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.

Development – WHEREAS a question has arisen as to whether the installation of a coffee dock in the existing waiting area and education space at Lough Ree Access for All, Gortnagallon, Ballyleague, Co. Roscommon is or is not development or is or is not exempted development:

A Chara,

Further to your application received on the 18th August, 2022 and in order for the Planning Authority to determine whether the installation of a coffee dock in the existing waiting area and education space at Lough Ree Access for All, Gortnagallon, Ballyleague, Co. Roscommon is or is not development or is or is not exempted development, you are requested to submit the following further information:

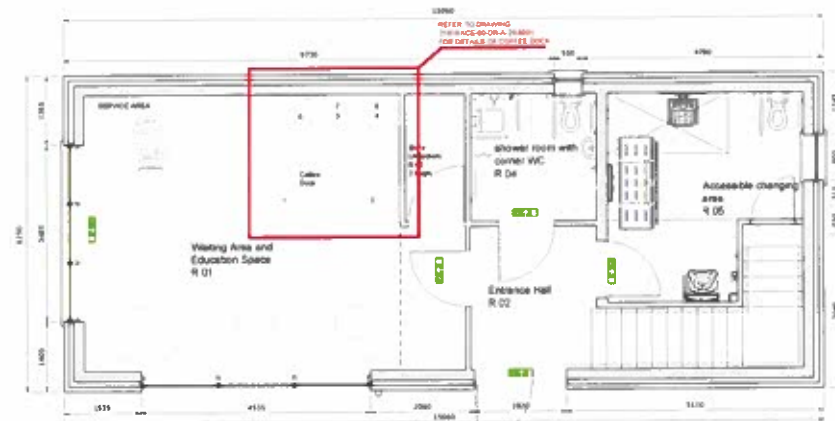
1. Please clarify the following:
 - a) The exact nature of the proposed coffee dock i.e. will it be used for commercial activity.
 - b) If the proposed dock is within an existing building or is a standalone structure.
 - c) The exact location of same on a revised layout map.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 526**.

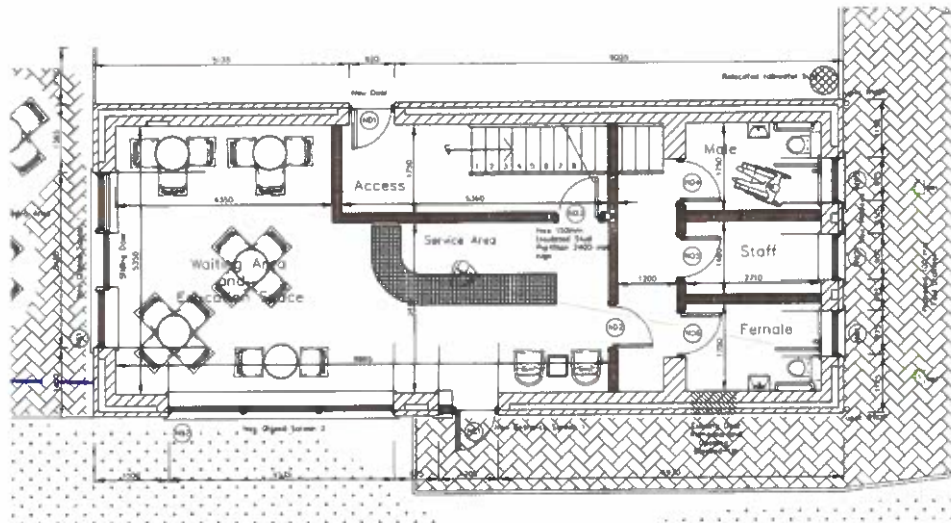
Note: Replies to this communication must be by way of original documents.

Mise le meas,

**Administrative Officer,
Planning.**



Current Ground Floor Plan showing proposed Coffee Dock
SCALE 1:50 (A3) 1:100 (A2)



Original Layout as per Planning Ref 19/311
SCALE 1:50 (A3) 1:100 (A2)



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Accession	Description	Date	Revision	Description	Date
001	REVISED LAYOUTS	24.12.20			
002	EMD 400003	20.01.21			

21600-MCE-00-DR-A-00-0001	PG1
14.09.2010	1:50 (A3)
1:100 (A2)	

Lough Ree Access for All
Fe Out Project
Lough Ree Access for All
Proposed Layout plans

KILLIAN
CONSULTING ENGINEERS
KILLIAN CONSULTING ENGINEERS
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

**Planner's Report on application under
Section 5 of the Planning and Development Act 2000-2015**

Reference Number:	DED 526
Re:	Application for a Declaration under Section 5 of the Planning and Development Act 2000 as amended, regarding Exempted Development to install coffee dock in the existing waiting area and educational space at Lough Ree Access for all.
Name and Address of Applicant:	Lough Ree Access for All
Location of Development:	Gortnagallon, Ballyleague, Co Roscommon.

WHEREAS a question has arisen as to whether the installation of a coffee dock for use by staff and visitors is or is not development, and is or is not exempted development:

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Acts 2000 (as amended);
- (b) Article 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);

Site Location & Development Description

The proposed development is located in the vicinity of the harbour along the banks of the River Shannon in Ballyleague, Co Roscommon. The proposed development is for the use by staff and visitors. Elevational plans have been submitted and the structure appears to be 880mm *9 00mm and 900mm in height.

Planning History: No recent relevant planning History

19/311: Permission granted for development consisting of change of use planning application to convert existing Waterways Ireland storage shed to an outdoor recreational centre/lake access centre facility to Lough Ree. The facility will include an information area and seating area for walkers/tourists/anglers. The change of use of the premises will require alterations to the existing elevations including: replacement of existing roller shutter door with glazing (southern elevation), partial removal of existing external wall and replacement with glazing (eastern elevation), provision of wheelchair access ramp/door (eastern elevation), blocking up of existing door (eastern elevation), installation of 3 new windows (northern elevation) and installation of access door (western elevation). The works also involve removal of existing green area and provision of small car park/turning area to the north of the site, provision of outdoor seating area to the south of the site and all associated site works and service connections

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2.-(1)

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3.-(1)

In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Planning and Development Regulations 2001 (as amended)

Article 9 (1) applies:

Development to which article 6 relates shall not be exempted development for the purposes of the Act—
(a) if the carrying out of such development would—

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

Assessment

The question to be determined in this Section 5 referral is whether the installation of a coffee dock for use by staff and visitors at Gortnagallon, Ballyleague, Co Roscommon

is or is not development and is or is not exempted development. Having considered the definition of both "works" and "development" outlined above, I would deem that the installation of a coffee dock for use by staff and visitors

constitute works and is therefore development.

However, in order to determine whether the development is exempt development additional information is required in relation to the location, nature and exact use of the facility.

The applicant will also be requested to clarify which section of the Planning and Development Act 2000 as amended and which class of the Planning and Development Regulations 2001 as amended the applicant considers the proposed development exempt.

Final assessment:

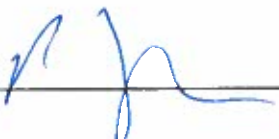
Further information is required in relation to location, nature and exact use of the facility.

Recommendation: Request further information

1. Please clarify the following:

- a) The exact nature of the proposed coffee dock i.e will it be used for commercial activity.
- b) If the proposed dock is within an existing building or is a standalone structure.
- c) The exact location of same on a site layout map or on floor plans as relevant.

Signed



Date:

14/9/22

Paula Connaughton
Executive planner

Signed _____

Date: _____

Senior/ Senior Executive Planner

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

18/08/2022 11:30.00

Receipt No : L01/0/218484

LOUGH REE ACCESS FOR ALL
LOUGH REE ANGLING CLUB
BALLYLEAGUE
CO. ROSCOMMON

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED 526	

Total	80 00 EUR
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Tendered	
Cash	80 00

Change	0.00
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Issued By : Louis Carroll
From : Central Cash Office



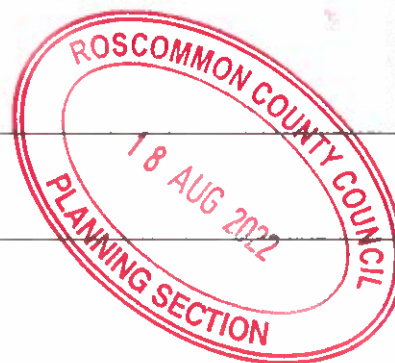
Comhairle Contae
Ros Comáin
Roscommon
County Council

Áras an Chontae,
Roscommon, Co.
Roscommon
Phone: (090) 66 37100
Email: planning@roscommoncoco.ie

Roscommon County Council

**Application for a Declaration under Section 5 of the Planning & Development Act 2000,
regarding Exempted Development**

Name:	Lough Ree Access for All
Address:	Gortnagallon, Ballyleague, Co. Roscommon
Name & Address of Agent:	Killian Consulting Engineers, Northgate Street, Athlone, Co. Westmeath. Phone: 09064 77261
Nature of Proposed Works	Installation of coffee dock in the existing Waiting Area and Education Space at Lough Ree Access for All, Gortnagallon, Ballyleague, Co. Roscommon as per attached drawing. The coffee dock will be used by the staff and visitors to the Lough Ree Access for All Hub.
Location (Townland & O.S No.)	Gortnagallon, Ballyleague, Co. Roscommon Map Sheet 2417-C ITM 600532,769495
Floor Area	N/A
Height above ground level	N/A
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	N/A
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	N/A
Is proposed works located at front/rear/side of existing house.	N/A



Roscommon County Council

Application for a Declaration under Section 5 of the Planning & Development Act 2000,
regarding Exempted Development

Has an application been made previously for this site	Yes
If yes give ref. number (include full details of existing extension, if any)	19/311
Existing use of land or structure	Recreational Centre / Lake Access Centre Facility
Proposed use of land or structure	Recreational Centre / Lake Access Centre Facility with coffee dock and café
Distance of proposed building line from edge of roadway	N/A
Does the proposed development involve the provision of a piped water supply	N/A
Does the proposed development involve the provision of sanitary facilities	N/A

Signature:



(Killian Consulting Engineers – Agent)

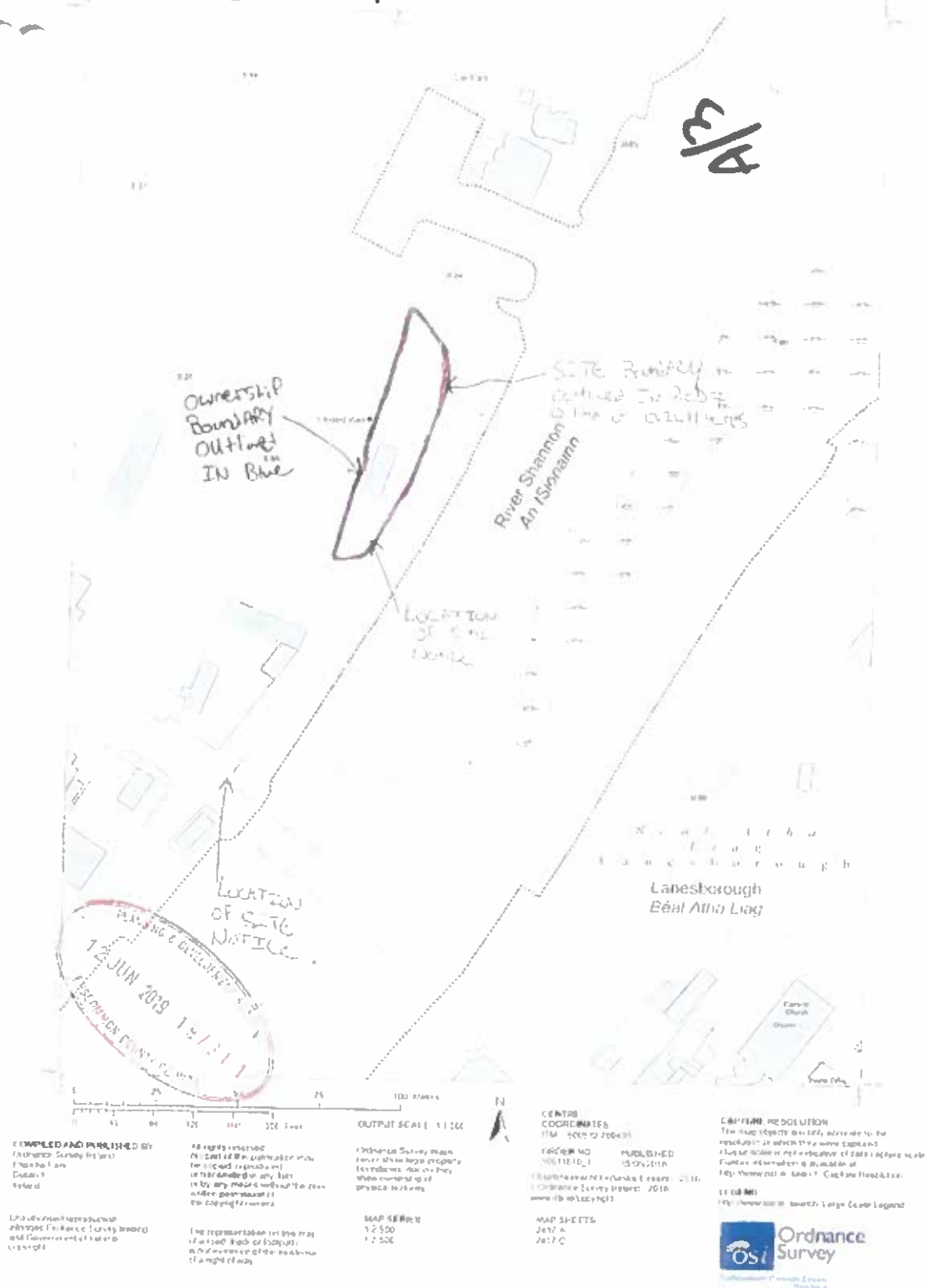
Date:

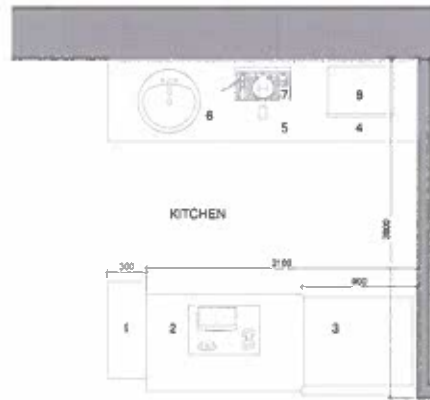
16th August 2022

Note: This application must be accompanied by:-

- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Details specification of development proposed



$$\frac{f}{A}$$




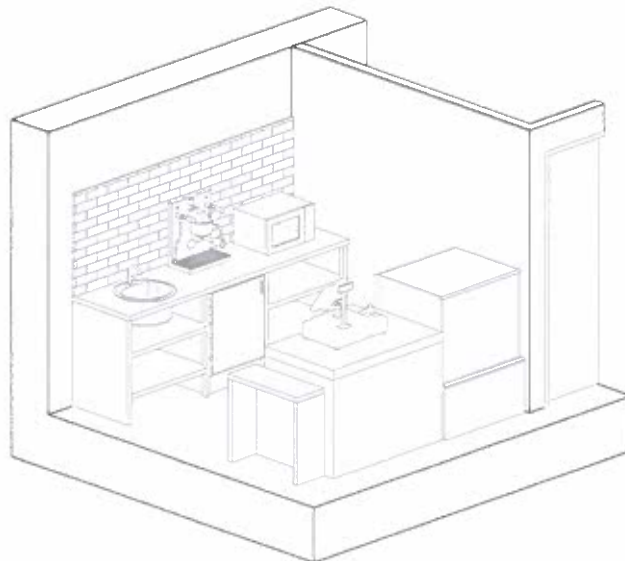
R-01
Waiting Area and Elevation Space
24' 0"

R-02
Store Display

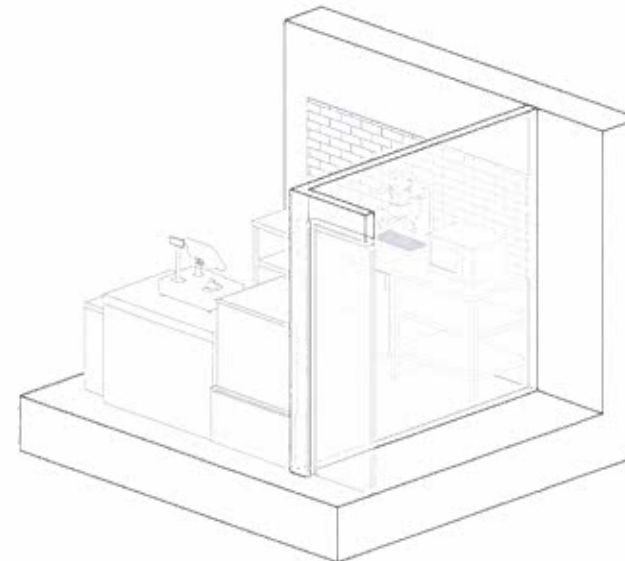
SCHEDULE FOR CANTEEN AREA

01	WHEELCHAIR ACCESSIBLE COUNTER
02	CASH REGISTER
03	PÂTISSERIE DISPLAYS
04	STAINLESS STEEL FOOD COUNTER
05	BELOW COUNTER FRIDGE
06	SINK AND DRAINING BOARD
07	COFFEE DISPENSER
08	MICROWAVE

00 - Proposed Coffee Dock Layout
1 : 20



1 Proposed Coffee Dock Iso 1



2 Proposed Coffee Dock Iso 2



Project Name	Project Number	Project Date	Project Status	Project Location
Project Description	Project Manager	Project Engineer	Project Designer	Project Checker
NOTE: All Killian Consulting Engineers Consult Notes				
As Issued	For Information	For Information	For Information	For Information
CONCEPT	DESIGN	CONSTRUCTION	OPERATION	MAINTENANCE
21910	21910	21910	21910	21910
KILLIAN CONSULTING ENGINEERS 10000 17TH STREET, SUITE 200 ATHERTON, CA 94521 T: 925.464.7771 F: 925.464.7772 E: info@killian.com W: www.killian.com				
KILLIAN CONSULTING ENGINEERS				
Project Name: 10000 17TH STREET, SUITE 200, ATHERTON, CA 94521 Project Number: 21910 Project Date: 10/1/2021 Project Status: 01 Project Location: 10000 17TH STREET, SUITE 200, ATHERTON, CA 94521 Project Manager: JOHN KILLIAN Project Engineer: JOHN KILLIAN Project Designer: JOHN KILLIAN Project Checker: JOHN KILLIAN Project Status: 01 Project Location: 10000 17TH STREET, SUITE 200, ATHERTON, CA 94521				