

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

EMAIL

Maud & Eamon Brady,

Reference Number: DED 530

Application Received: 17th November, 2022.

Location: 1 Karol Avenue, Elphin, Castlerea, Co. Roscommon, F45 AR28.

WHEREAS a question has arisen as to whether the following works: Re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home at 1 Karol Avenue, Elphin, Castlerea, 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) The planning history of 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.**

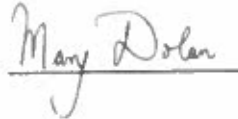
NOW THEREFORE: By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said works namely **Re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home at 1 Karol Avenue, Elphin, Castlerea, 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



**Administrative Officer,
Planning.**

Date: 14th December, 2022

CC. EMAIL:
Tracy Connaughton MRIAI, Architect,
Turner Connaughton Architects,
Magheraveen,
Lanesboro,
Co. Longford.

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

Reference Number:	DED 530
Re:	Re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home at 1 Karol Avenue, Elphin, Castlerea, Co. Roscommon
Name of Applicant:	Maud & Eamon Brady
Name of Agent:	Tracey Connaughton Architects
Date:	13 th December 2022

WHEREAS a question has arisen as to whether the following works; Re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home at 1 Karol Avenue, Elphin, Castlerea, Co. Roscommon, **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 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) The planning history of the site

Site Location & Development Description

A semi-detached dwelling house is situated on the application site which is situated within an established housing development known as Karol Avenue. The subject site is located within the settlement boundary of the village Elphin.

The subject site is not situated within any designated sites. The nearest designated site is the Annaghmore Lough (Roscommon) SAC (Site Code: 001626), which is approximately 5.3km south east of the subject site. Having regard to the separation distances between the site and the Natura 2000 network, it is considered that the conservation objectives of the network will not be impacted.

The nature of the proposed works includes re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home.

Planning History

None identified on the Roscommon County Council's Planning Register.

Assessment

The question to be determined in this Section 5 referral is whether re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home at 1 Karol Avenue, Elphin, Castlerea, Co. Roscommon, is or is not development and is or is not exempted development.

In accordance with the Planning and Development Act, 2000 Section 3. (1) development is defined as the following: "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". The proposed development is considered to be the carrying out of works. Works are defined in the Act as; "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure...." In this Act, "land" includes any structure and any land covered with water (whether inland or coastal)". Having considered the definition of both "works" and "development" the proposal constitutes works and is therefore development.

It is proposed change of interior layout to provide for a bathroom. There is no increase of the gross floor area of the dwelling house. It is proposed to relocate a door on the side elevation which comes within the provisions of Section 4 (1) (h) of the Act, being 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. The minor alteration to the relocation of the door on the side elevation of the existing dwelling house is considered in this case to be exempted development.

Recommendation

WHEREAS a question has arisen as to whether the following works; Re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home at 1 Karol Avenue, Elphin, Castlerea, Co. Roscommon, 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 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 Acts 2000 – 2011
- (c) The planning history of the site

AND WHEREAS I have concluded that

- a) The works are development.
- b) Change of interior layout is exempted development.
- c) Minor alteration to location of door on side of existing dwelling house is 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.

and I recommend that a declaration to that effect should be issued to the applicant.

Signed:


Assistant Planner

Date: 13th December 2022



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:	Maud Brady & Eamon Brady,
Address:	[REDACTED]
Name & Address of Agent:	Tracy Connaughton MRIAI Architect Magheraveen, Lanesboro, Co Longford
Nature of Proposed Works	Re-ordering of the ground floor to provide a universal access bedroom and bathroom and the upgrading of the space and water heating to improve the energy efficiency of the home.
Location (Townland & O.S No.)	X,Y= 586689.0026,788512.0425 Map 2041-B
Floor Area	No change to existing floor area
Height above ground level	No Change
Total area of private open space remaining after completion of this development	No change
Roofing Material (Slates, Tiles, other) (Specify)	No change



Proposed external walling (plaster, stonework, brick or other finish, giving colour)	No change
Is proposed works located at front/rear/side of existing house.	Internal works only

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	No
If yes give ref. number (include full details of existing extension, if any)	
Existing use of land or structure	Dwelling house
Proposed use of land or structure	Dwelling house
Distance of proposed building line from edge of roadway	15meters
Does the proposed development involve the provision of a piped water supply	No change
Does the proposed development involve the provision of sanitary facilities	No change

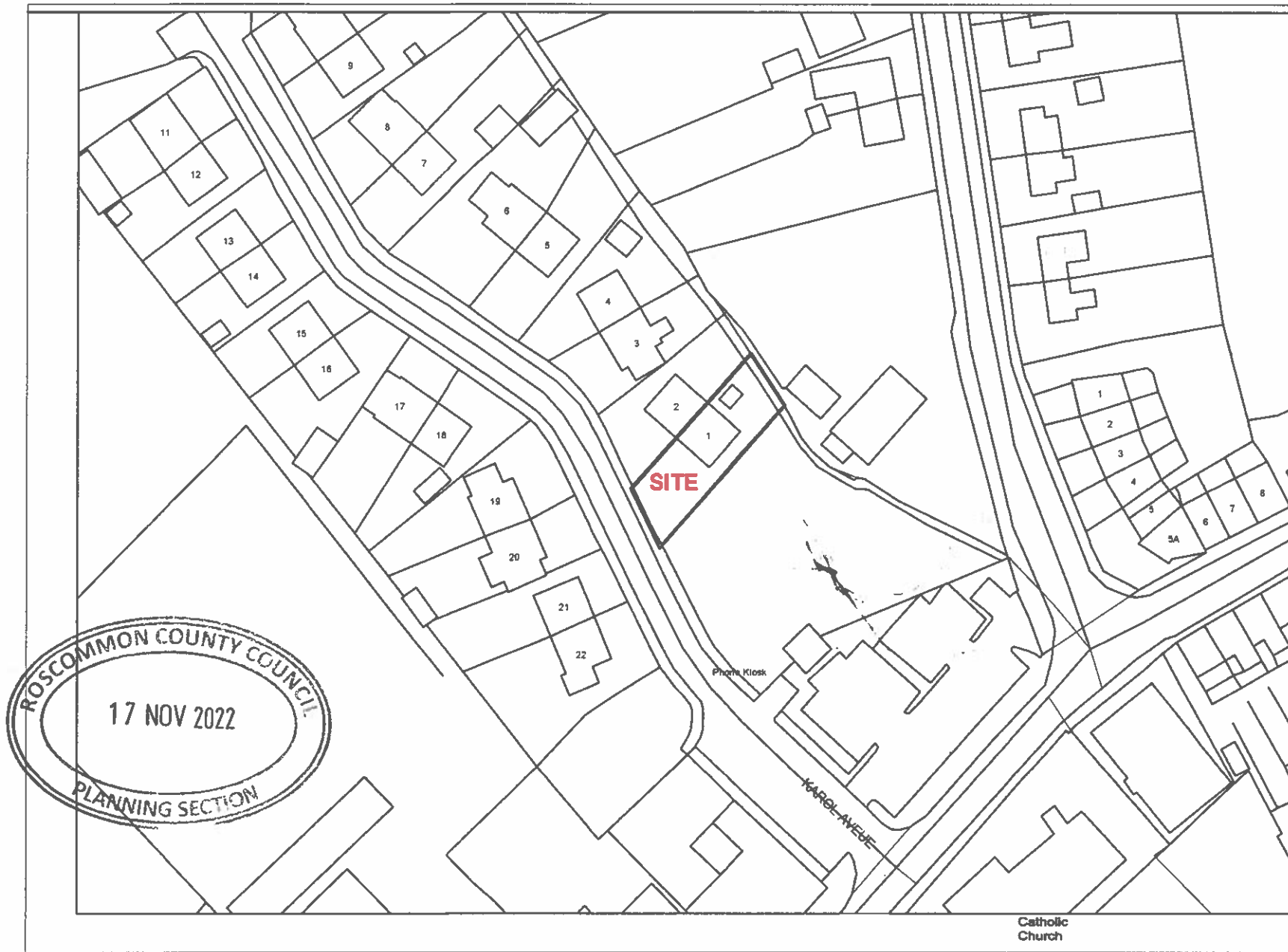
Signature: Tracy Connaughton

Date: 04/11/22

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





Ordnance Survey Reference
Co-ordinates
X:586689.0026,
Y:788512.0425

Extraction Date:
23-Sep-2022
Copyright:
© Substítéireacht Órdánáirí Éireann, 2022
© Ordnance Survey Ireland, 2022

Arís éiríonn agus áirís áiríonn na Substítéireacht Órdánáirí Éireann. Táiríocht agus áiríonn na Substítéireacht Órdánáirí Éireann. Táiríocht agus áiríonn na Substítéireacht Órdánáirí Éireann. Táiríocht agus áiríonn na Substítéireacht Órdánáirí Éireann.

Arís éiríonn agus áirís áiríonn na Substítéireacht Órdánáirí Éireann. Táiríocht agus áiríonn na Substítéireacht Órdánáirí Éireann. Táiríocht agus áiríonn na Substítéireacht Órdánáirí Éireann. Táiríocht agus áiríonn na Substítéireacht Órdánáirí Éireann.

Each user is permitted to use the data for their own purposes. The data is provided as a service and is not intended to be used for any other purpose. All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means without the prior written permission of the copyright owner.

It is not to be used as a basis for any other map or plan. The representation on this map of a road, track, or path is not evidence of the existence of a right of way.

It is not to be used as a basis for any other map or plan. The representation on this map of a road, track, or path is not evidence of the existence of a right of way.

Map Key
Extent of Site subject to planning permission application



Site Notice locations indicated on map

Location Map
Scale 1:1000

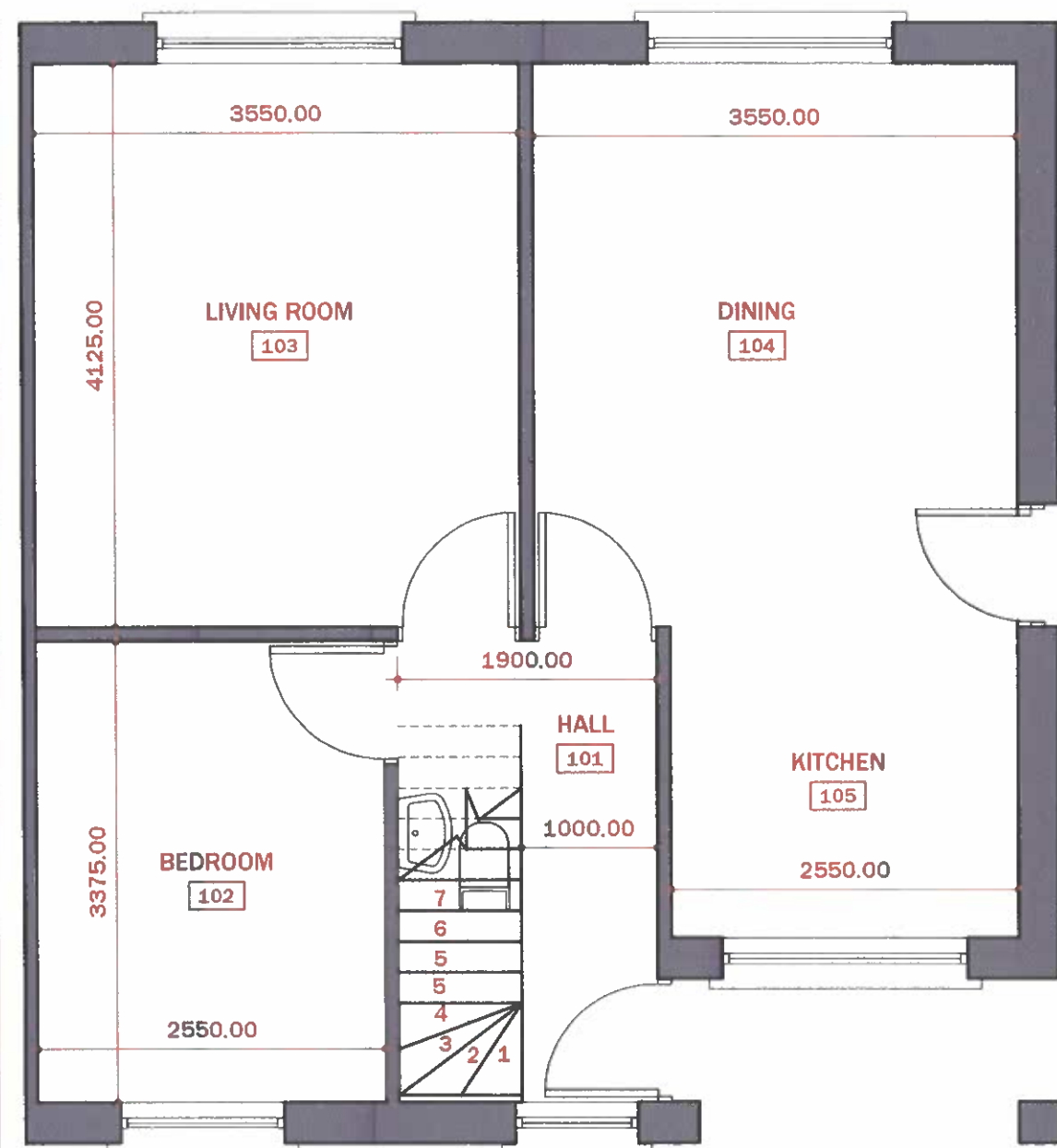
project: Renovation
1 Karl Avenue
Elphin,
Co Roscommon.
clients: Eamon Brady

drawing: PL01 OSI MAP
scale: 1:1000 @ A4
date: Sept 2022

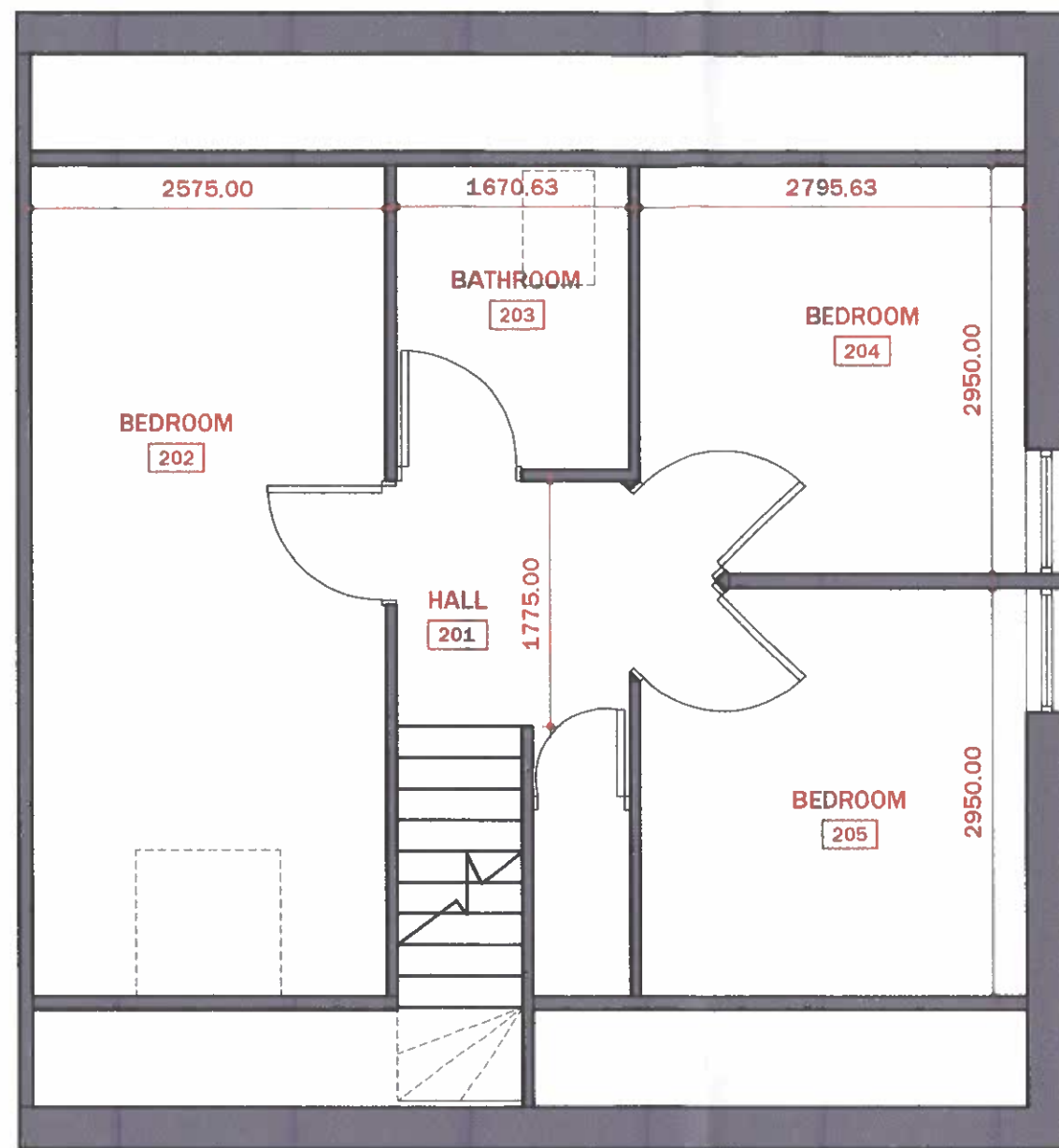
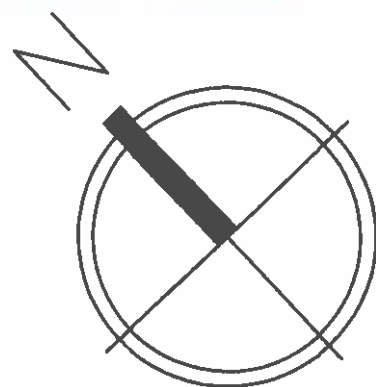
TURNER CONNAUGHTON ARCHITECTS

Mahoraveen, Lanesboro, Longford m.083 343 5526
tconnoughton@turnerconnaughtonarchitects.ie

© COPYRIGHT This drawing or design may not be reproduced without permission



GROUND FLOOR EXISTING
SCALE:1/50 A3
51.54m2



FIRST FLOOR EXISTING
SCALE:1/50 A3
41.35m2



project: Renovation
 1 Karl Avenue, Elphin,
 Co Roscommon.
 clients: Eamon Brady

drawing: Existing Plans

scale: 1:50
 date: Sept 2022

drawing no: PL-001
 revision:

REVISIONS

date:

PLANNING

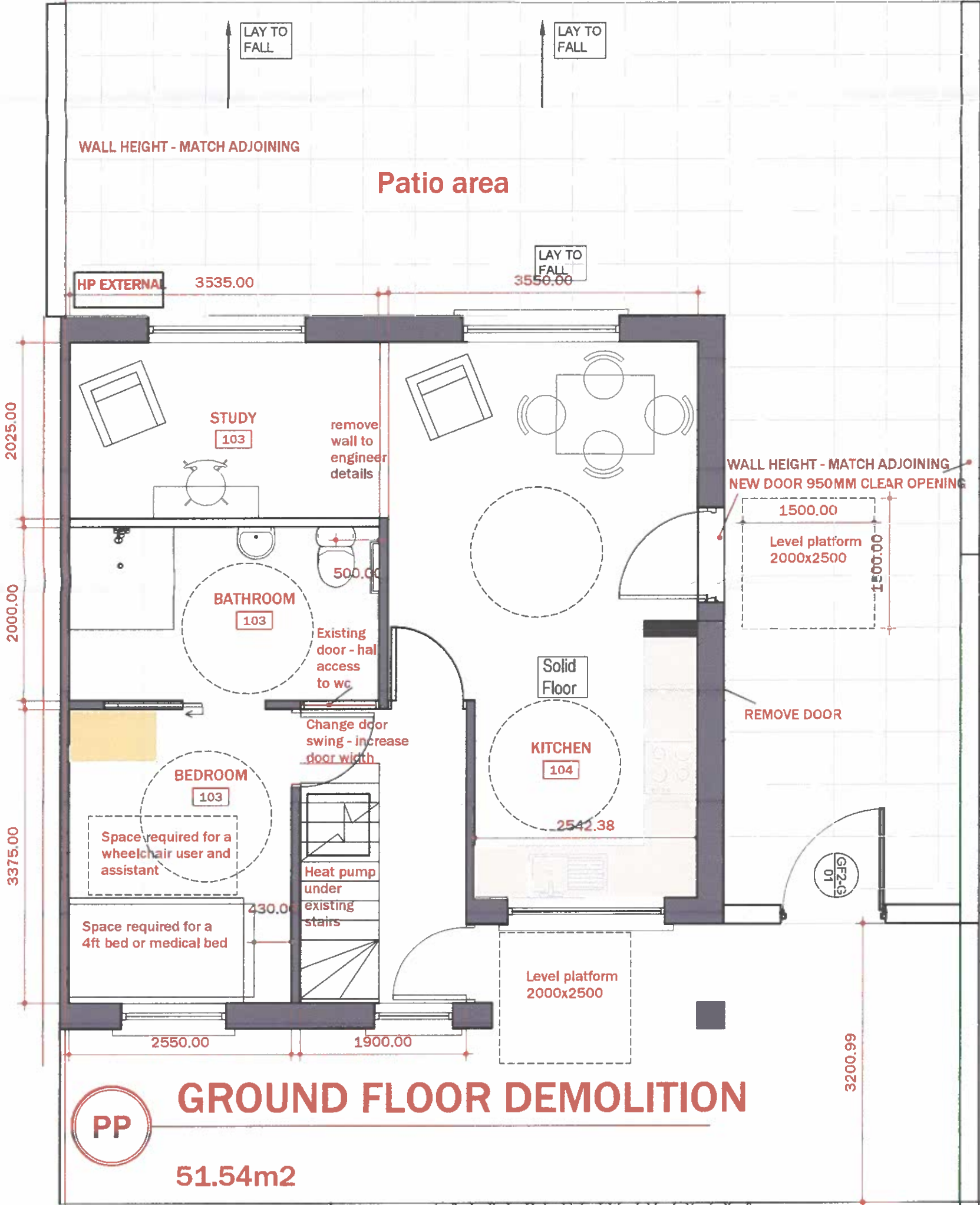
THIS DRAWING IS PRODUCED FOR DISCUSSION PURPOSES ONLY

Mahoraveen, Lanesboro, Longford m.083 343 5526 tconnughton@turnerconnaughtonarchitects.ie
 m.086 388 9548 tturner@turnerconnaughtonarchitects.ie

©COPYRIGHT This drawing or design may not be reproduced without permission

TURNER CONNAUGHTON ARCHITECTS

EXISTING
SHED



NOT FOR CONSTRUCTION

TURNER CONNAUGHTON ARCHITECTS

Maharaveen, Lanesboro, Longford m.083 343 5526 tconnoughton@turnerconnaughtonarchitects.ie
m.086 388 9548 lturner@turnerconnaughtonarchitects.ie
© COPYRIGHT This drawing or design may not be reproduced without permission

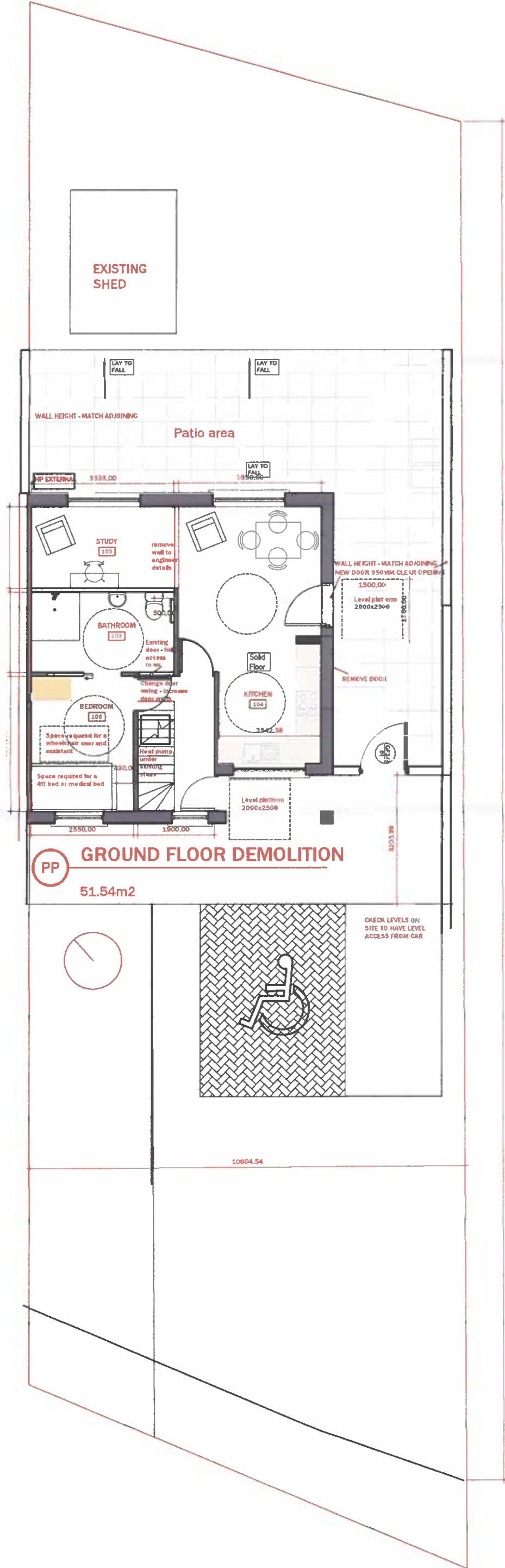
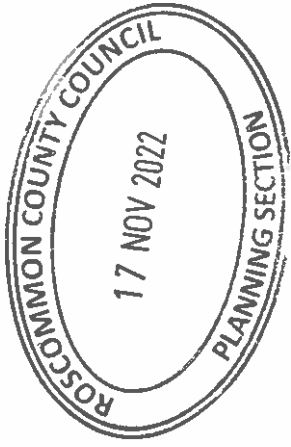
PLANNING

THIS DRAWING IS PRODUCED FOR DISCUSSION PURPOSES ONLY

project: Renovation Mount Pleasant Avenue Ballinasloe, Co Galway	clients: Kelly	drawing: Site Layout	date:	26/10/22
			REVISIONS	Revision 6
			scale: 1:50	drawing no: PL02
			date: Sept 2022	revision: Revision 6

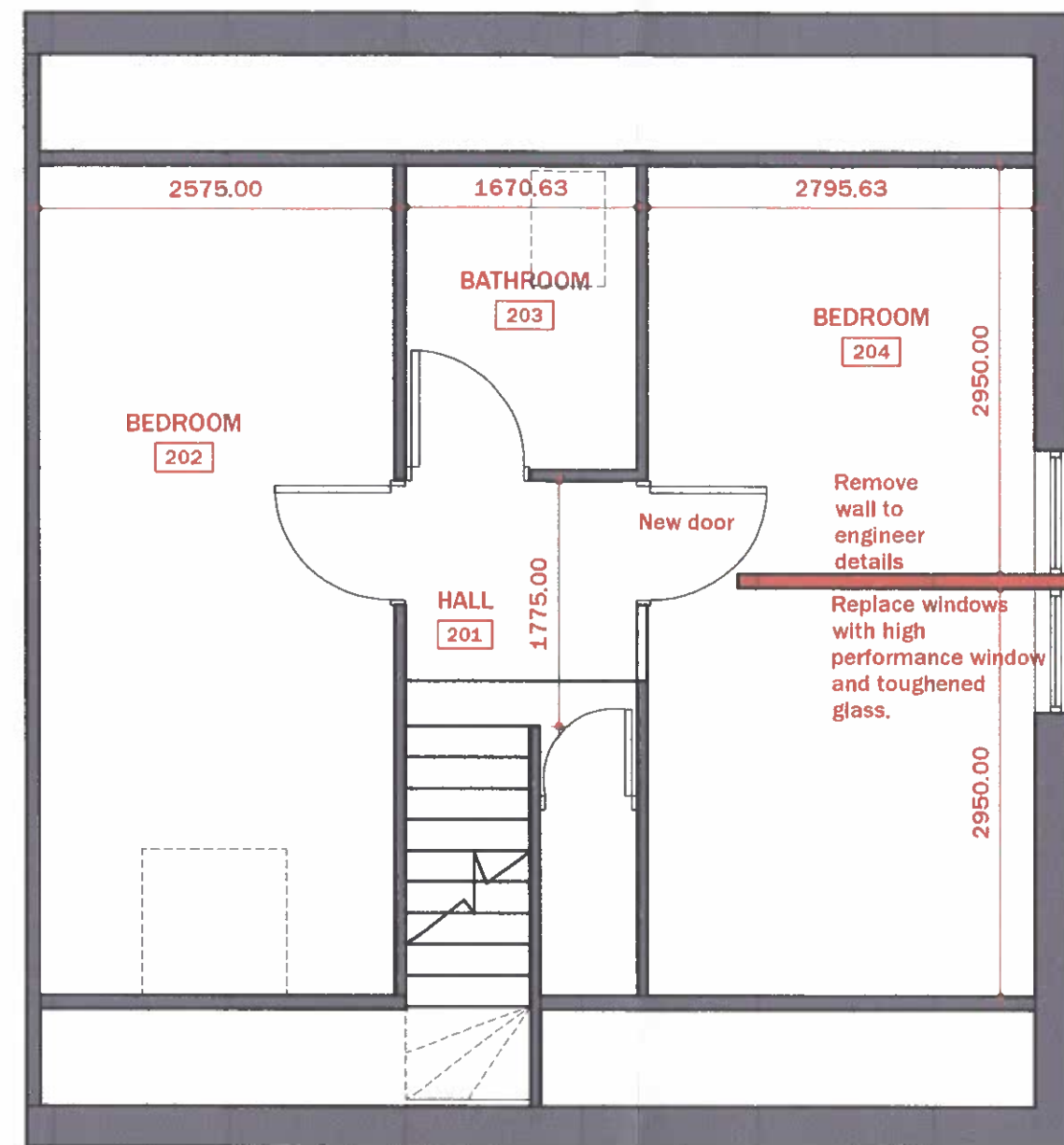
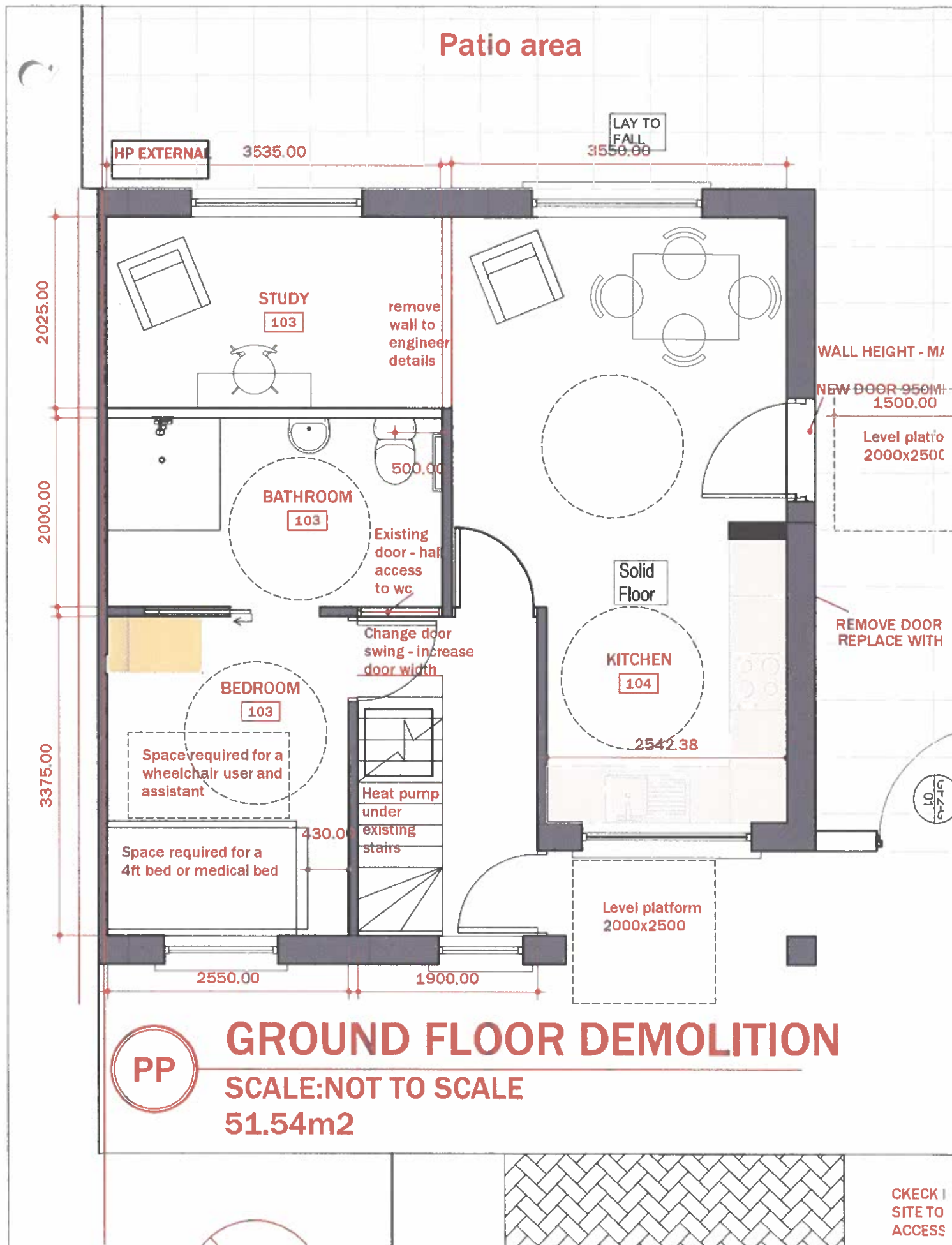


CHECK LEVELS ON
SITE TO HAVE LEVEL
ACCESS FROM CAR



NOT FOR CONSTRUCTION

project:	Renovation MountPleasant Avenue Ballinasloe, Co Galway Kelly	drawing: Site Layout	REVISIONS		date: 26/10/22
			Revision 6		
clients:	Kelly	scale: 1:100	drawing no: PL028		
		date: Sept 2022	revision: Revision 6		
		Maharaveen, Lanesboro, Longford		m.083 343 5526 tconnughton@turnerconnaughtonarchitects.ie	
				m.086 388 9548 tturner@turnerconnaughtonarchitects.ie	
				© COPYRIGHT This drawing or design may not be reproduced without permission	



PP **FIRST FLOOR PROSED**

SCALE: 1/50 A3

41.35m²



NOT FOR CONSTRUCTION

project: Renovation
Mount Pleasant Avenue
Ballinasloe, Co Galway
clients: Kelly

drawing: Proposed Floor Plans

scale: 1:50
date: Sept 2022

drawing no: PL03
revision: Revision 6

REVISIONS
Revision 6

date:
26/10/22

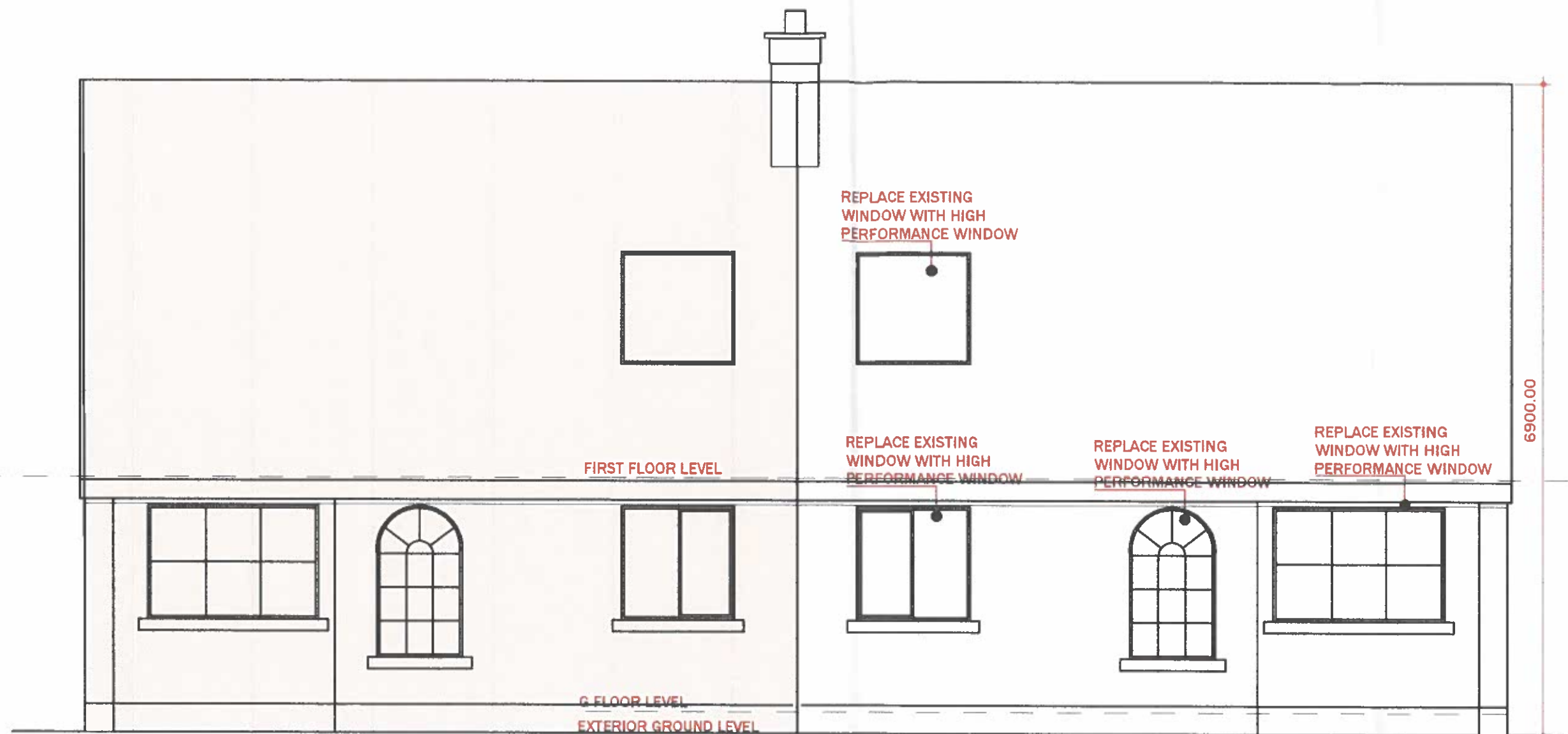
PLANNING

THIS DRAWING IS PRODUCED FOR DISCUSSION PURPOSES ONLY

TURNER CONNAUGHTON ARCHITECTS

Maharaveen, Lanesboro, Longford m.083 343 5526 tconnughton@turnerconnaughtonarchitects.ie
m.086 388 9548 lturner@turnerconnaughtonarchitects.ie

© COPYRIGHT This drawing or design may not be reproduced without permission



ADJOINING DWELLING



SOUTH WEST FRONT ELEVATION

SCALE: 1/50 A3

No changes proposed to SW Elevation



NOT FOR CONSTRUCTION

project: Renovation
1 Karl Avenue, Elphin,
Co Roscommon.
clients: Eamon Brady

drawing: Proposed Elevation

scale: 1:50
date: Sept 2022

drawing no: PL04
revision: A

REVISIONS

date:

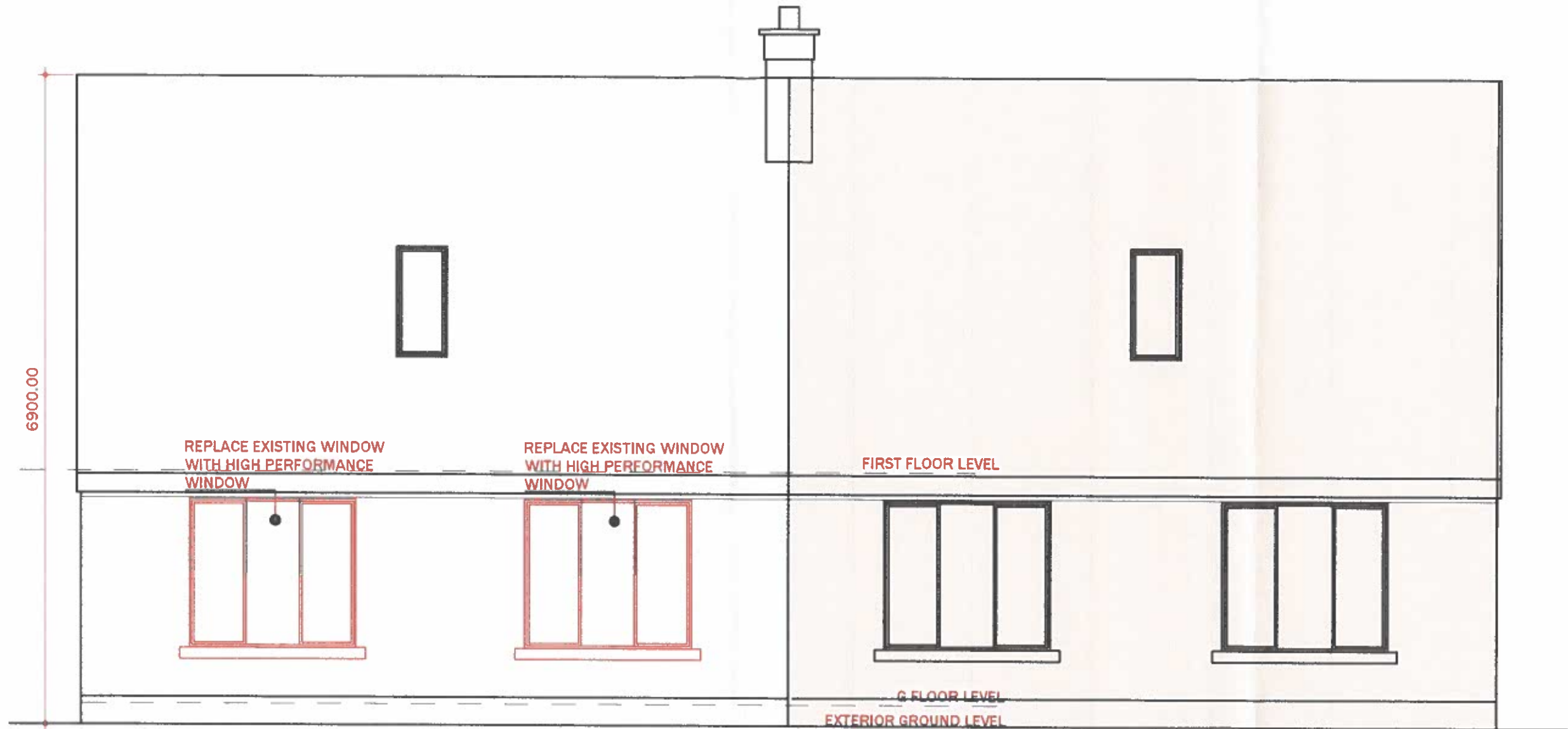
PLANNING

THIS DRAWING IS PRODUCED FOR DISCUSSION PURPOSES ONLY

TURNER CONNAUGHTON ARCHITECTS

Mahoraveen, Lanesboro, Longford m.083 343 5526 tconnughton@turnerconnaughtonarchitects.ie
m.086 388 9548 lturner@turnerconnaughtonarchitects.ie

© COPYRIGHT This drawing or design may not be reproduced without permission



NORTH EAST REAR ELEVATION

SCALE: 1/50 A3

ADJOINING DWELLING

Changes proposed to NE Elevation



NOT FOR CONSTRUCTION

project: Renovation
1 Karl Avenue, Elphin,
Co Roscommon.
clients: Eamon Brady

drawing: Proposed Elevation

scale: 1:50
date: July 2022

drawing no: PL 05
revision: Revision 6

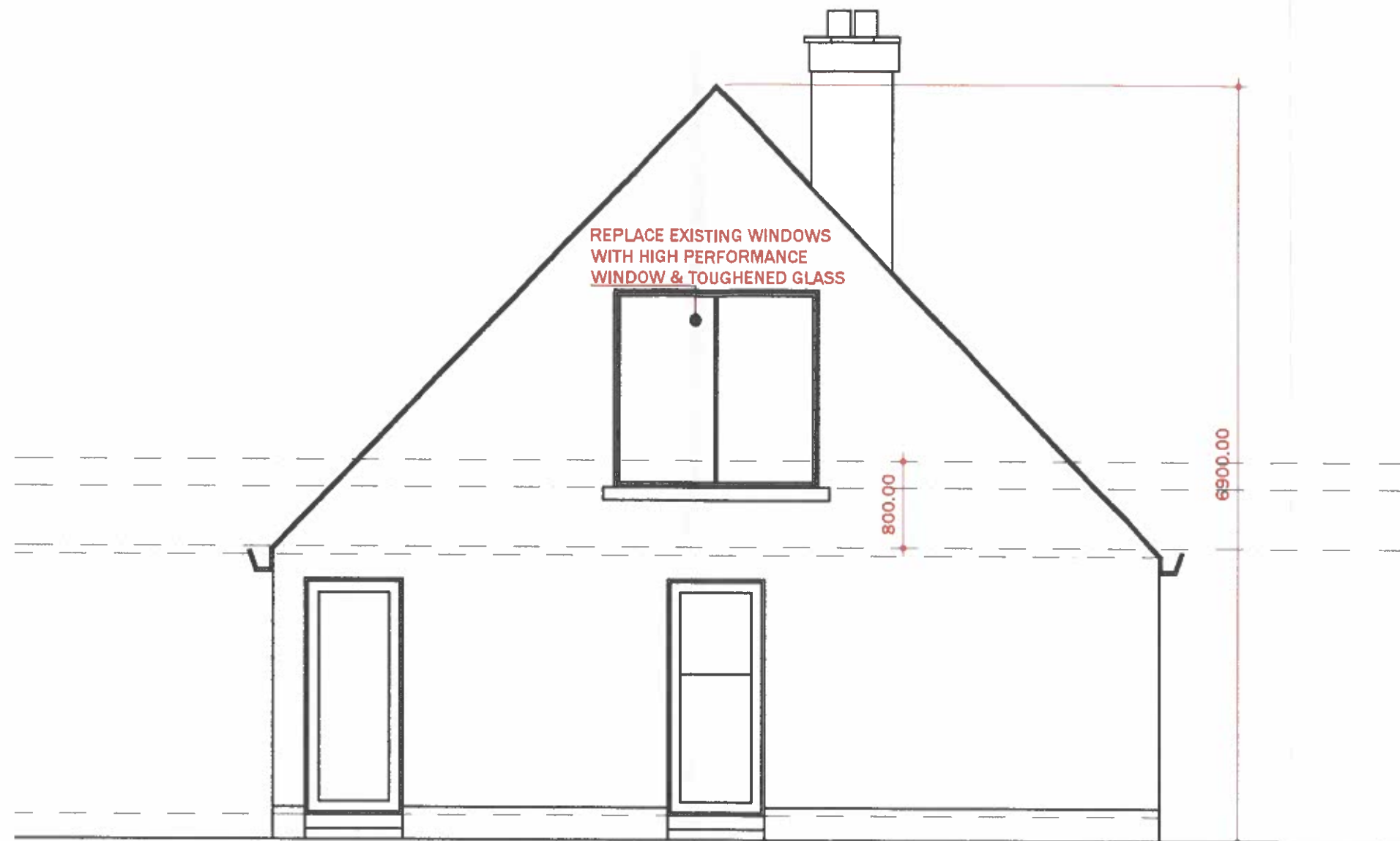
REVISIONS		date:
Revision 6		26/10/22

PLANNING

THIS DRAWING IS PRODUCED FOR DISCUSSION PURPOSES ONLY

TURNER CONNAUGHTON ARCHITECTS

Mahoraveen, Lanesboro, Longford m.083 343 5526 tconnughton@turnerconnaughtonarchitects.ie
m.086 388 9548 ltuner@turnerconnaughtonarchitects.ie
© COPYRIGHT This drawing or design may not be reproduced without permission



PP

SOUTH EAST SIDE ELEVATION

SCALE:1/50 A3



project: Renovation
1 Karl Avenue, Elphin,
Co Roscommon.
clients: Eamon Brady

drawing: Existing Elevation

scale: 1:50
date: Sept 2022

drawing no: PL06
revision:

REVISIONS

date:

PLANNING

THIS DRAWING IS PRODUCED FOR DISCUSSION PURPOSES ONLY

TURNER CONNAUGHTON ARCHITECTS

Mahoraveen, Lanesboro, Longford m.083 343 5526 tconnughton@turnerconnaughtonarchitects.ie
m.086 388 9548 lturner@turnerconnaughtonarchitects.ie
© COPYRIGHT This drawing or design may not be reproduced without permission