

Mary Dolan

From: Planning Department
Sent: Thursday 9 March 2023 16:15
To: [REDACTED]
Subject: DED 540 - Section 5 Declaration on Development- Notification of Decision
Attachments: DED 540 Notification of Decision.pdf

A Chara,

Please find attached, Section 5 - Declaration on Development and Exempted Development in regard to DED 540.

Mise le meas,

Mary Dolan, Administrative Officer, Planning,
Áras an Chontae, Roscommon, Co. Roscommon, F42 VR98.

☎ (090) 6637176 ✉ marydolan@roscommoncoco.ie

Please address all e-mail correspondence to planning@roscommoncoco.ie

🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council



ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

Tim Joyce,

Reference Number: DED 540

Application Received: 8th February, 2023.

Location: Clooncan, Ballinlough, Co. Roscommon, F45 CE81.

WHEREAS a question has arisen as to whether works consisting of:

1. Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls.
2. Water valve access.
3. Air valve identification.
4. Fill the trench between road and wall with broken stone and sand or clay on top.
5. Acoustic and security fencing panels along the front of the house and road about 2 meters high.
6. Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall.
7. Concrete around house when finished at Clooncan, Ballinlough, County 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) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended).
- c) Classes 5, 6, 11 and 31, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- d) Class 4, Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- e) The planning history of the site.
- f) 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);

AND WHEREAS Roscommon County Council has concluded:

- (i) In respect of item no. 1 of the query i.e. "Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls" – **The specified works are development and are not exempted development;**
- (ii) In respect of item no. 2 of the query i.e. "Water valve access" – **Consent to access a water valve is outside the scope of a Section 5 Declaration of Exempted Development;**
- (iii) In respect of item no. 3 of the query i.e. "Air valve identification" – **A query to identify the location of an air valve is outside the scope of a Section 5 Declaration of Exempted Development;**
- (iv) In respect of item no. 4 of the query i.e. "Fill the trench between road and wall with broken stone and sand or clay on top" – **The specified works are development and are not exempted development;**
- (v) In respect of item no. 5 of the query i.e. "Acoustic and security fencing panels along the front of the house and road about 2 metres high" – **The specified works are development and are not exempted development;**

- (vi) In respect of item no. 6 of the query i.e. "Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall" - **The specified works are development and are not exempted development, unless undertaken by a statutory undertaker authorised to provide a telecommunications service;**
- (vii) In respect of item no. 7 of the query i.e. "Concrete around house when finished" – **The specified works are development and are not exempted development in this specific context, as the works are associated with the query posed in item no. 1, which itself does not constitute exempted development.**
- (viii) **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 the requirement for AA or EIAR does not apply with respect to the current case.**

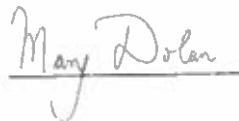
NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 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 at Clooncan, Ballinlough, Co, Roscommon as detailed in (i), (iv), (v), (vi) and (vii) above **constitute development that is not exempted development** as defined in the Planning & Development Act 2000 (as amended) and associated Regulations;
- That the queries posed in respect of water valve access and air valve identification are outside the scope of a Section 5 Declaration of Exempted Development.

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.

Signed on behalf of the said Council



**Administrative Officer,
Planning.**

Date: 9th March, 2023

**Planner's Report on application under Section 5 of the
Planning and Development Acts 2000 - 2011**

Reference Number: DED 540

Re: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development consisting of – 1. Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls. 2. Water valve access. 3. Air valve identification. 4. Fill the trench between road and wall with broken stone and sand or clay on top. 5. Acoustic and security fencing panels along the front of the house and road about 2 meters high. 6. Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall. 7. Concrete around house when finished at Clooncan, Ballinlough, County Roscommon, F45 CE81

Applicant: Tim Joyce

Date: 6th March 2023

WHEREAS a question has arisen as to whether development consisting of 1. Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls. 2. Water valve access. 3. Air valve identification. 4. Fill the trench between road and wall with broken stone and sand or clay on top. 5. Acoustic and security fencing panels along the front of the house and road about 2 meters high. 6. Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall. 7. Concrete around house when finished at Clooncan, Ballinlough, County Roscommon is or is not development and is or is not exempted development.

Site Location & Development Description

The subject derelict property (dwelling house and sheds) is located in Clooncan, Ballinlough, County Roscommon and is accessed off the L5599 Local Secondary Road. The closest European designated site is the Carrowbehy/Caher Bog SAC (Site Code: 000597), which is approximately 870m east of the subject site. The proposed works (as detailed in the declaration form) on which a determination under Section 5 of the Planning and Development Act 2000 (as amended) is requested are:

- 1) "Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls."
- 2) "Water valve access."
- 3) "Air valve identification."
- 4) "Fill the trench between road and wall with broken stone and sand or clay on top."
- 5) "Acoustic and security fencing panels along the front of the house and road about 2 meters high."
- 6) "Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall."

7) "Concrete around house when finished."

Documentation accompanying the request for a Section 5 declaration includes drawings identifying the proposed outline of a dwelling house and shed (imposed on satellite imagery of the site) which clearly demonstrate the intent that the 'modernisation' works would give rise to the development of both a new dwelling and an associated new domestic shed, both situated in alternative locations to that of the existing derelict dwelling house and sheds on the site. In addition to the identified alternative locations of 'the dwelling house' and 'shed' the intent to undertake works which do not represent a 'modernisation' of the existing derelict dwelling house and sheds is further evident from multiple written references in the submitted documents to "raising the house above the road", "putting it on a better stand," locating it "back from the road" and that "an element of the back wall can be the front of the modernisation" with the proposals also demonstrated in accompanying elevation drawings of a new dwelling house and shed. Notwithstanding query no. 1 which has been framed to suggest mere modernisation of the existing structures, it is clear from the accompanying detail that the proposed works collectively represent the development of a new dwelling house and shed. Query no. 1 and the additional queries relating to that must therefore be considered in this context i.e. associated with the development of a new / replacement dwelling house and shed on the subject site.

Planning History

As per the Roscommon County Council GIS, there is no recent Planning History on the subject site.

Relevant Legislation

I have considered this questions 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 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- (c) Class 5, 6, 11 and 31, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- (d) Class 4, Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- (e) The planning history of the site;
- (f) 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).

Planning and Development Act, 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.

Section 4 (2)

This provides that the Minister, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations.

Planning and Development Regulations, 2001 (as amended)**Article 4(1)(H):**

The following shall be exempted developments for the purposes of this Act—*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.*

Article 6 (1)

Subject to Article 7, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 (1)

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—

viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European Site.

Schedule 2, Part 1, Exempted Development – General

<i>Development within the curtilage of a house</i>	
Class 5	
Description of Development	Conditions and Limitations
The construction, erection or alteration, within or bounding the curtilage of a house, of a gate, gateway, railing or wooden fence or a wall or brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.	<ol style="list-style-type: none"> 1. The height of any such structure shall not exceed 2 metres or, in the case of a wall or fence within or bounding any garden or other space in front of a house, 1.2m. 2. Every wall other than a dry or natural stone wall bounding any garden or other space shall be capped and the face of any wall of concrete or concrete block (other than blocks with decorative finish) which will be visible from any road, path or public area, including public open space, shall be rendered or plastered. 3. No such structure shall be a metal palisade or other security fence.
Class 6	
Description of Development	Conditions and Limitations
<p>(a) The construction of any path, drain or pond or the carrying out of any landscaping works within the curtilage of a house.</p> <p>(b) Any works within the curtilage of a house for –</p> <ol style="list-style-type: none"> I. The provision to the rear of the house of a hard surface for use for any purpose incidental to the enjoyment of the house as such, or, II. The provision of a hard surface in the area of the garden forward of the front building line of the house, or in the area of the garden to the side of the side building line of the house, for purposes incidental to the enjoyment of the house as such. 	<p>The level of the ground shall not be altered by more than 1 metre above or below the level of the adjoining ground.</p> <p>Provided that the area of the hard surface is less than 25 square metres or less than 50% of the area of the garden forward of the front building line of the house, or 50% of the area of the garden to the side of the side building line, as the case may be, whichever is the smaller,</p> <p>or</p>

	<p>If the area of the hard surface is 25 square metres or greater or comprises more than 50% of the area of the garden forward of the front line of the house, or 50% of the area of the garden to the side of the side building line of the house, as the case may be, it shall be constructed using permeable materials or otherwise allow for rainwater to soak into the ground.</p>
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Class 11, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Class 11	
Description of Development	Conditions and Limitations
<p>The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of —</p> <p>(a) any fence (not being a hoarding or sheet metal fence), or</p> <p>(b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.</p>	<ol style="list-style-type: none"> 1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres. 2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.

Class 31, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Class 31	
Description of Development	Conditions and Limitations
<p>The carrying out by a statutory undertaker authorised to provide a telecommunications service of development consisting of the provision of—</p> <p>(a) underground telecommunications structures or other underground telecommunications works (including the laying of mains and cables and the</p>	<ol style="list-style-type: none"> 1. Poles carrying overhead lines shall not exceed 10 metres in height. 2. Poles carrying other equipment shall not exceed 10 metres in height and 0.6 metres in diameter measured at the widest point, where "other equipment" means one transmitting or receiving dish (the diameter of which shall not exceed 0.3

<p>installation underground of any apparatus or equipment),</p> <p>(b) overhead telecommunications</p>	<p>metres), or one panel antenna (the dimensions of which shall not exceed 0.5 metres in length x 0.3 metres in width x 0.2 metres in depth) used for the provision of a specific telecommunications service and the provision of which would otherwise require an additional pole route carrying overhead wires.</p> <p>3. Where a pole or poles carry radio transmitting or receiving apparatus, the field strength of the non-ionising radiation emissions from that installation shall not exceed the limits specified by the Director of Telecommunications Regulation</p>
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Schedule 2, Part 3, Exempted Development - Rural

<i>Minor Works and Structures</i>	
Class 4	
Description of Development	Conditions and Limitations
The construction, erection or maintenance of any wall or fence, other than a fence of sheet metal, or a wall or fence within or bounding the curtilage of a house.	<p>1. The height of the wall or fence, other than a fence referred to in paragraph 2, shall not exceed 2 metres.</p> <p>2. The height of any fence for the purposes of deer farming or conservation shall not exceed 3 metres.</p>

Assessment

In accordance with the Planning and Development Act, 2000 Section 3. (1) the proposed development is considered to represent the carrying out of works. Each of the 7 items is assessed below.

- 1. Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls.**

The nature of the 'modernisation' detailed in the submitted documentation constitutes 'development' as per Section 3 (1) of the Planning and Development Act 2000 (as amended) and additionally as per the details submitted the works would result in the creation of a new dwelling house and shed, at alternative locations on the subject site to those of the existing derelict dwelling house and sheds. The 'development'

detailed does not constitute a 'modernisation' of the existing structures and does not constitute exempted development.

2. Water valve access

The details submitted in relation to this aspect of the query are limited to the identification on a satellite image of the potential location of a water valve. As no detail has been provided of any proposed works, it is considered that merely querying whether or not the applicant can access / is entitled to access the water valve does not constitute works and does not constitute development. A Section 5 Declaration of Exempted Development is not the appropriate means by which to explore entitlements to access this element of infrastructure.

3. Air valve identification

The details submitted in relation to this aspect of the query are limited to the identification on a satellite image of the potential location of an air valve. No detail has been provided of any proposed works to the air valve and it appears that the query is seeking confirmation of the location of the air valve. A Section 5 Declaration of Exempted Development is not the appropriate means by which to explore the potential location of an air valve. The query does not pertain to any 'works' and does not constitute 'development.'

4. Fill the trench between road and wall with broken stone and sand or clay on top

The extent of the proposed filling of the trench between the road and wall with broken stone and sand or clay on top has been delineated in documentation submitted with this Section 5 application and as is evidenced from Figure 8 of the documentation, the proposed works extend beyond the curtilage of the existing derelict dwelling house, onto lands which form / previously formed part of the adjacent field. The proposed works constitute 'development', do not come within the scope of exempted development provisions as set out in Schedule 2, Part 1 – Exempted Development (General) nor do the works constitute exempted development in the context of the provisions of Schedule 2, Part 3 – Exempted Development (Rural).

5. Acoustic and security fencing panels along the front of the house and road about 2m high

Notwithstanding the observations in the course of a site inspection of the existence of a roadside boundary which appears to consist of poured concrete sections (as well as a double width agricultural entry gate), limited information has been provided in the submitted documentation to clarify whether or not the Section 5 exempted development query is being posed in respect of the boundary treatment that has been developed or if the query pertains to alternative fencing. Details contained in the submitted documentation in respect of the fencing demarcate two different areas of proposed fencing. The extent of the areas over which the subject fencing is identified extends beyond the original curtilage of the now derelict dwelling house and encompasses adjacent agricultural lands. Finishes detailed in the submitted documents refer to "maybe a combination of timber / PVC / cladding panels / sheep and barbed wire and leylandii trees." The fencing has been stated as "about 2m high." Having regard to the extent of area to which this element of the Section 5 query pertains and the type and height of fencing detailed, the proposal does not accord with the exempted development provisions of Schedule 2, Part 1 (Exempted Development – General), Class 5 which applies only to the curtilage of a dwelling house. It has also been considered in the context of Schedule 2, Part 1, Class 11 - however the height of the fencing indicated in

the submitted details (approximately 2m) exceeds the 1.2 metres specified in the Conditions and Limitations of Class 11. The fencing is not exempted development.

6. Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall

The nature of the works detailed constitute development. Works of this nature are typically undertaken by a statutory undertaker and only in the event of such works being undertaken by that statutory undertaker authorised to provide a telecommunications service would they constitute exempted development, as set out in Schedule 2, Part 1 (Exempted Development – General), Class 31. In the event that the query posed is in respect of whether or not the applicant can undertake the works as exempted development, there are no exempted developments provisions which are applicable to that situation.

7. Concrete around house when finished

The query is posed in conjunction with query 1 of the Section 5 determination request, which has been considered in foregoing sections of this report and determined not to constitute exempted development (as the works detailed represent the development of a new dwelling house and a new shed on the subject site). On the basis that the works set out in 1 above do not constitute exempted development, and that the query posed in respect of concreting around that new house when finished is directly related to that development which is not exempt, the concrete around that new house when finished in itself cannot be considered exempted development. Ordinarily, works of this nature would constitute exempted development in accordance with the provisions of Schedule 2, Part 1 (Exempted Development – General), Class 6, if being undertaken within the curtilage of an existing dwelling house.

Environmental Considerations

With Regard to Article 9 (1)(a) of the Planning and Development Regulations, 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 and that the need for AA does not apply with respect to the current case.

I am satisfied that an Environmental Impact Statement or Appropriate Assessment are not required. It should be noted that any development for which Environmental Impact Assessment or Appropriate Assessment is required shall not be exempted development unless specifically exempted in regulations where there is provision in other legislation for the carrying out of EIA or AA. In addition, the restrictions on exemption Art 9 (1)(a)(viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

Recommendation

WHEREAS a question has arisen as to whether development consisting of 1. Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls. 2. Water valve access. 3. Air valve identification. 4. Fill the trench between road and wall with broken stone and sand or clay on top. 5. Acoustic and security fencing panels along the front of the house and road about 2 meters high. 6. Place the eir cable in the ground from the field yard gate to the end of the house field entrance

wall. 7. Concrete around house when finished at Clooncan, Ballinlough, County 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 Acts 2000 (as amended);
- (b) Article 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- (c) Class 5, 6, 11 and 31, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- (d) Class 4, Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- (e) The planning history of the site;
- (f) 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).

AND WHEREAS I have concluded the following in respect of each of the individual queries posed:

- (a) “Modernise the derelict house and sheds with extensions, raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls” – **The specified works are development and are not exempted development;**
- (b) Water valve access – **Consent to access a water valve is outside the scope of a Section 5 Declaration of Exempted Development;**
- (c) Air valve identification – **A query to identify the location of an air valve is outside the scope of a Section 5 Declaration of Exempted Development;**
- (d) Fill the trench between road and wall with broken stone and sand or clay on top - **The specified works are development and are not exempted development;**
- (e) Acoustic and security fencing panels along the front of the house and road about 2 metres high - **The specified works are development and are not exempted development;**
- (f) Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall - **The specified works are development and are not exempted development unless undertaken by a statutory undertaker authorised to provide a telecommunications service;**
- (g) Concrete around house when finished – **The specified works are development and are not exempted development in this specific context, as the works are associated with item no. 1 which itself is not exempted development.**
- (h) 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: 
Jennifer Foy
Assistant Planner

Date: 6th March 2023











Comhairle Contae
Ros Comáin
Roscommon
County Council



Tim Joyce,



Date: 10th February, 2023.
Planning Reference: DED 540

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

Development: 1. Modernise the derelict house and sheds with extensions Raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay/mortar/brick walls. 2. Water valve access. 3. Air valve identification. 4. Fill the trench between road and wall with broken stone and sand or clay on top. 5. Acoustic and security fencing panels along the front of the house and road about 2 meters high. 6. Place the eir cable in the ground from the field yard gate to the end of the house field entrance wall. 7. Concrete around house when finished at Clooncan, Ballinlough, Co. Roscommon, F45 CE81.

A Chara,

I wish to acknowledge receipt of your application received on the 8th February, 2023, for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development along with the appropriate fee in the sum of €80.00 Receipt No. L01/0/221217 dated 10/02/2023 is attached herewith.

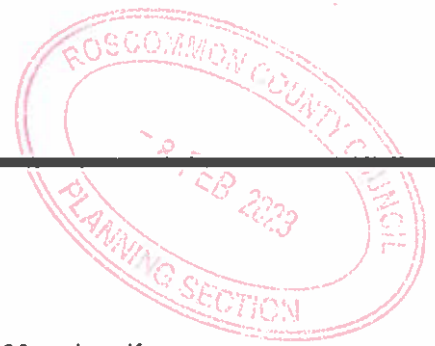
Note: Please note your Planning Reference No. is **DED 540**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,


Administrative Officer,
Planning.

S Sharon Kelly

From: Tim Joyce [REDACTED]
Sent: Wednesday 8 February 2023 17:20
To: Planning Department
Subject: Re: Exempt Planning form
Attachments: Site Location map to a scale of 1-2500.png; 1_500 scale.pdf



Hello Mary,

Kindly find attached map location scales, though I'm not sure if this is right and I couldn't find a scaling map for 1:500, I think it's some variation on google maps at 5 m, it does actually display that on their map that I can see.

Is this Ok?.

Thanks
Tim

On Mon, 6 Feb 2023 at 14:03, Tim Joyce [REDACTED] wrote:
Dear Sir/Madam,

Kindly find the attached form in pdf format, let me know if you need the Word version, we communicated several years ago about the same property.
I can pay the fee over the phone if that suits you or with IBAN details.

Thanks for your time.

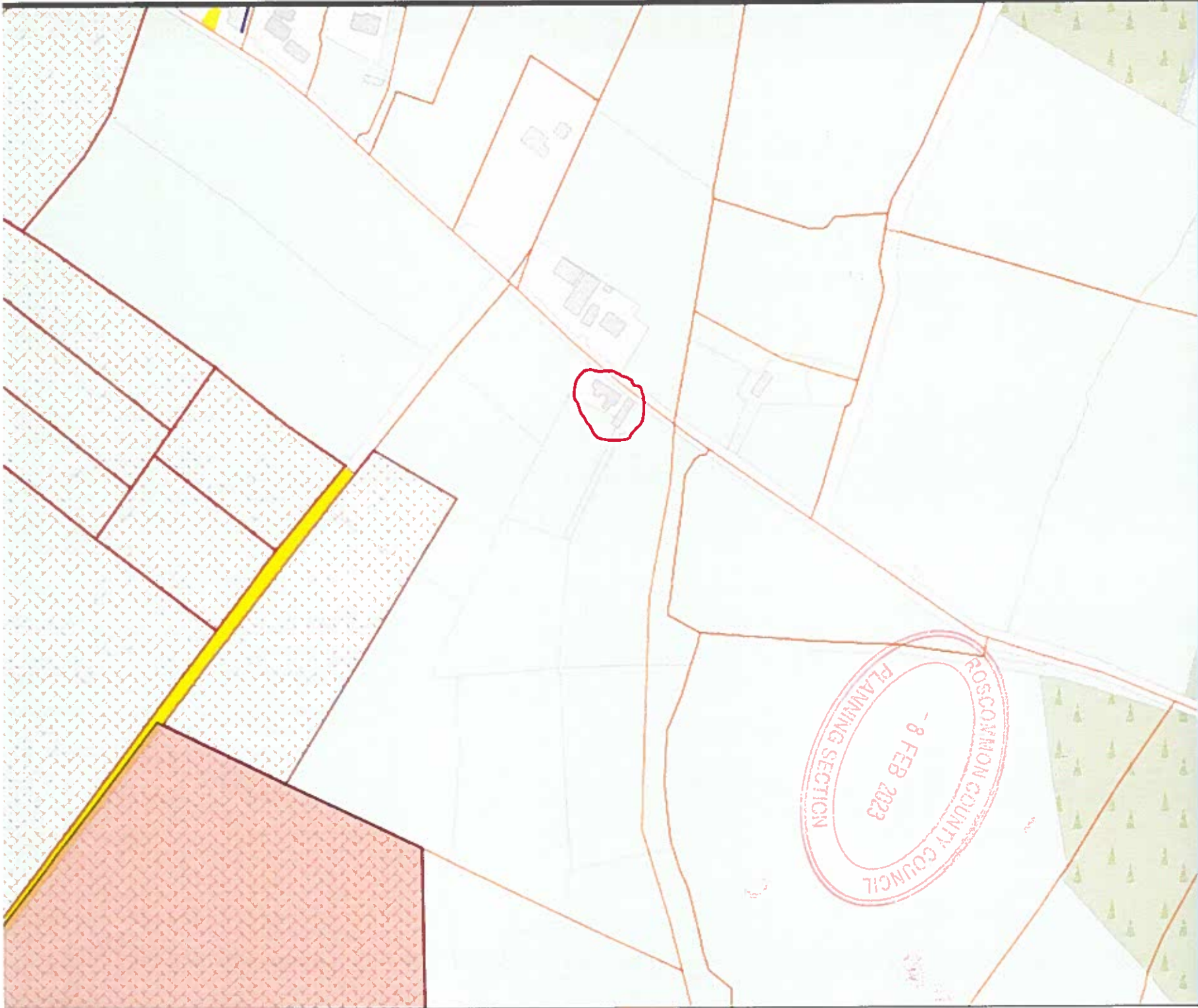
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Sincere Regards,



Tim Joyce

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Sincere Regards,

Tim Joyce





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Folio Number	RN63
Title Level	Freehold
Plan Number	1F6
Property Number	3
Area of selected plans	9.74
Number of Plans on this folio:	7
Address	Not Available

[Highlight All Plans](#)

[Add to Basket](#)

Burdens: Turbary on Folio RN63

*PRA Boundaries and Plan A

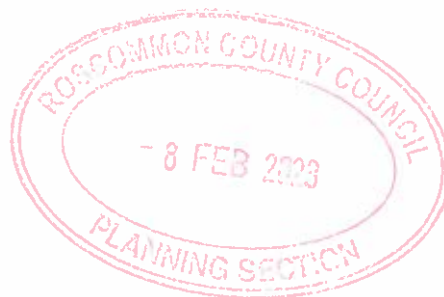
conclusive. See [Section 62](#) of the [Registration of Title Act 2002](#)

[View Basket](#)

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1:500 scale

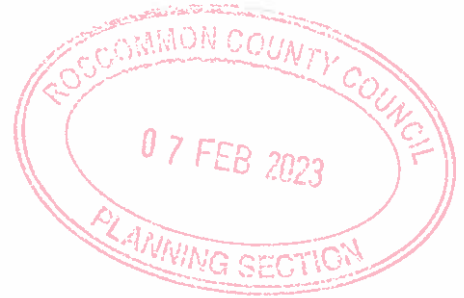




Sharon Kelly

DED 538

From: Tim Joyce [REDACTED]
Sent: Monday 6 February 2023 14:03
To: Planning Department
Subject: Exempt Planning form
Attachments: DED Form - house_shed.pdf



Dear Sir/Madam,

Kindly find the attached form in pdf format, let me know if you need the Word version, we communicated several years ago about the same property.

I can pay the fee over the phone if that suits you or with IBAN details.

Thanks for your time.

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Sincere Regards,

Tim Joyce

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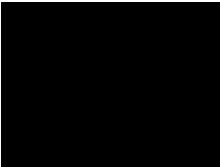
Comhairle Contae
Ros Comáin
Roscommon
County Council



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:	Tim Joyce
Address:	
Name & Address of Agent:	
Nature of Proposed Works	<ol style="list-style-type: none">1.Modernise the derelict house and sheds with extensions Raising the house above road level and putting it on a better stand, as is the shell of a structure is sitting on top of the ground with stone/clay mortar/brick walls.2.Water valve access3.Air valve identification4.Fill the trench between road and wall with broken stone and sand or clay on top5.Acoustic and security fencing panels along the front of the house and road about 2 meters high6.Place the air cable in the ground from the field/yard gate to the end of the house/field entrance wall7. Concrete around house when finished building
Location (Townland & O.S No.)	Clooncan, Ballinlough, Co. Roscommon, F45 VE81
Floor Area	House 14m x 9m = 126 m ² Shed 14m x 12m = 168 m ²
Height above ground level	House 5.36 m Shed 6.61 m
Total area of private open space remaining after completion of this development	The same as before.
Roofing Material (Slates, Tiles,	Gray Slate roof on house

other) (Specify)	Shed slate grey box profile or corrugated cladding sheeting
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Revitalise the walls with bricks and plaster on house Revitalise the walls with cast concrete on shed
Are proposed works located at front/rear/side of existing house.	Front, Rear, Sides of house and shed

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)	DED 292
Existing use of land or structure	Farm and dwelling home
Proposed use of land or structure	Farm and dwelling home
Distance of proposed building line from edge of roadway	More or less 9 meters for the house More or less 3 to 4 meters for shed
Does the proposed development involve the provision of a piped water supply	No, apart from the water supply marker outside the cottage that needs attention
Does the proposed development involve the provision of sanitary facilities	Set back up the existing sanitary facilities to the house and a toilet to the shed.

Signature: Tim Joyce

Date: 6/2/2023

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



Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

10/02/2023 14:38 49

Receipt No L01/0/221217

TIM JOYCE

DED 540

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED540	

Total : 80.00 EUR

Tendered :
Credit/Debit Card
2940 80.00

Change : 0.00

Issued By : Bernadine Duignan
From : Central Cash Office

(b)
1.



Figure 1.

The roofs have been taken off the house, utility sheds and main sheds for security and safety purposes, due to wind and other factors.

There is a water service that was running but now it is turned off, was it the county council that turned it off?.

There is electricity service to the property to be reconnected, the old pole was to the left of the house, when the new pole was installed I had the ESB move it to the right of the house out of the way, is this alright?.

There is a perfectly working septic tank to be reconnected that has more than enough capacity to work the sanitary facilities of the house.

(c)



Figure 2.

Figure 2. is the ideal situation to raise the house above the road, put it on a better stand and back from the road in case a truck or agricultural machine or vehicle falls over in on top of

the place. The walls in the cottage are sitting on top of the ground with a bit of gravel underneath them, they are made of stone/clay mortar and some brick walls, that are cracked in many places, and with the road so near, in the future they could crack more and fall down, and not be a good insulator. An element of the back wall can be the front of the modernisation of the proposed repairs to the house with keeping the same look and character of the existing front building. The walls will be revitalised to be better structurally load bearing.

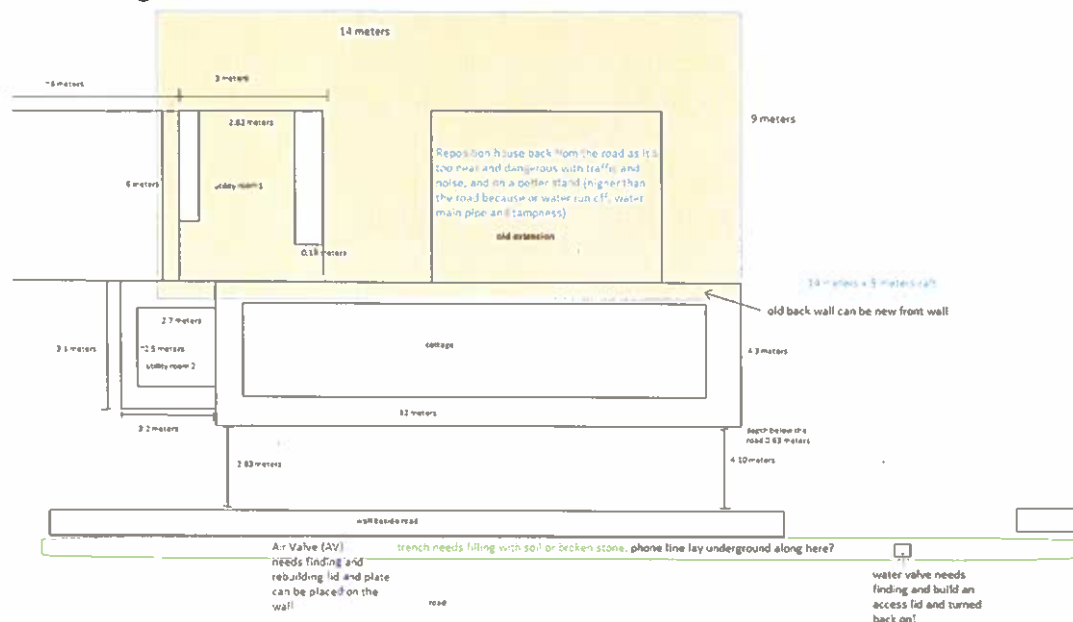


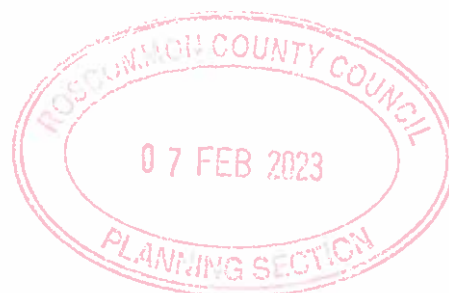
Figure 3.

If approved the front facing current cottage space will cease to exist. If not then unfortunately there will be a reconfigure of 4.7 meter width to the back of the current existing shell, of total 9 meters width and 14 meters in length. In any case the house will be raised up to road height more or less of 0.30 to 0.50 meters above the road height for the house floor. Figure 3. will display this.

Cottage/house area 12×4.3 + old extension area 4.2×3.2 + utility room 2 area 3.2×3.1 + utility room 1 area $6 \times 3 = 92.96$ meters + 40 meters of an allowed extension! = 132.96 meters square, which fall within the 14×9 meters (126 m^2) house proposal by 6.96 m^2 . Also I think in the vacant home refurbishment grant it states "vacant house or building", please advise.

The **Vacant Property Refurbishment Grant**, funded by the Croí Cónaithe (Towns) Fund was launched on 14 July 2022 and will benefit those who wish to turn a formerly vacant house or building into their principal private residence.

Or here are other potential layouts below to be advised on







(d)
House modernisation repairs design

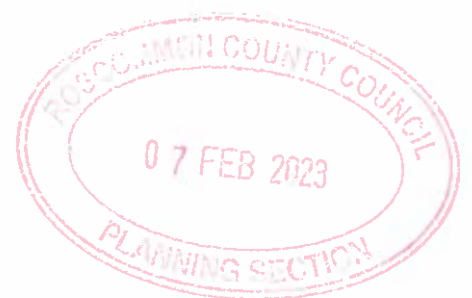
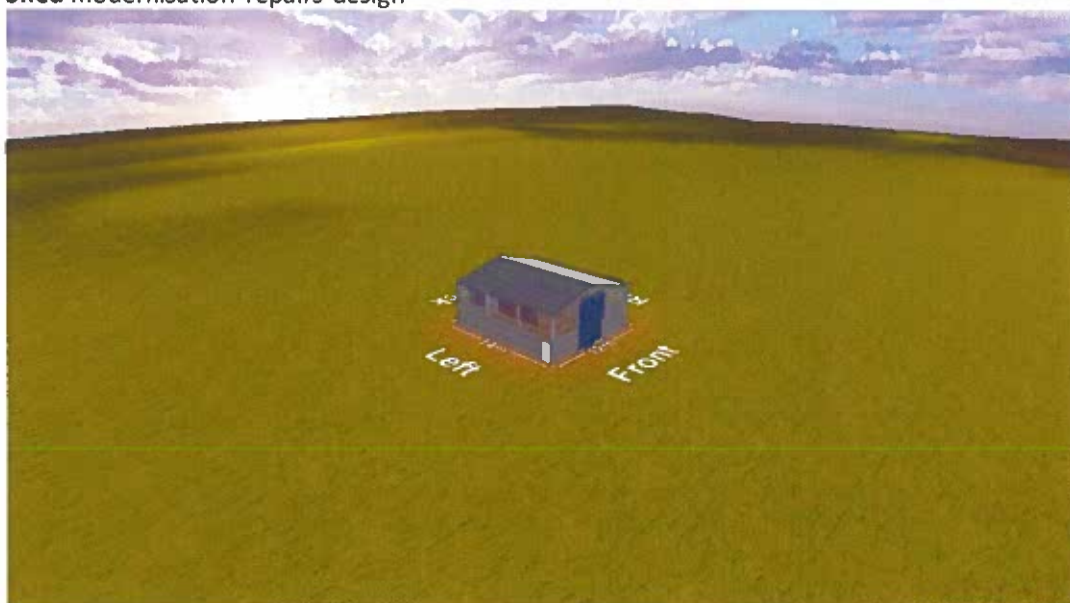




Figure 4.

Figure 4. is a 3 bedroom house with skylight attic windows. I think it will be a 40 to 45 degree roof pitch.

Shed modernisation repairs design



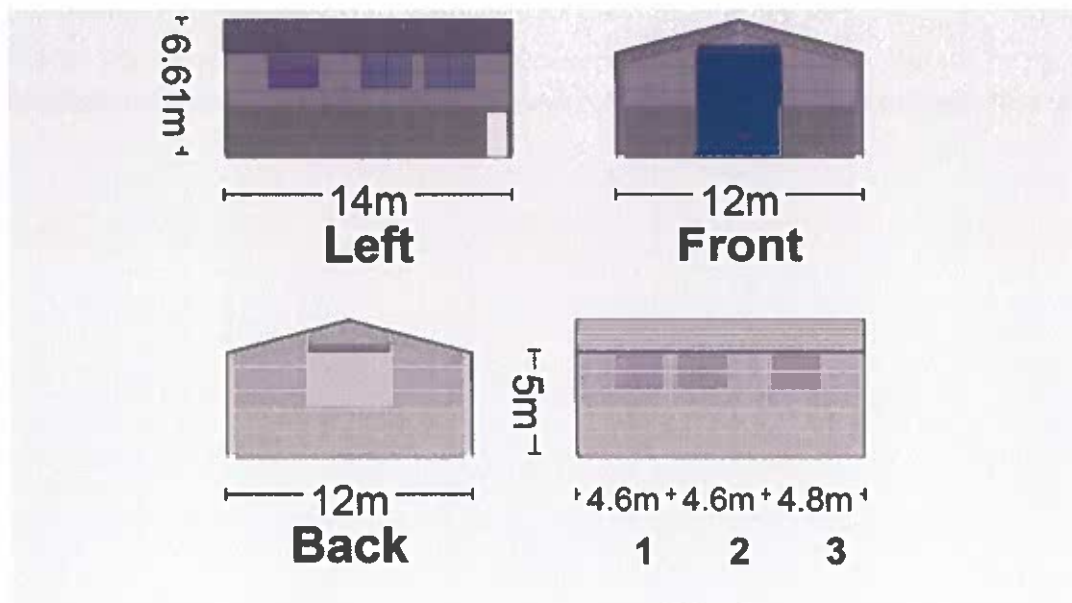


Figure 5.

The all purpose shed will have different trusses with H/I beams instead of steel frame beams. There will be ~2.44 meter high wall around the bottom of the building with cladding on the upper half of the building. The building will be about 0.30 to 0.50 meters above the current yard/base height as the yard/base needs more gravel. I think it is about 15 degree roof pitch.

2. Water Valve





Figure 6.

I think the water valve is there circled in blue in the figure 6.

3. Air Valve





Figure 7.

I think the air valve is there circled in blue in the figure 5.

4. Trench Fill





Figure 8.

Fill in this length marked in red to stabilise the road and my property

5. Acoustic and Security Fencing





Figure 9.

The red line is the acoustic/security fencing, which maybe a combination of timber/PVC/Cladding panels/Sheep and barbed wire and leylandii trees.

<https://www.kanecontracts.com/product/kfs-acoustic-fencing/>

6. Eir cable



Figure 10.

The red line marks the length of cable to be requested to be put in the ground, I am not sure is the water mains pipe on this side of the road or the other side of the road, and should the council dig this trench, or Eir or I should with someone supervising or marking out potential underground pipes and structures like the Air Valve and Water Valve and water pipe position.

Summary

These are provisional specifications, please suggest specifications and house and shed dimensions and orientations so that planning doesn't be required, and that I can apply for the derelict grant for the house.

