

Tracy Davis

From: Tracy Davis
Sent: Thursday 7 September 2023 16:38
To: james@jlce.ie; Aaron Gill
Subject: Planning Ref. DED 578 - Notification of decision on Section 5 Declaration
Attachments: DED578 Notification of Decision - Split Declaration-signed.pdf

A Chara

Please find attached decision documentation in respect of RCC Planning Ref. No. DED578 Section 5 Declaration.

Mise le meas

Tracy Davis | Planning Department
Áras an Chontae, Roscommon, Co. Roscommon. F42 VR98
☎ (090) 6637100 ✉ planningenforcement@roscommoncoco.ie
🌐 www.roscommoncoco.ie



Cornhairle Contae
Ros Comáin
Roscommon
County Council



Please note that I may be sending this email outside your working hours and I do not expect a response or action outside your own working hours

ROSCOMMON COUNTY COUNCIL
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)
SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
NOTIFICATION OF DECISION

James Lohan & Aaron Gill,
Circular Road,
Roscommon.

Reference Number: DED 578

Application Received: 21/06/2023

Location: St. Patrick's Street, Castlerea, Co. Roscommon.

WHEREAS a question has arisen as to whether the refurbishment of a derelict house under the Croi Conaithe Grant Scheme at St. Patrick's Street, Castlerea, County Roscommon is or is not development and is or is not exempted development.

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 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) 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
- (d) The planning history of the site

AND WHEREAS Roscommon County Council has concluded that:

(i) The refurbishment of a derelict house under the Croi Conaithe Grant Scheme to include:

- Strip out walls, floors and ceilings;
- Form two new door opens at ground floor level to rear and block up existing door open;
- Place new ceiling joists and stud work internally and plaster board and skim;
- New ground floor with radon barrier, insulation and screed;
- Re-wire;
- Re-plumb;
- New windows and doors;
- Re-slate roof;
- Render and paint; and,
- Second fix and paint and decorate internally,

is development and is exempted development.

(ii) To externally insulate the building is development and is not exempted 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 refurbishment of a derelict house under the Croi Conaithe Grant Scheme at St. Patrick's Street, Castlerea, Co. Roscommon, to include elements listed in (i) above, is development and is exempted development** as defined in the Planning and Development Act 2000 (as amended) and associated Regulations and that the said works **to externally insulate the building is development and is not exempted development** as defined in 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 Council:

Tracy Davis

Senior Executive Planner, Planning.

Date: 7th September, 2023

CC: EMAIL:
James Lohan Consulting Engineers Ltd.,
Unit 5,
Ballypheason House,
Circular Road,
Roscommon.

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

Reference Number: DED 578

Name and Address of Applicant: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the refurbishment of a derelict house under the Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, County Roscommon

Applicant: James Lohan & Aaron Gill

WHEREAS a question has arisen as to whether the refurbishment of a derelict house under the Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, 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 Act, 2000, as amended
- (b) Articles 6 and 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
- (d) The planning history of the site

Site Location & Development Description

The subject dwelling house is located in St. Patrick's Street, Castlerea on lands zoned Existing Residential in the Castlerea Settlement Plan, which forms part of the Roscommon County Development Plan 2022-2028. The structure is not protected and does not form part of the Castlerea Architectural Conservation Area. Accessed off the N60 National Secondary Route, the subject site is not in, adjoining or in close proximity to any European designated sites. The closest European designated site is Cloonchambers Bog SAC (Site Code: 000600), which is approximately 3.2km from the subject site.

The presented Section 5 Declaration Application Form indicates that the proposed external works include repairs to the roof, external insulation, rendering and new windows. It also states an internal fit-out is proposed and no extension is proposed. While the submitted Section 5 Declaration Application Form and a Building Condition Assessment have been noted and considered, insufficient details have been presented to clearly identify the proposed internal and external works in this case.

Planning History

PD 07 350 – Permission granted for (1). Demolish an existing dilapidated two storey dwelling and (2). in its place construct a 146.46sqm two storey office building with connection to public services and utilities

Relevant Legislation

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) of the Planning and Development Act 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:

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development, provided that such development complies with the conditions and limitations specified in column 2 of Part 1.

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—
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

Assessment

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....”. It is considered that said refurbishment of the dwelling house constitutes development, as defined in Section 3 of the said Act.

As outlined above, the presented Section 5 Declaration Application Form indicates that the proposed external works include repairs to the roof, external insulation, rendering and new windows. It also states an internal fit-out is proposed and no extension is proposed. While the submitted Section 5 Declaration Application Form and a Building Condition Assessment were noted, insufficient details had been submitted to clearly identify the proposed internal and external works in this case. In order to advance the assessment of this application under Section 5 of the Planning and Development Acts (as amended), it was recommended to request further information. The requested further information was received on the 16th August 2023, in the form of a cover letter with schedule of works and an updated drawing of works to the rear elevation. It states the property is being stripped out back to its original four walls and from there it will be renovated and put back into use as it was originally a two-bed dwelling house. The proposed works are listed as follows:

1. Strip out walls, floors and ceilings
2. Form two new door opes at ground floor level to rear and block up existing door ope
3. Place new ceiling joists and stud work internally and plaster board and skim
4. New ground floor with radon barrier, insulation and screed
5. Re-wire
6. Re-plumb
7. New windows and doors
8. Re-slate roof
9. Externally insulate and render and paint
10. Second fix and paint and decorate internally

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 following works under this application are considered exempted development in the context of Section 4 (1)(h) of the Act, 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:

1. Strip out walls, floors and ceilings
2. Form two new door opes at ground floor level to rear and block up existing door ope
3. Place new ceiling joists and stud work internally and plaster board and skim
4. New ground floor with radon barrier, insulation and screed
5. Re-wire
6. Re-plumb
7. New windows and doors
8. Re-slate roof
9. Render and paint
10. Second fix and paint and decorate internally

This building forms part of a terrace in the town. While externally insulating a standalone building may constitute exempted development, considering the location of the subject building, external insulation would materially affect the external appearance of the structure and enlarge its footprint particularly onto the public footpath at the front, effectively rendering the appearance inconsistent with the character of the structure or of neighbouring structures. Externally insulating the building in this case is not therefore exempted development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations it is reasonable to conclude, on the basis of the information available, 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 the refurbishment of a derelict house under the Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, 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 Act, 2000, as amended
- (b) Articles 6 and 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
- (d) The planning history of the site

AND WHEREAS I have concluded that

- a) Strip out walls, floors and ceilings is development and is exempted development.
- b) Form two new door opes at ground floor level to rear and block up existing door ope is development and is exempted development.
- c) Place new ceiling joists and stud work internally and plaster board and skim is development and is exempted development.
- d) New ground floor with radon barrier, insulation and screed is development and is exempted development.
- e) Re-wire is development and is exempted development.
- f) Re-plumb is development and is exempted development.
- g) New windows and doors is development and is exempted development.
- h) Re-slate roof is development and is exempted development.
- i) Render and paint is development and is exempted development.

- j) Second fix and paint and decorate internally is development and is exempted development.
- k) **To externally insulate is development and is not exempted development.**
- l) 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:

From: James Lohan <james@jlce.ie>
Sent: Wednesday 16 August 2023 12:37
To: Planning Department
Cc: Tracy Davis
Subject: DED 578 The refurbishment of a derelict house under Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, Co. Roscommon, F45 Y004.
Attachments: DED 578 Schedule of works.pdf; 22-238 Plans DED578.pdf

A chara,
Please find attached requested information in relation to DED578 for Patrick Street, Castlerea, Roscommon.
Kind Regards
James

James Lohan BEng MIEI C.Build E MCABE
James Lohan Consulting Engineer Ltd,
Unit 5,
Ballypheason House,
Circular Road
Roscommon F42 C982
Ph: 0906634365 Mob: 0878228529

E: james@jlce.ie
Web: www.jlce.ie

 **James Lohan**
Planning & Design Consulting Engineers





Planning Dept,
Roscommon Co.Co.
Aras An Chontae,
Roscommon.

Ref: DED 578 for Property at Saint Patrick Street, Castlerea, Roscommon, F45 Y004.

Schedule Of Works.

The property is being stripped out back to its original four walls and from there it will be renovated and put back into use as it was originally a two-bed dwelling house. The works involved are as follows:

- 1) Strip out walls, floors and ceilings.
- 2) Form two new door ope at ground floor level to rear and block up existing door ope.
- 3) Place new ceiling joists and stud work internally and plaster board and skim
- 4) New ground floor with radon barrier, insulation and screed.
- 5) Re-wire
- 6) Re-Plumb
- 7) New windows and doors
- 8) Re-Slate roof.
- 9) Externally insulate and render and paint
- 10) Second fix and paint and decorate internally.

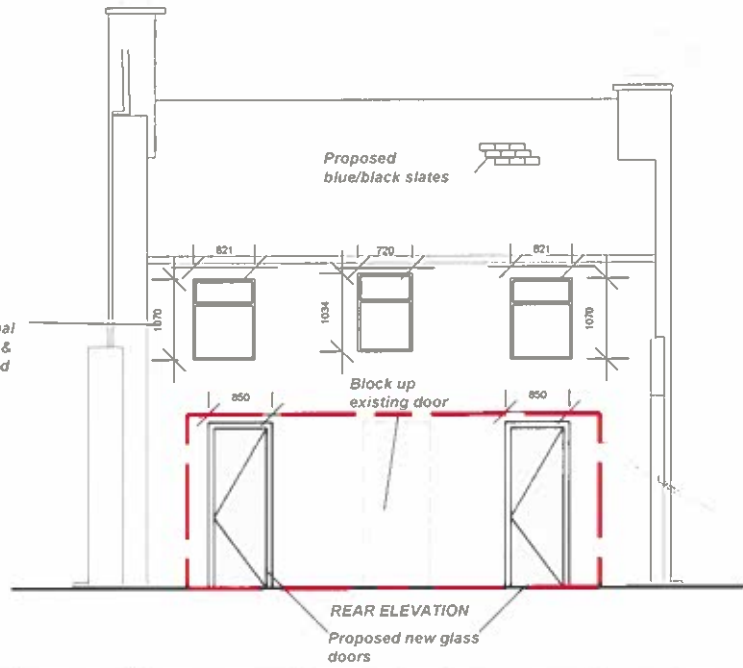
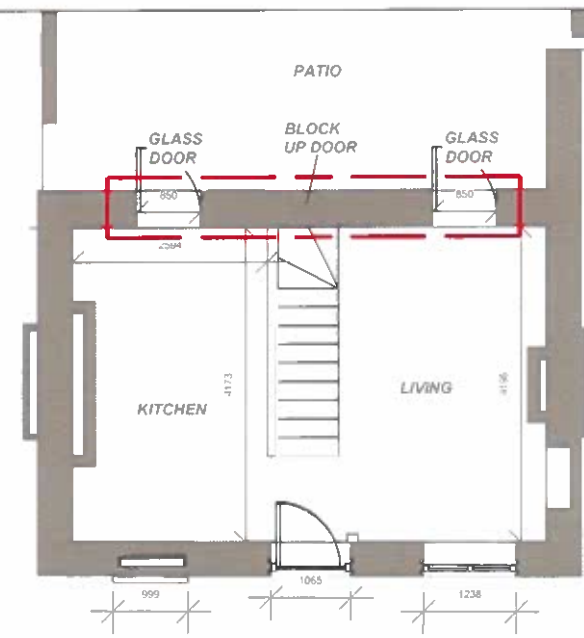
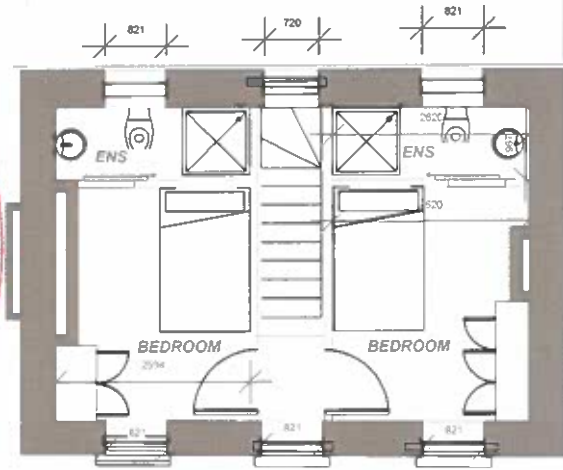
See attached updated drawings showing works to rear elevation.

Kind Regards

James Lohan BEng MIEI

A handwritten signature in blue ink, appearing to read "James Lohan", written over the printed name.

ROSCOMMON COUNTY COUNCIL
16 AUG 2023
PLANNING SECTION



DO NOT SCALE FROM THIS DRAWING. MEASURE ONLY FROM FORMED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.

Unit 5 Ballypheasant House
Circular Road,
Roscommon F42 C982

JAMES LOHAN CONSULTING ENGINEERS
Ph: 090 6643465 / 0878228529
email: james@jce.ie / aaron@jce.ie
web: www.jce.ie

CLIENT	James Lohan & Adam O'Leary	JOB		JOB No	23-092	DATE	06/08/2023
SITE		DRAWING	Involved Ref Plan	DWG No	001	SCALE	1:100
Drawn	St Pauline M Conboy						

REGISTERED POST

James Lohan & Aaron Gill,
Circular Road,
ROSCOMMON.

Date: 17/07/2023

Ref: DED 578

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 refurbishment of a derelict house under Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, Co. Roscommon, F45 Y004 is or is not development or is or is not exempted development.

A Chara,

Further to your application received on the 21st June, 2023 and in order for the Planning Authority to determine as to whether the refurbishment of a derelict house under Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, County Roscommon is or is not development or is or is not exempted development you are requested to submit the following further information:

1. In order for the Planning Authority to advance the assessment of this application under Section 5 of the Planning and Development Act 2000 (as amended), please submit a detailed scope of works which are to be undertaken inclusive of any proposed demolition and provide suitably scaled annotated drawings in plan and elevation to indicate these proposed works.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 578**.

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

Mise le meas,



Senior Executive Planner,
Planning.

CC: James Lohan Consulting Engineer Ltd.,
Unit 5 Ballypheason House,
Circular Road,
ROSCOMMON F42 C982.

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

Reference Number: DED 578

Name and Address of Applicant: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the refurbishment of a derelict house under the Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, County Roscommon

Applicant: James Lohan & Aaron Gill

Date: 17th July 2023

WHEREAS a question has arisen as to whether the refurbishment of a derelict house under the Croi Conaithe grant scheme at St. Patrick's Street, Castlerea, 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 Act, 2000, as amended
- (b) Articles 6 and 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
- (d) The planning history of the site

Site Location & Development Description

The subject dwelling house is located in St. Patrick's Street, Castlerea on lands zoned Existing Residential in the Castlerea Settlement Plan, which forms part of the Roscommon County Development Plan 2022-2028. The structure is not protected and does not form part of the Castlerea Architectural Conservation Area. Accessed off the N60 National Secondary Route, the subject site is not in, adjoining or in close proximity to any European designated sites. The closest European designated site is Cloonchambers Bog SAC (Site Code: 000600), which is approximately 3.2km from the subject site.

The presented Section 5 Declaration Application Form indicates that the proposed external works include repairs to the roof, external insulation, rendering and new windows. It also states an internal fit-out is proposed and no extension is proposed. While the submitted Section 5 Declaration Application Form and a Building Condition Assessment have been noted and considered, insufficient details have been presented to clearly identify the proposed internal and external works in this case.

Planning History

PD 07 350 – Permission granted for (1). Demolish an existing dilapidated two storey dwelling and (2). in its place construct a 146.46sqm two storey office building with connection to public services and utilities

Relevant Legislation

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) of the Planning and Development Act 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:

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development, provided that such development complies with the conditions and limitations specified in column 2 of Part 1.

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—

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

Assessment

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....". It is considered that said refurbishment of the dwelling house constitutes development, as defined in Section 3 of the said Act.

As outlined above, the presented Section 5 Declaration Application Form indicates that the proposed external works include repairs to the roof, external insulation, rendering and new windows. It also states an internal fit-out is proposed and no extension is proposed. While the submitted Section 5 Declaration Application Form and a Building Condition Assessment have been noted, insufficient details have been submitted to clearly identify the proposed internal and external works in this case. In order to advance the assessment of this application under Section 5 of the Planning and Development Acts (as amended), it is recommended that further information is requested.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations it is reasonable to conclude, on the basis of the information available, 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

Request the following further information

1. In order for the Planning Authority to advance the assessment of this application under Section 5 of the Planning and Development Act (as amended), please submit a scope of works ^{are proposed} indicating ^{which ~~will~~ to be undertaken} all of the proposed works, inclusive of any proposed demolition and suitably scaled annotated drawings.

in plan and elevation to indicate provide these proposed works.

Signed:

Assistant Planner

Jennifer Foy

Date: 17th July 2023





Comhairle Contae
Ros Comáin
Roscommon
County Council



James Lohan & Aaron Gill,
Circular Road,
Roscommon.

Date: 22nd June, 2023.
Planning Reference: DED 578

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000
(as amended), regarding Exempted Development.
Development: The refurbishment of a derelict house under Croi Conaithe grant scheme at St. Patrick's
Street, Castlerea, Co. Roscommon, F45 Y004.

A Chara,

I wish to acknowledge receipt of your application received on the 21st June, 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. L01/0/223344 dated 21st June, 2023 refers, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 578**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,

**Administrative Officer,
Planning.**

cc. James Lohan Consulting Engineers Ltd,
Unit 5,
Ballypheason House,
Circular Road,
Roscommon.

From: Planning Department
Sent: Wednesday 28 June 2023 16:53
To: 'james@jlce.ie'; 'Aaron Gill'
Subject: RCC Planning Ref. No. DED 578 - Acknowledgement of Request for Declaration under Section 5 of the Planning & Development Act.
Attachments: DED 578 Acknowledgement.pdf; DED 578 Receipt.pdf

A Chara,

Please find attached, letter of acknowledgement in respect of your request for a declaration under Section 5 of the Planning & Development Act 2000 (as amended), reference no. DED 578.

Mise le meas,

Mary Dolan, Administrative Officer, Planning,
Áras an Chontae, Roscommon, Co. Roscommon, F42 VR98.
☎ (090) 6637176 ✉ marydolan@roscommoncoco.ie
🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council



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

Correspondence issuing from the Planning Section in Roscommon County Council will generally be in electronic form only except in instances where an e-mail address has not been provided.

Roscommon County Council
Aras an Chontae
Roscommon
09068 37100

21/06/2023 12:34:59

Receipt No. : L01/0/223344

JAMES LOHAN & ARRON GILL
CIRCULAR ROAD
ROSCOMMON

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 578	

Total : 80.00 EUR

Tendered :
Cheque 80.00
500315

Change : 0.00

Issued By : Bernadine Duignan
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council

Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

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

Name:	JAMES LOHAN & AARON GILL
Address:	CIRCULAR ROAD, ROSCOMMON
Name & Address of Agent:	James Lohan Unit 5, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	REFURBISH DERELICT HOUSE UNDER CROI CONAITHE GRANT SCHEME – SEE ATTACHED REPORT SHOWING CONDITION OF PROPERTY AND LIST OF WORKS TO BE COMPLETED ALONG WITH PLANS FOR SAME
Location (Townland & O.S No.)	Saint Patrick's Street, Castlereagh, Co. Roscommon, F45 Y004 RN2219-05
Floor Area	52.0 SQ.M.
Height above ground level	0.15
Total area of private open space remaining after completion of this development	191SQ.M.
Roofing Material (Slates, Tiles, other) (Specify)	SLATES
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	HOUSE IS TO BE EXTERNALLY INSULATED AND RENDERED
Is proposed works located at front/rear/side of existing house.	NO EXTENSION PROPOSED – JUST REPAIRS TO ROOF, EXTERNALLY INSULATING AND RENDERING WITH NEW WINDOWS AND INTERNAL FITOUT

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)	N/A
Existing use of land or structure	EXISTING HOUSE
Proposed use of land or structure	REFURBISH HOUSE
Distance of proposed building line from edge of roadway	EXISTING 2M
Does the proposed development involve the provision of a piped water supply	EXISTING
Does the proposed development involve the provision of sanitary facilities	EXISTING SEWER

Signature:

Date:

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) Detailed specification of development proposed



James Lohan Consulting Engineer Ltd,
Unit 5,
Ballypheason House,
Circular Road
Roscommon F42 C982
Ph: 0906634365 Mob: 0878228529
E: james@jlce.ie Web: www.jlce.ie



BUILDING CONDITION ASSESSMENT

DWELLING HOUSE AT

Saint Patrick's Street,
Castlerea,
Co. Roscommon,
F45 Y004

Engineer: James Lohan BEng MIEI

Client: James Lohan & Aaron Gill

Date: 08th June 2023

Our Ref: 23-238



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1.0 INTRODUCTION

1.01 Scope of Instructions

We were commissioned by James Lohan & Aaron Gill to attend a site that contains a derelict dwelling house and undertake a visual inspection. Specifically, we were asked to comment upon the following:

- Structure and state of the dwelling house
- To confirm the dwelling is currently derelict

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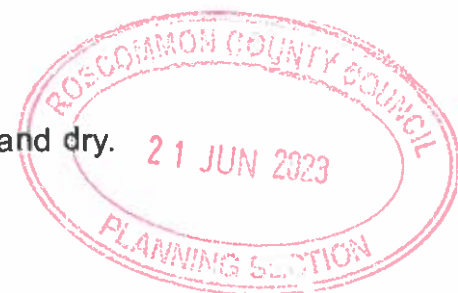
No tests/survey were carried out on electrical, plumbing, sanitary, or heating installations.

1.02 Date of Inspection

The property was inspected by James Lohan BEng MIEI on the 08th June 2023.

1.03 Weather

The weather at the time of the inspection was warm and dry.



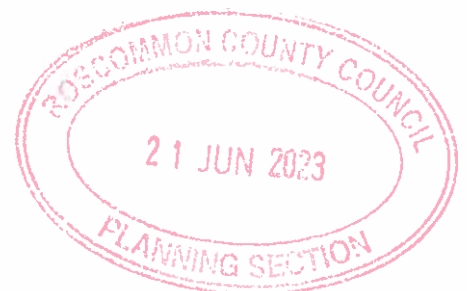
1.04 Limitations of Inspection

The contents of this report are strictly confined to comments concerning those terms outlined in the clients brief above.

The report should not be construed as a valuation or home buyers report and is not an inventory of every single defect, some of which would not significantly affect the use of the property. If the report does refer to some minor defects, this does not imply that the building is free from other such defects. We did not expose any other part of the structure that was covered, unexposed or inaccessible and we are therefore unable to

report that any such part of the property is free from defect.

We have not inspected the ground floor slab or foundations. The following is not intended to be an exhaustive list of minor defects and any purely significant structural defects apparent from a visual inspection will be addressed. Further defects may be encountered upon more extensive investigation, involving exposure of structural elements etc.



2.0 DESCRIPTION

2.01 Orientation

For ease of reference in the report I have assumed that the front of the property faces North East.

2.02 Type and Age

The property comprises an End Of Terrace house which was constructed circa 1900's.

2.03 Accommodation

The accommodation is as follows:

Floor Plan: Two Bedroom on first Floor and Open Plan Kitchen-Living on Ground Floor.

Outside: Public Path & Street to Front and Large Garden to rear.

2.04 Location

On a small site in an established town.

2.05 Site and Surrounding Area

The site is relatively level. The geological survey map for the area indicates that the subsoil is of a gleys. However, because of the scale of the map and localized variations I was unable to confirm that the subsoil under the property is of this type.





3.0 CONSTRUCTION AND CONDITION

3.01 Main Roof

The main roof is a cut timber roof and it is not fit for purpose as it is compromised with holes present. The roof will need to be stripped and re-slatted and felted.

3.02 Other Roofs

N/A

3.03 Chimney Stacks

There are two chimneys in the property and they are boast and cracked allowing moisture in. One Chimney will be taken down below roof and level and the other chimney needs to be vented and flue lined.

3.04 Foundations and External Walls

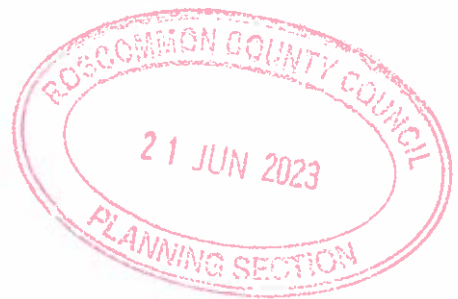
I was unable to inspect the foundations but due to age of house would doubt that they are present. External walls are solid stone and are in need of repairs – there are some structural cracks where timber window heads have rotted- these heads need to be removed and replaced with concrete lintels and the walls should be externally insulated and rendered.

3.05 Damp Proof Courses

There is no damp proof course fitted in this property and there will need to be a DPM radon barrier fitted whilst renovation works are undertaken.

3.06 Internal Walls and Partitions

Internal walls are timber stud partitions and all walls need to be removed and replaced.



3.07 Fireplaces and Chimney Breasts

N/A

3.08 Floors

All floors need to be replaced. I would recommend having a radon barrier, insulation and screed fitted.

3.09 Ceilings

All ceilings are in need of replacing. The joists are rotted so all timbers need to be replaced. The ceilings will need to be redone with plaster board and skim.

3.10 Windows, Doors

The windows and doors are single-glazed and will need to be replaced.



4.0 SERVICES

4.01 General

The inspection of the service installations was of a superficial nature and no tests have been arranged. These should be carried out by appropriate specialists if assurance as to the condition or capability is required.

4.02 Electrics

The house needs to be completely rewired.

4.03 Heating

There house needs to be completely re plumbed.



5.00 ENVIRONMENTAL AND OTHER ISSUES

5.01 Thermal Insulation

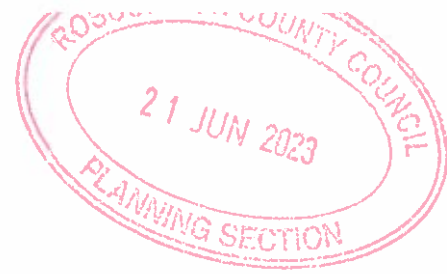
There is no insulation in the property. Walls and attic spaces will need to be insulated.

5.02 Ventilation

There is no provision for ventilation, and I would recommend fitting wall vents and mechanical vents.

5.03 Services

The house is connected to mains water and sewer.



7.00 ENGINEERS'S OVERALL ASSESSMENT

7.01 Summary of Defects

For ease of reference I set out below a list of the main points mentioned in the report.

- 1) Roof to be re-slatted and re-felted and any defective timbers should be replaced.
- 2) New ceiling joists to be fitted.
- 3) New lintels to windows and door heads.
- 4) Walls to be insulated and re rendered.
- 5) New windows and doors to be fitted.
- 6) Floors to be replaced. New floor with radon barrier, insulation and screed fitted.
- 7) New plumbing system in the property.
- 8) New wiring of the property.
- 9) Internal completions required.

7.02 Engineers' Overall Opinion & Recommendations

Based on visual inspection the building is currently derelict. The items listed above should be completed in order to make the house habitable.

Signed : James Lohan BEng MIEI



APPENDIX A: Limitations Applying to Our Professional service

LIMITATIONS APPLICABLE TO PRE-ACQUISITION INSPECTIONS AND REPORTS

1. Concealed Parts

If we observe evidence to suggest that concealed parts of the structure and fabric might be defective, we will advise you accordingly and make recommendations for further investigations. However, unless otherwise instructed by you, we will not open-up for inspection any permanently enclosed or concealed parts of the structure and fabric. Thus, as the inspection was visual and superficial only, no account could be taken of any work covered up or in inaccessible areas. It should be further noted that the author of this report did not supervise the construction of the above premises and no account could be taken of any structural detail or elements concealed within the premises/construction.

2. Deleterious and Hazardous Materials

We will advise you if we consider that there exists a significant possibility that deleterious or hazardous materials, as per Appendix B, exist at the property. Unless otherwise instructed, we will not undertake, or commission, inspections or laboratory tests to confirm the extent and precise nature of any deleterious and hazardous materials that might be present.

3. Services Installations

Our report on the services installations will be based on a cursory inspection only in order to include a general description. We will not test any of the installations. Unless otherwise instructed, we will not commission the inspection and testing of any installations by specialist consulting engineers. The complete electrical and mechanical system within the structure should be checked by a suitable qualified contractor to make sure they meet current standards.

A specialist inspection of the drainage system comprising hydrostatic testing and CCTV survey should be undertaken. This is recommended on all property purchases due to the risks to founding soils associated with defective drainage systems. Environmental investigation and appraisal is excluded.

4. Building Occupancy

Access to some areas could be restricted or denied. If we find that our inspection has been excessively limited, we will advise you accordingly and seek your further instructions. Our report will list any significant internal and external areas that we are unable to inspect.

5. Land Contamination

We will not make any formal enquiries or carry out investigations into the potential contamination of the site or neighbouring land. If, after our inspection, we consider that further detailed investigation is appropriate, we will inform you accordingly.

6. Compliance with Legislation

Our inspection will involve a general review of the state of compliance with statutory requirements such as the Building Regulations, Workplace Regulations, Fire Regulations and the Equal Status Act. However, compliance with these regulations often requires a more detailed study and involves the preparation of a detailed risk assessment. Such studies and risk assessments are beyond the scope of the type of inspection and report proposed.

7. Liability and Confidentiality

Our building inspection report may be relied upon by the client only and is to whom we owe a duty of care. Our report must not be passed for information, or for any other purpose, to any third party without our prior written consent, which consent will not be unreasonably withheld or delayed. Such consent shall not entitle the third party to place any reliance on the report and shall not confer on any third party any benefit or right.

As set out in the Conditions of Engagement Agreement RA 9101 to which this contract relates, the liability of the consulting engineer under or in connection with this Agreement whether in contract or in tort, in negligence, for breach of statutory duty or otherwise (other than in respect of personal injury or death) shall be limited. In the absence of such an agreement, such sum shall be deemed to be €635,000 or ten times the total fee under this Agreement, whichever is lesser. The said limit shall be in respect of a single act, omission or statement, other than with regards to claims in respect to pollution or contamination where the said limit shall be an annual aggregate limit. In regard to pollution or contamination liability as determined by the aggregate or balance thereof shall be further limited to the lesser of (i) the direct costs reasonable incurred by the Client in cleaning up the site of the project or the Works as the case may be or any part thereof or (ii) the amount, if any, recoverable by the Consulting Engineer under any professional indemnity insurance policy taken out by the Consulting Engineer.

The liability of the Consulting Engineer to the Client expires after the expiration of such period of time as is stated in the Agreement from the issue of the certificate of Practical Completion to the Contractor or, where there is no such certificate, from the issue of such other record stating or indicating that the Works are substantially complete unless in the mean time the Client has made claim in writing upon the Consulting Engineer, specifying the negligent act, omission or statement said to have caused the alleged loss or damage sustained or sustainable. If no such period of time is stated elsewhere in the agreement it shall be deemed to be 6 years.

8. Cracks, Settlement and Subsidence

This report is the result of a survey carried out in one visit. Monitoring of crack movement was not part of the initial brief; hence it was not possible to determine if cracks, where they exist, are live. The structure was not monitored for settlement.

9. Wet & Dry Rot

The exterior of the premises, including roof coverings was inspected from ground level only. No responsibility is accepted for conclusions drawn in respect of the presence or absence of dry rot, wet rot, woodworm and or beetle infestation in timbers or any other materials in the structure. A specialist firm should be engaged to address these issues, which may well involve opening works, permission for which would have to be provided by the vendors/building owners.



APPENDIX B: Deleterious Materials



Since the early 1980s the property and construction industry has evolved and adopted a list of materials, which, for one reason or another, have been labelled deleterious and/or hazardous to health and safety. Some of these materials only become deleterious and hazardous due to the particular circumstances of their use and are not inherently deleterious or hazardous in themselves. Materials that have been branded “deleterious” have usually been so classed because they either:

- (a) pose a direct risk to the health and safety of persons occupying or visiting a particular property (e.g. asbestos) or
- (b) can be detrimental to the structural performance of a building (e.g. High Alumina Cement in concrete) or
- (c) are generally perceived by the property investment market as undesirable features of a building, which can affect the liquidity of the property concerned (e.g. calcium silicate bricks) or, in the case of composite panels, its insurability.

Some deleterious materials might fall into more than one of the forgoing three categories above. Few of the deleterious materials given below can be detected with the naked eye alone. Sampling and testing of a component or element is required to confirm the presence, or absence of a material. As the inspection was visual and superficial only, no account could be taken of the existence of deleterious material within the structure.

At present, the list of deleterious and problematic materials comprises the following:

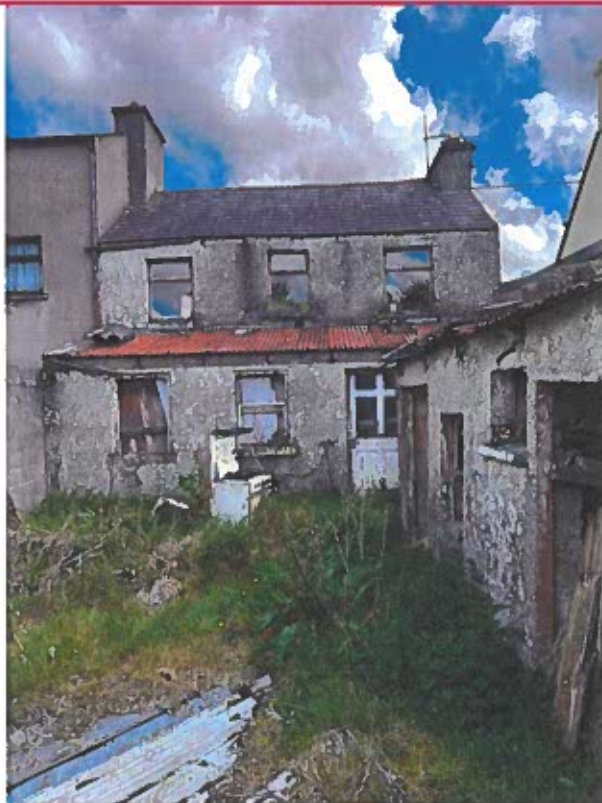
- Pyrite.
- Composite Cladding Panels to roofs and walls.
- Nickel Sulphide inclusions in toughened glazing.
- High Alumina Cement (HAC) when used in load-bearing concrete components and elements.
- Chloride additives when used in pre-cast or in situ cast concrete.
- Calcium Silicate Bricks or Tiles (also known as sand/lime or flint/lime bricks).
- Mundic Blocks and Mundic Concrete.
- Woodwool slabs when used as permanent shuttering to in situ cast structural concrete.
- Lead based in paint when the paint concerned could be used in locations that could result in the ingestion, inhalation or absorption of the material.
- Lead used for drinking water pipe work except when used as solder to pipe fittings.
- Sea dredged aggregates or other aggregates for use in reinforced concrete which do not comply with British Standard 882: 1992 and aggregates for use in concrete which do not comply with the provisions of British Standard Specification 8110: 1985.
- Asbestos in any raw form or asbestos based products.
- Manmade mineral fibres in materials when these fibres are loose and have a diameter of 3 microns or less and a length of between 5 and 100 microns.
- Urea Formaldehyde Foam



6.01

Location Front Elevation

Slates broken, gutters damaged, windows boarded up and render in poor condition.



6.02

Location Rear

Slates broken, gutters damaged, windows boarded up and render in poor condition.

Galvanise roof on lean too area needs to be removed. Lean too walls have no foundations and need to be removed.



6.03

Location Internal

Property is derelict -

The following items would be required to make it habitable:

New ceiling timbers and slabs and skim.

New wiring.

Plumbing repairs.

New windows.

Floors should be taken out and new floors should be fitted with radon membrane, insulation and screed.

Attic insulation.

External wall insulation could be fitted to the walls and rendered.



6.04

Location Internal

Property is derelict -

The following items would be required to make it habitable:

New ceiling timbers and slabs and skim.

New wiring.

Plumbing repairs.

New windows.

Floors should be taken out and new floors should be fitted with radon membrane, insulation and screed.

Attic insulation.

External wall insulation could be fitted to the walls and rendered.



6.05

Location Internal

Property is derelict -

The following items would be required to make it habitable:

New ceiling timbers and slabs and skim.

New wiring.

Plumbing repairs.

New windows.

Floors should be taken out and new floors should be fitted with radon membrane, insulation and screed.

Attic insulation.

External wall insulation could be fitted to the walls and rendered.



6.06

Location Internal

Property is derelict -

The following items would be required to make it habitable:

New ceiling timbers and slabs and skim.

New wiring.

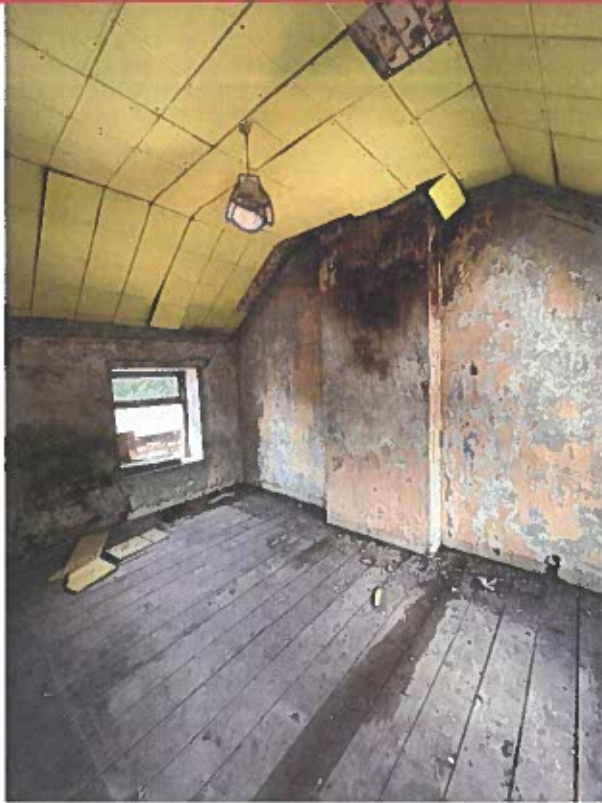
Plumbing repairs.

New windows.

Floors should be taken out and new floors should be fitted with radon membrane, insulation and screed.

Attic insulation.

External wall insulation could be fitted to the walls and rendered.



6.07

Location Internal

Property is derelict -

The following items would be required to make it habitable:

New ceiling timbers and slabs and skim.

New wiring.

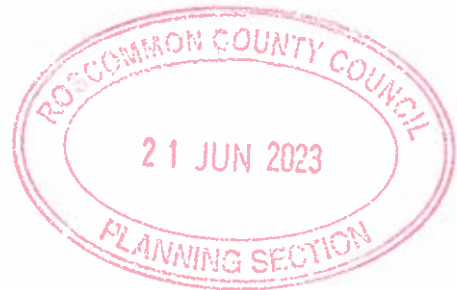
Plumbing repairs.

New windows.

Floors should be taken out and new floors should be fitted with radon membrane, insulation and screed.

Attic insulation.

External wall insulation could be fitted to the walls and rendered.





6.08

Location Internal

Property is derelict -

The following items would be required to make it habitable:

New ceiling timbers and slabs and skim.

New wiring.

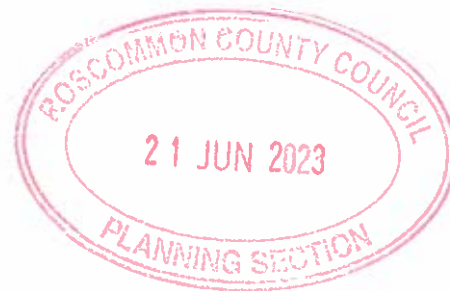
Plumbing repairs.

New windows.

Floors should be taken out and new floors should be fitted with radon membrane, insulation and screed.

Attic insulation.

External wall insulation could be fitted to the walls and rendered.





SITE LOCATION MAP
SCALE 1:2500
REF: RN2219-05



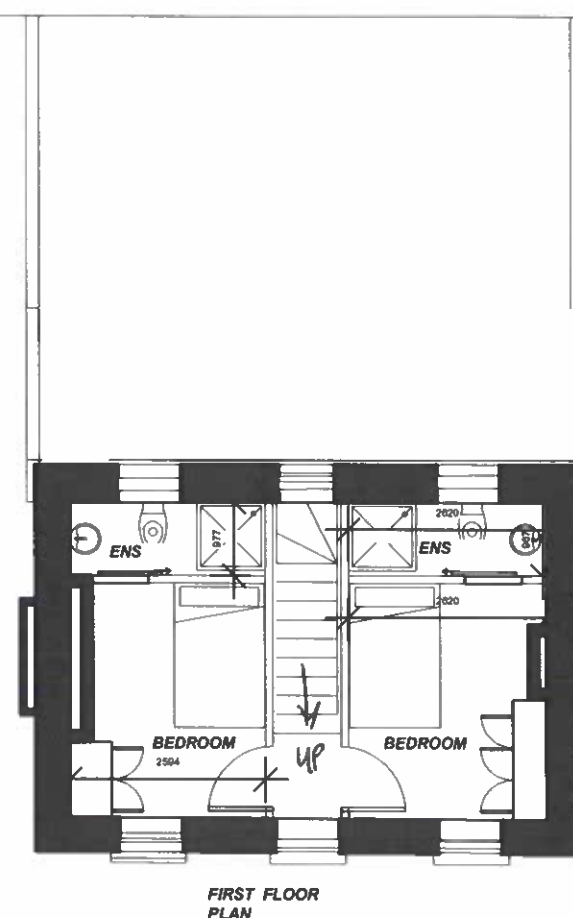
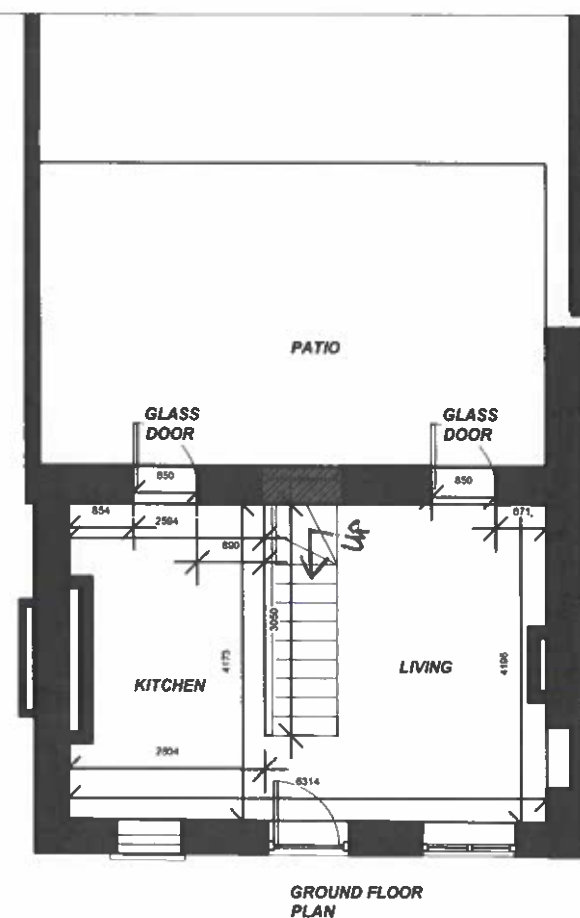
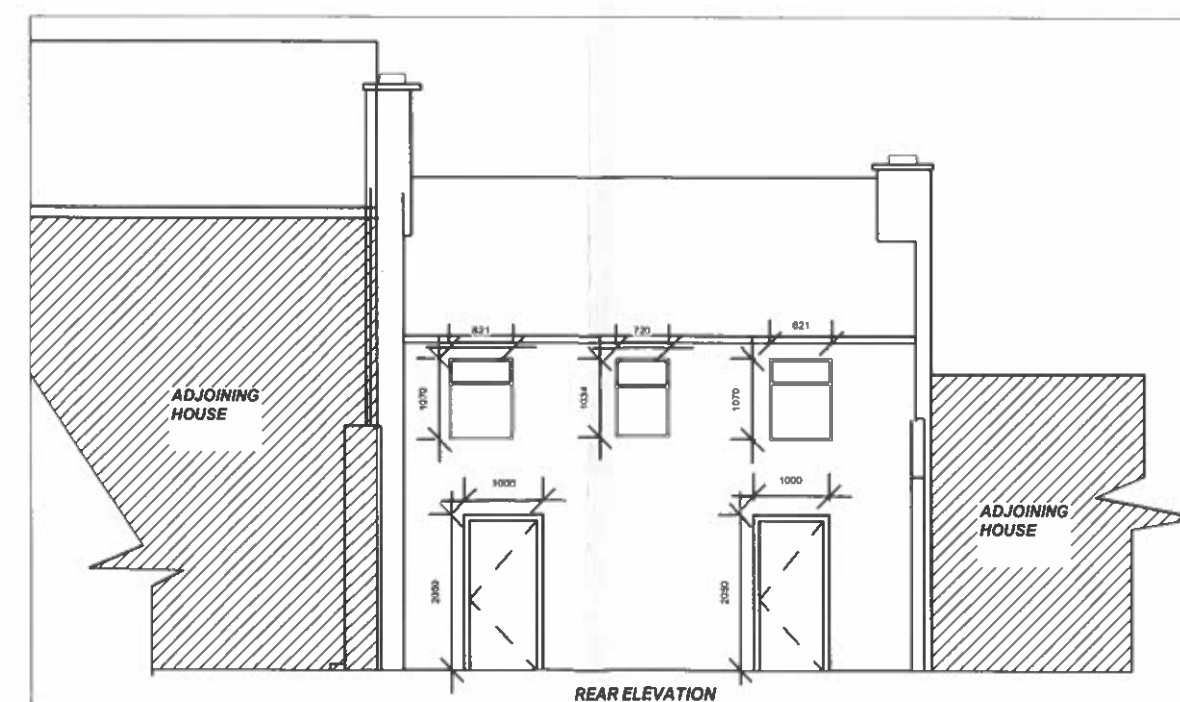
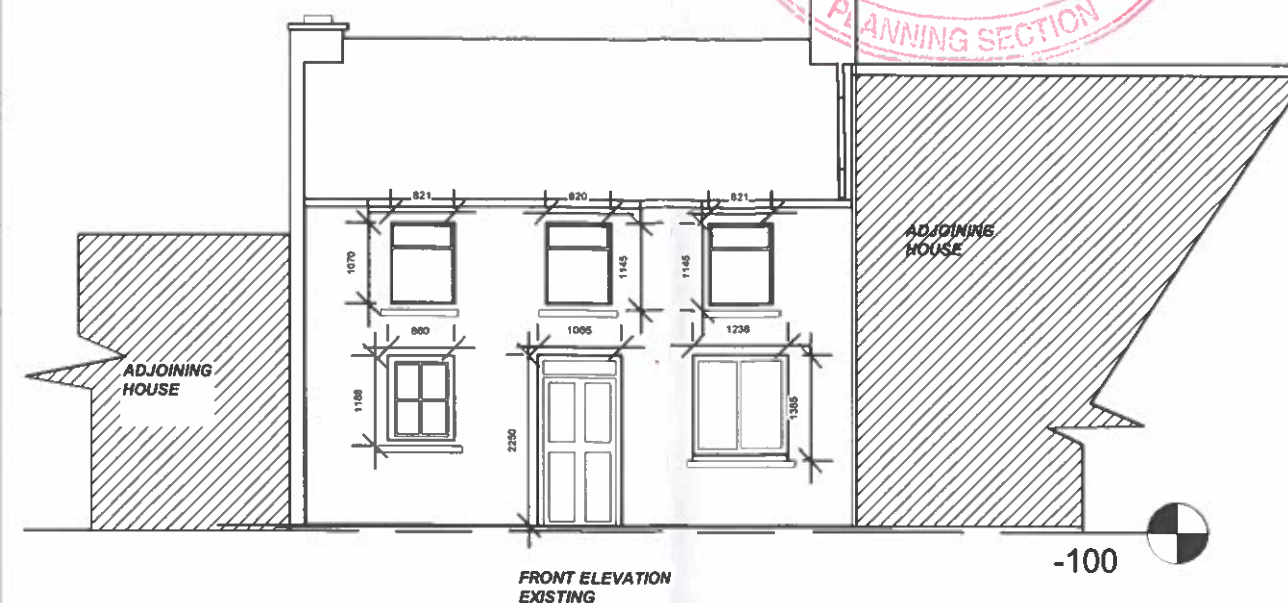
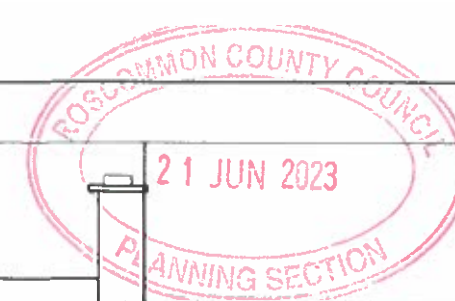
SITE LAYOUT MAP
SCALE 1:500

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ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
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DATE	23-06-2023	REV	1
BY	JL	DATE	23-06-2023
CHKD	JL	DATE	23-06-2023
APPD	JL	DATE	23-06-2023

Unit 5 Ballypheehouse House Circular Road, Roscommon F42 C982.		JAMES LOHAN CONSULTING ENGINEER P: 080 6634365 / 0876228528 email: james@jce.ie / aaron@jce.ie web: www.jce.ie	
CLIENT JAMES LOHAN & AARON GILL	JOB ONE COMMERCIAL REPAIRMENT OF EXISTING HOUSE	JOB No	23-238
SITE ST PHILLIPS ST CASTLEBAGH CO. ROSCOMMON, F42 10R2	DRAWING SITE LOCATION AND SITE LAYOUT EXEMPTION CERT	DATE	14/06/2023
		PRO No	23-238-01
		REV	A
		SCALE	1:500 & 1:2500



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STATION	DATE	REMARKS
FIRST ISSUE	20/08-25	

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CLIENT JAMES LOHAN & AARON GILL		JOB CROI CONATHE GRANT REFURBISHMENT OF EXISTING HOUSE	
SITE ST PATRICKS ST CASTLEREA CO. ROSCOMMON, F45 K002		JOB No 23-238 DATE 13/06/2023 DRAWING PLANS OF DERELICT HOUSE EXEMPTION CERT	
		DRG No 23-238-02 REV A SCALE 1:100	