

Tracy Davis

From: Planning Department
Sent: Wednesday 16 August 2023 13:39
To: badeeney@gmail.com
Subject: DED590 Notification of Decision On Section 5 Declaration
Attachments: DED590 Notification.pdf

RE: DED 590

A Chara

Please find attached decision documentation in respect of RCC Planning Ref. No. DED 590 Section 5 Declaration.

Given that an e-mail address has not been provided by the applicant we would be obliged if you could ensure that a copy of this decision is provided to the applicant.

Mise le meas,

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



Comhairle 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

Posted out to applicants also as ^{16/8}
agents out of office until 25th August.
J. Davis

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Thomas & Marian Casey,



Reference Number: DED 590

Application Received: 21ST July, 2023

Location: Carrownageeragh Td., Boyle, Co. Roscommon.

WHEREAS a question has arisen as to whether the construction of a hay storage shed (24m x 12m) at Rockingham Demesne, Boyle, 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) Class 9 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) 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
- (e) The planning history of the site

AND WHEREAS Roscommon County Council has concluded that:

- a) The proposed works constitute development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations;
- b) The proposed development of a hay storage shed (24m x 12m) in this case is exempted development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.

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 **for the construction of a hay storage shed (24m x 12m) at Rockingham Demesne, Boyle, County Roscommon constitutes development that is exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

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

Signed on behalf of the Council:

Tracy Davis

Senior Executive Planner, Planning.

Date: 16th August, 2023.

CC: Brendan Deeney,
Deeney Engineering & Planning Services,
Kiltobrans,
Ballaghaderreen, Co. Roscommon.

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

Reference Number: DED 590

Re: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to construct a hay storage shed (24m x 12m) at Rockingham Demesne, Boyle, County Roscommon

Applicants: Thomas & Marian Casey

Date: 15th August 2023

WHEREAS a question has arisen as to whether the construction of a hay storage shed (24m x 12m) at Rockingham Demesne, Boyle, 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) Class 9 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) 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
- (e) The planning history of the site

Site Location & Development Description

The subject undeveloped property is located in Rockingham Demesne, Boyle, County Roscommon and appears to be in agricultural use. It forms part of lands within the Settlement Boundary of Lough Key (Zone 3) and is accessed off an existing farm track off the L1019 Local Primary Road. The subject site is not in, adjoining or in close proximity to any European designated sites. The closest European designated site is Lough Arrow SAC (Site Code: 001673), which is approximately 6.3km north west of the subject site.

The proposed development consists of the construction of a hay storage shed (24m x 12m), 288sqm. As per the submitted details, the proposed roofing material and proposed external walling is olive green corrugated sheeting. The stated existing and proposed use of the land or structure is agriculture.

Planning History

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

Assessment

In accordance with the Planning and Development Act, 2000, as amended 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 proposed hay storage shed (24m x 12m) constitutes development, as defined in Section 3 of the said Act. The construction of a proposed hay storage shed appears to come within the scope of Class 9 of Part 3 of Article 6 - *Exempted Development Rural* of the Regulations.

Class 9

Description of Development	Conditions and Limitations
Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.	<ol style="list-style-type: none">1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.3. No such structure shall be situated within 10 metres of any public road.4. No such structure within 100 metres of any public road shall exceed 8 metres in height.5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

With regard to the existing proposal for the construction of a hay storage shed and its compliance with the conditions and limitations of Class 9 of Part 3 of Schedule 2 (Exempted Development - Rural) the following sets out how these apply to the current proposal:

1. The structure is proposed for agricultural use (storage of hay), is not for the housing of animals or the storing of effluent and falls under Class 9, the provisions of which are outlined above.

2. The proposed structure would not exceed the cumulative total that the conditions and limitations permit.
3. The structure will be situated in excess of 10 metres of any public road (475m).
4. The proposed structure will not be within 100 metres of any public road and will not exceed 8 metres in height.
5. The structure will not be situated within 100 metres of any house.
6. The proposed roofing material and proposed external walling is olive green corrugated sheeting.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 9 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended, the construction of a hay storage shed in this case is considered to be exempted development.

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, it is considered 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 EIA or AA does not apply with respect to the current referral 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 following works; the construction of a hay storage shed (24m x 12m) at Rockingham Demesne, Boyle, 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) Class 9 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) 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
- (e) The planning history of the site

AND WHEREAS I have concluded that

- a) The works are development.
- b) The construction of a hay storage shed (24m x 12m) in this case is exempted development.
- c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

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


Signed:
Assistant Planner

Date: 15th August 2023



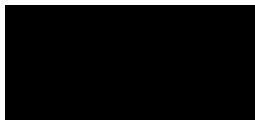




Comhairle Contae
Ros Comáin
Roscommon
County Council



Thomas & Marian Casey,



Date: 24th July, 2023.

Planning Reference: DED 590

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

Development: To construct 24m x 12m hay storage shed at Rockingham Demesne, Boyle,
Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application received on the 21st July, 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. L01/0/223856 dated 21st July, 2023 refers, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 590**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Tracy Davis

Tracy Davis, Senior Executive Planner,
Planning Department.

CC: Brendan Deeney,
Deeney Engineering & Planning Services,
Kiltobrans,
Ballaghaderreen,
Co. Roscommon

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

21/07/2023 10:51:18

Receipt No : L01/0/223856

THOMAS & MARIAN CASEY
[REDACTED]

AGENT: BRENDAN DEENEY ENGINEERING & PLAN

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED590	

Total : 80.00 EUR

Tendered :
Cheque 80.00
000007

Change : 0.00

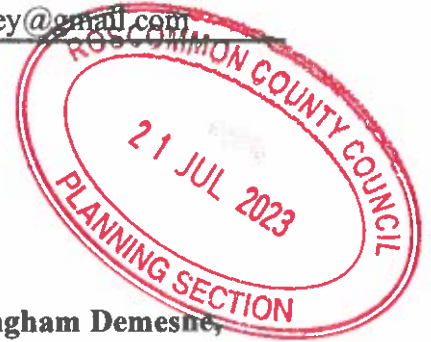
Issued By : Bernadine Duignan
From : Central Cash Office

DEENEY ENGINEERING & PLANNING SERVICES

Kiltobricks Ballaghaderreen Co Roscommon

Tel/ Fax: 094 9860908 Mob: 086 2503109 email: badeeney@gmail.com

July 20th 2023
Roscommon County Council
Planning Section
Roscommon



Re: Marian and Thomas Casey, Proposed building at Rockingham Demesne, Boyle.

A Chara,

We enclose herewith an application, on behalf of Marian and Thomas Casey, for declaration under Section 5 of the Planning and Development Act 2000 regarding Exempted Development for the construction of an agricultural building (hay shed) on their holding at Rockingham Demesne, Boyle.

Our application includes the following documents, maps and drawings:

1. Application form.
2. Site location map scale 1/2500.
3. Site location map scale 1/10560 with nearest Eircode noted for reference purposes only.
4. Site Layout plan scale 1/500
5. Plan, elevations and section, scale 1/100
6. Copy Folio details Folio RN45363F
7. Explanatory note from applicants.
8. Dept of Agriculture letter of acceptance to Organic Farming Scheme (OFS) 2023
9. Application fee €80.00

Le meas,

A handwritten signature in black ink, appearing to read "Brendan Deeney", written over a horizontal line.

Brendan Deeney B Tech.
Deeney Engineering & Planning Services



Cornhairie 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:	MARIANO & THOMAS CASEY
Address:	[REDACTED]
Name & Address of Agent:	BRENDAN DEENEY KILTUBRANKS BALLAGHADERREED CO ROSCOMMON
Nature of Proposed Works	TO CONSTRUCT 24M X 12M HAY STORAGE SHED
Location (Townland & O.S No.)	ROCKINGHAM DEENEY OS SHEET 1672.
Floor Area	288 m ²
Height above ground level	FFL 200MM OVER EXISTING G/L
Total area of private open space remaining after completion of this development	APPROX 29 ha
Roofing Material (Slates, Tiles, other) (Specify)	OLIVE GREEN CORRUGATED SHEETING.
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	OLIVE GREEN CORRUGATED SHEET
Is proposed works located at front/rear/side of existing house.	N/A



Roscommon County Council

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

Has an application been made previously for this site	NO
If yes give ref. number (include full details of existing extension, if any)	N/A.
Existing use of land or structure	AGRICULTURE
Proposed use of land or structure	AGRICULTURE.
Distance of proposed building line from edge of roadway	4.75M
Does the proposed development involve the provision of a piped water supply	NO
Does the proposed development involve the provision of sanitary facilities	NO

Signature:

Brendan Dwyer (Acons.)

Date:

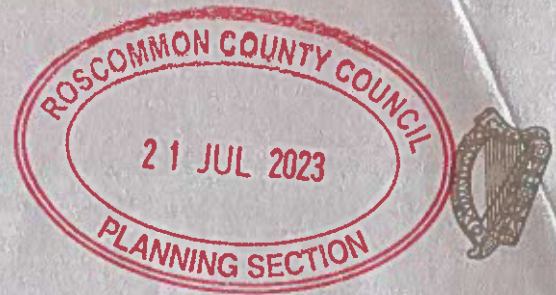
20 July 2023

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) Detailed specification of development proposed

€

An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine



THOMAS & MARIAN CASEY
CALLOW
FRENCHPARK
CO ROSCOMMON
Roscommon

Date: 13th February 2023

Herd/Partnership No [REDACTED]

Re: Organic Farming Scheme (OFS) 2023

Dear THOMAS & MARIAN CASEY,

I am pleased to inform you that your application has been approved for admission to the Organic Farming Scheme. This approval is subject to your compliance with scheme Terms and Conditions and the declaration of organic land parcels on your 2023 Basic Income Support for Sustainability (BISS) application.

The commencement date of your contract is 1 January 2023.

The organic parcels submitted on your 2023 BISS application will form the basis of your OFS contract with the Department and will be considered for payment subject to the terms and conditions of the Organic Farming Scheme.

If you have any queries/question on this matter, please contact the Organic Unit at either the email or telephone number shown below.

Yours sincerely,

Kevin McGeever

Kevin McGeever
Organic Unit
Dept of Agriculture, Food & the Marine
Johnstown Castle Estate
Wexford
Co Wexford

Tel: 053 9163425

Email: organic@agriculture.gov.ie

Planning Pack Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 585473,804702

PUBLISHED: 20/07/2023
ORDER NO.: 50347166_1

MAP SERIES: 1:5,000
MAP SHEETS: 1672

COMPILED AND PUBLISHED BY:
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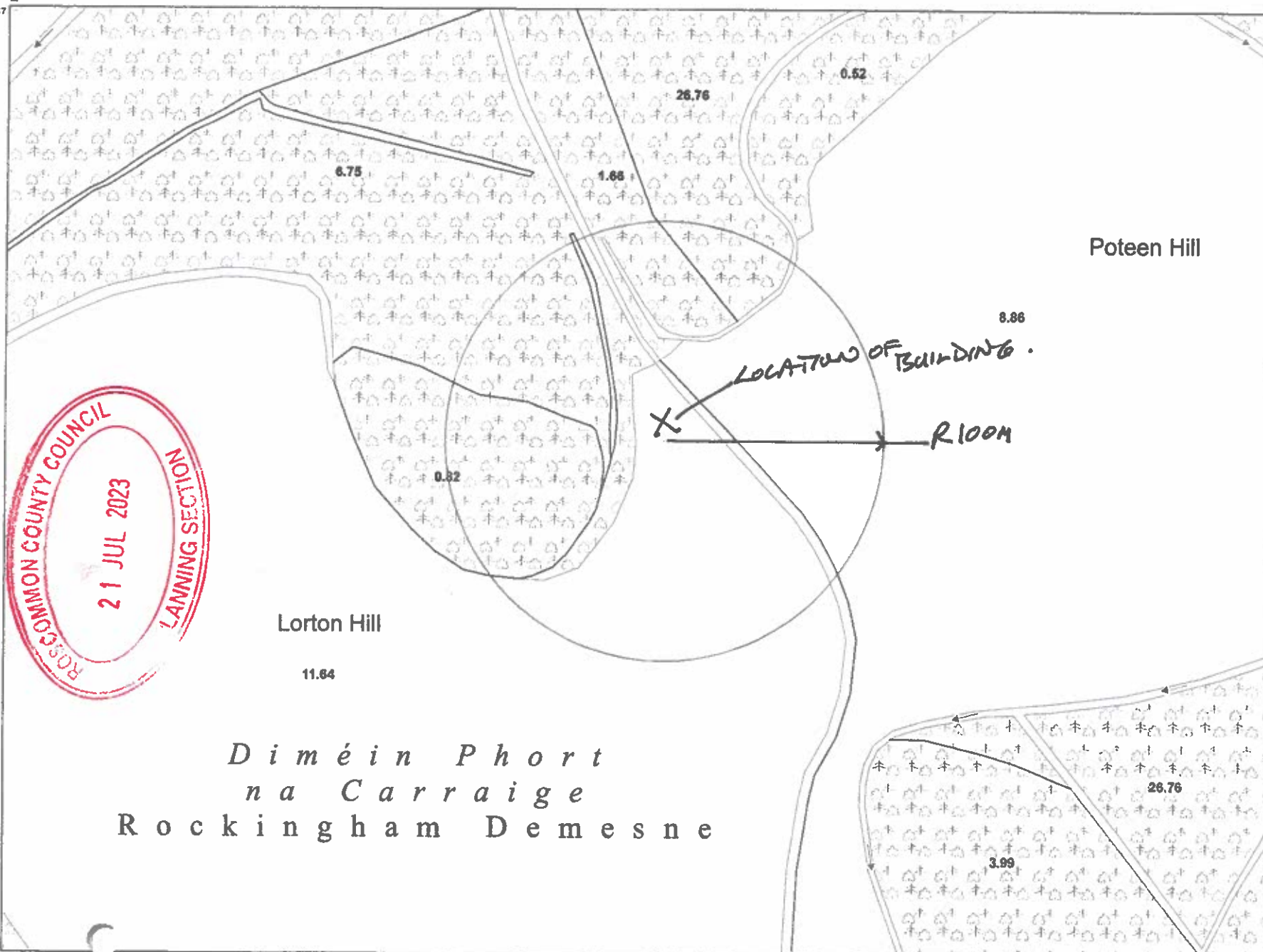
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ROSCOMMON COUNTY COUNCIL
21 JUL 2023
PLANNING SECTION

Lorton Hill

Poteen Hill

*Diméin Phort
na Carraige*

Rockingham Demesne

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
www.osi.ie, search 'Capture Resolution'

LEGEND:
To view the legend visit
www.osi.ie and search for
'Large Scale Legend'



OUTPUT SCALE: 1:2,500



58242



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MAP SHEETS: RN006

www.tailte.ie

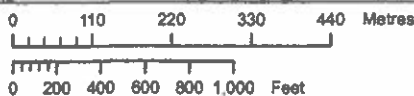
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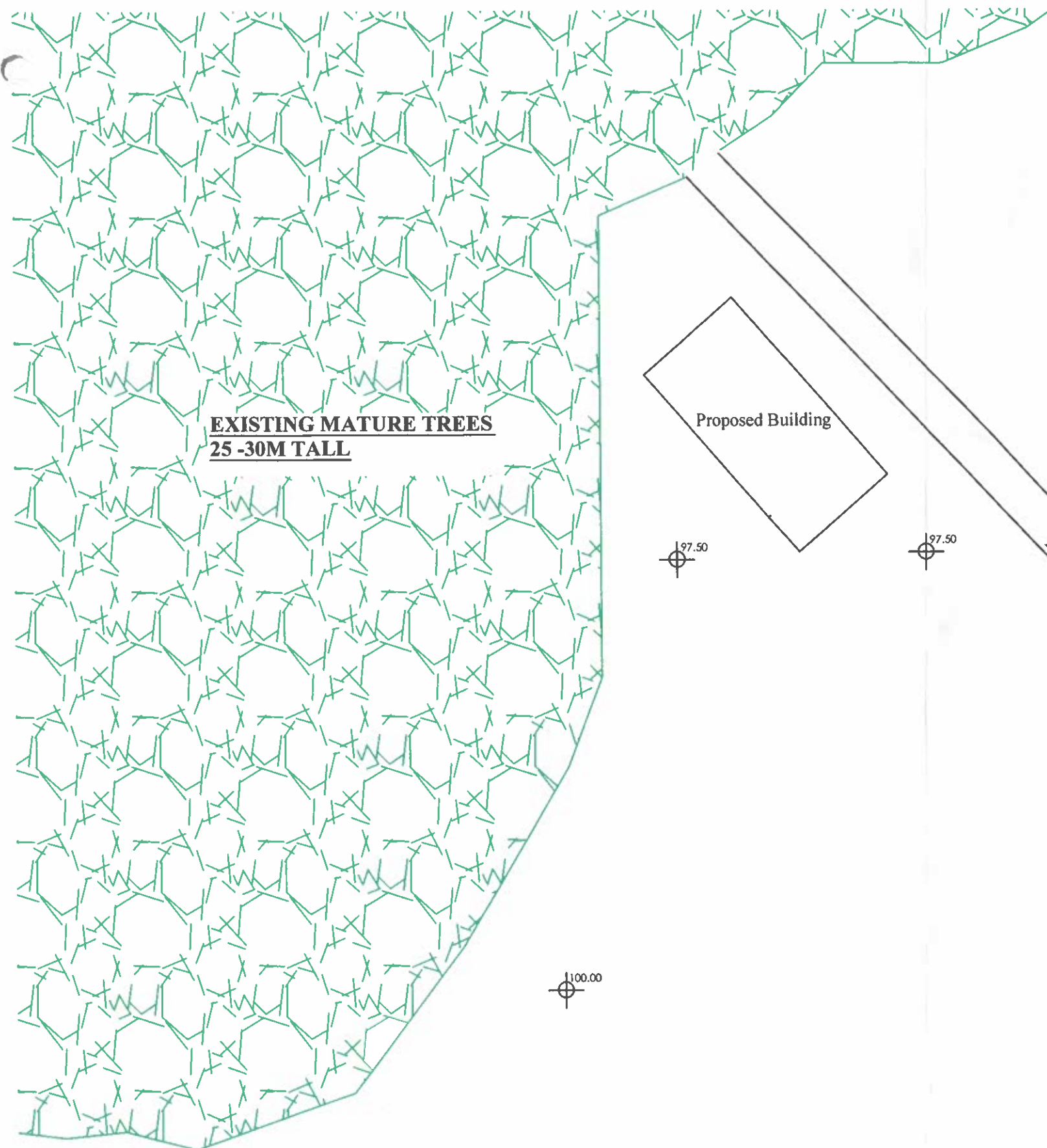
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OUTPUT SCALE: 1:10,560



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Notes:

- ROOF AND SIDE SHEETING OLIVE GREEN CORRUGATED SHEETING
- HAY STORAGE ONLY. NO REQUIREMENT FOR EFFLUENT STORAGE.
- FRONT OF BUILDING REMAINS OPEN
- FFL 200mm OVER EXISTING G/L
- STRUCTURAL STEEL TO ENGINEER'S SPECIFICATION
- FOUNDATIONS TO ENGINEERS SPECIFICATION
- NO SIGNAGE ON BUILDING (SAFETY NOTICES ONLY)

Proposed Hay Storage Building at Rockingham Demesne	
CLIENT: M and T Casey	SCALE: 1:500
REF. NO.	DATE: July 2023
TITLE: Site Layout	DRG. NO. L 03
Drawn by: DEENEY ENGINEERING & PLANNING SERVICES BRENDAN DEENEY B.TECH. KILTOBRANKS, BALLAGHADERREEN, CO. ROSCOMMON. Tel/Fax. 094-9860908 Mobile 086-2503109 email badeeney@gmail.com.	

We are writing to request a declaration of exemption for the construction of a storage shed on our 28-hectare organic out farm. This proposed shed will serve as a crucial infrastructure addition to support the sustainable development and efficiency of our farm. The primary purpose of this shed is to provide a safe and suitable space for the storage of hay. As there is currently no shed or infrastructure on the out farm, I believe that the construction of this storage shed will significantly contribute to the farm's long-term success while adhering to the principles of organic farming. Hay serves as a staple food source for our livestock, ensuring they receive the necessary nutrients throughout the year, especially during the winter months when fresh pasture is scarce. Efficiency is critical in modern agriculture, and the construction of a storage shed will greatly enhance the operational efficiency of our organic farm. Timely harvesting and storage of hay will be facilitated, allowing us to optimize the use of resources. Ultimately, the storage shed will not only improve the productivity of the farm but also enhance its financial viability and contribute positively to the local rural economy. We understand the importance of preserving the natural beauty of the landscape, and we assure you that the proposed storage shed will be designed in a manner that blends harmoniously with the surrounding environment. Careful consideration has been given to the shed's location and orientation to minimize its visual impact on the landscape. In conclusion, This shed will not only serve as a secure and efficient storage facility for hay, but it will also embody the principles of organic farming by minimizing environmental impact and optimizing resource management. We kindly request your support in granting a declaration of exemption for this crucial project that will significantly enhance the productivity and sustainability of our organic farm.



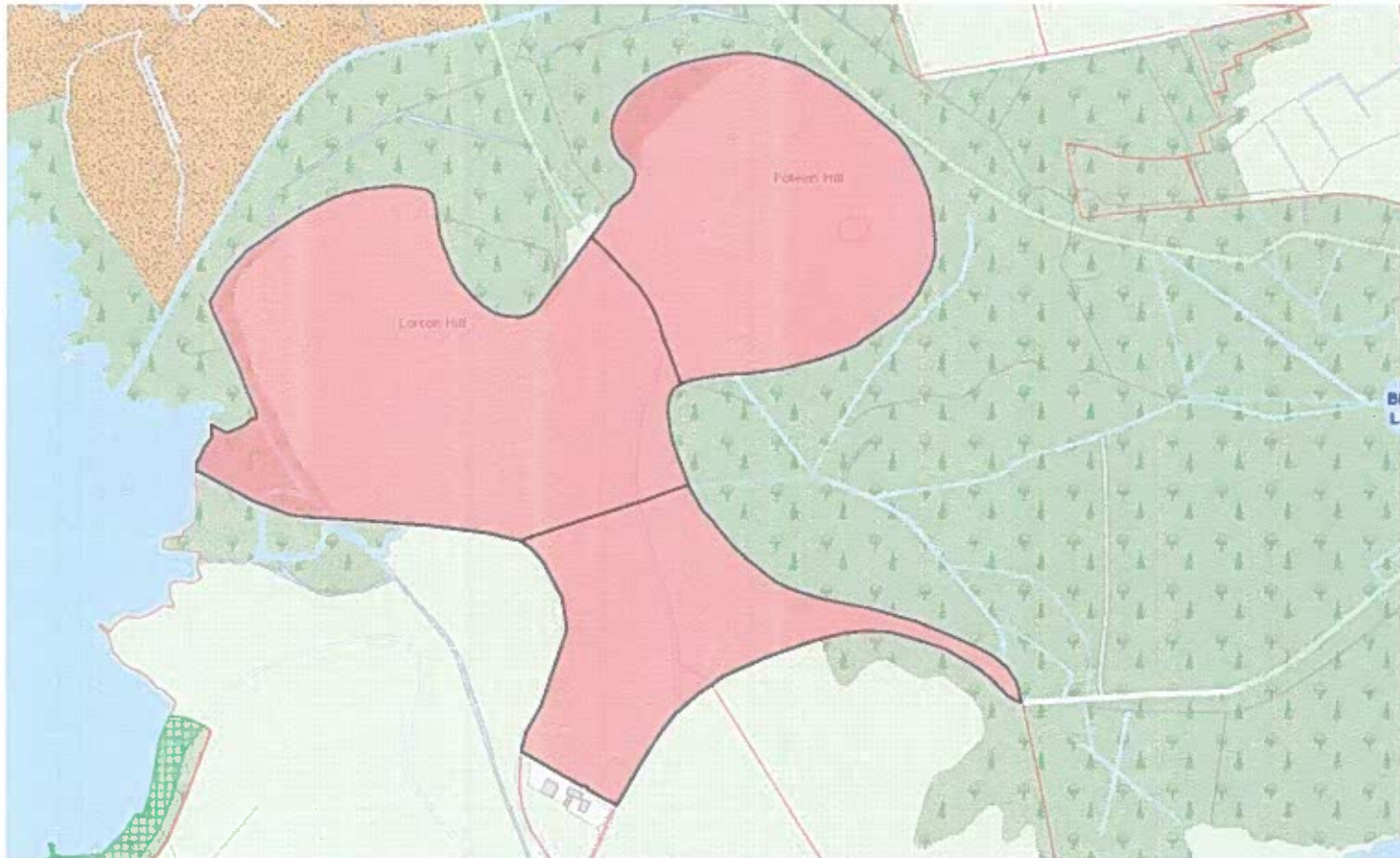
Maureen Casey

19/7/23

Thomas Casey

19/7/23

**CONFIDENTIAL
INFORMATION
REMOVED**



> Back

Folio Number	RN45363F
Title Level	Freehold
Plan Number	D4H39
Property Number	3
Area of selected plans	29.24 hectares.
Number of Plans on this folio:	3
Address	Not Available

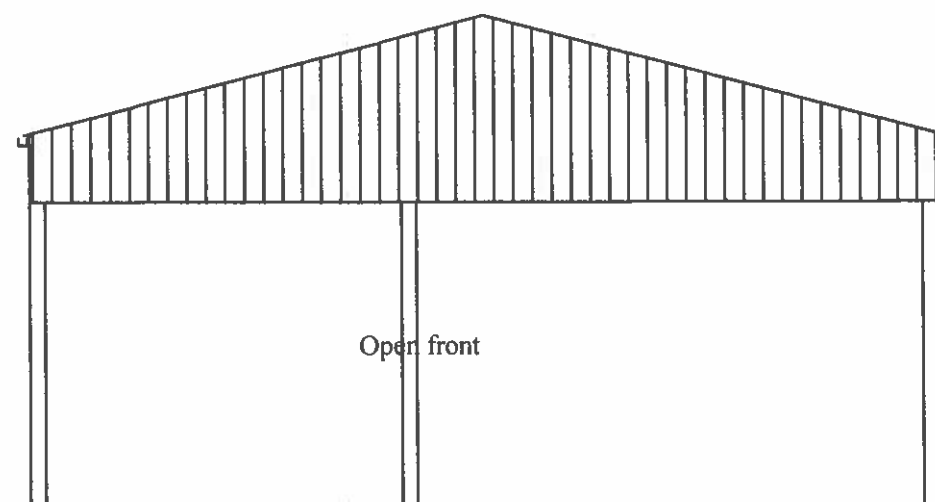
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[Request Certified Copy](#)

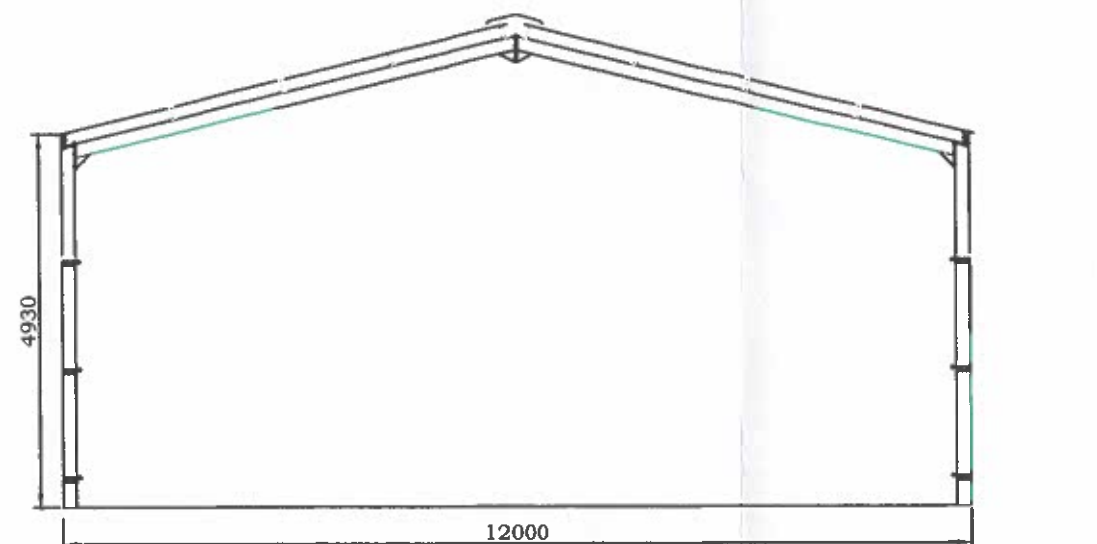
***PRA Boundaries and Plan Area are not conclusive** See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#)

 [Print Current View](#)

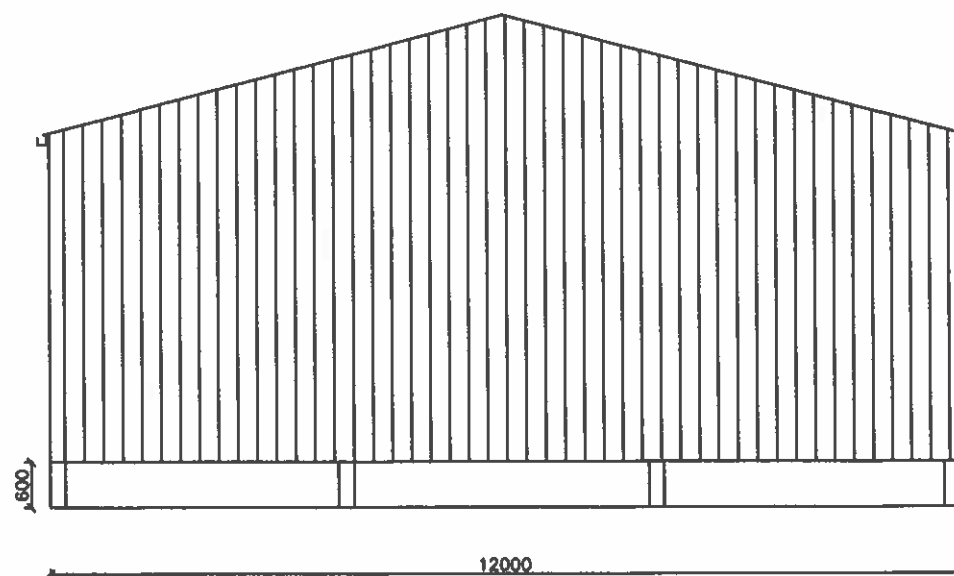
[Help](#)



FRONT ELEVATION



TYPICAL SECTION



REAR ELEVATION

Notes:

- ROOF AND SIDE SHEETING OLIVE GREEN CORRUGATED SHEETING
- HAY STORAGE ONLY. NO REQUIREMENT FOR EFFLUENT STORAGE.
- FRONT OF BUILDING REMAINS OPEN
- FFL 200mm OVER EXISTING G/L
- STRUCTURAL STEEL TO ENGINEER'S SPECIFICATION
- FOUNDATIONS TO ENGINEERS SPECIFICATION
- NO SIGNAGE ON BUILDING (SAFETY NOTICES ONLY)

Proposed Hay Storage Building at
Rockingham Demesne

CLIENT: M and T Casey

SCALE: 1:100

REF. NO.

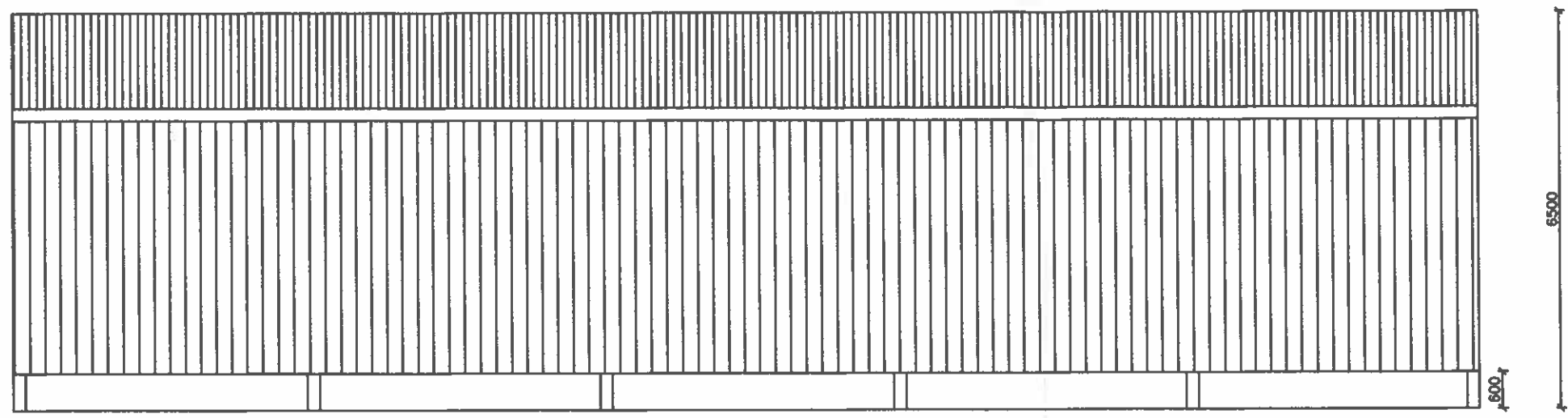
DATE: July 2023

TITLE: Elevations and Section

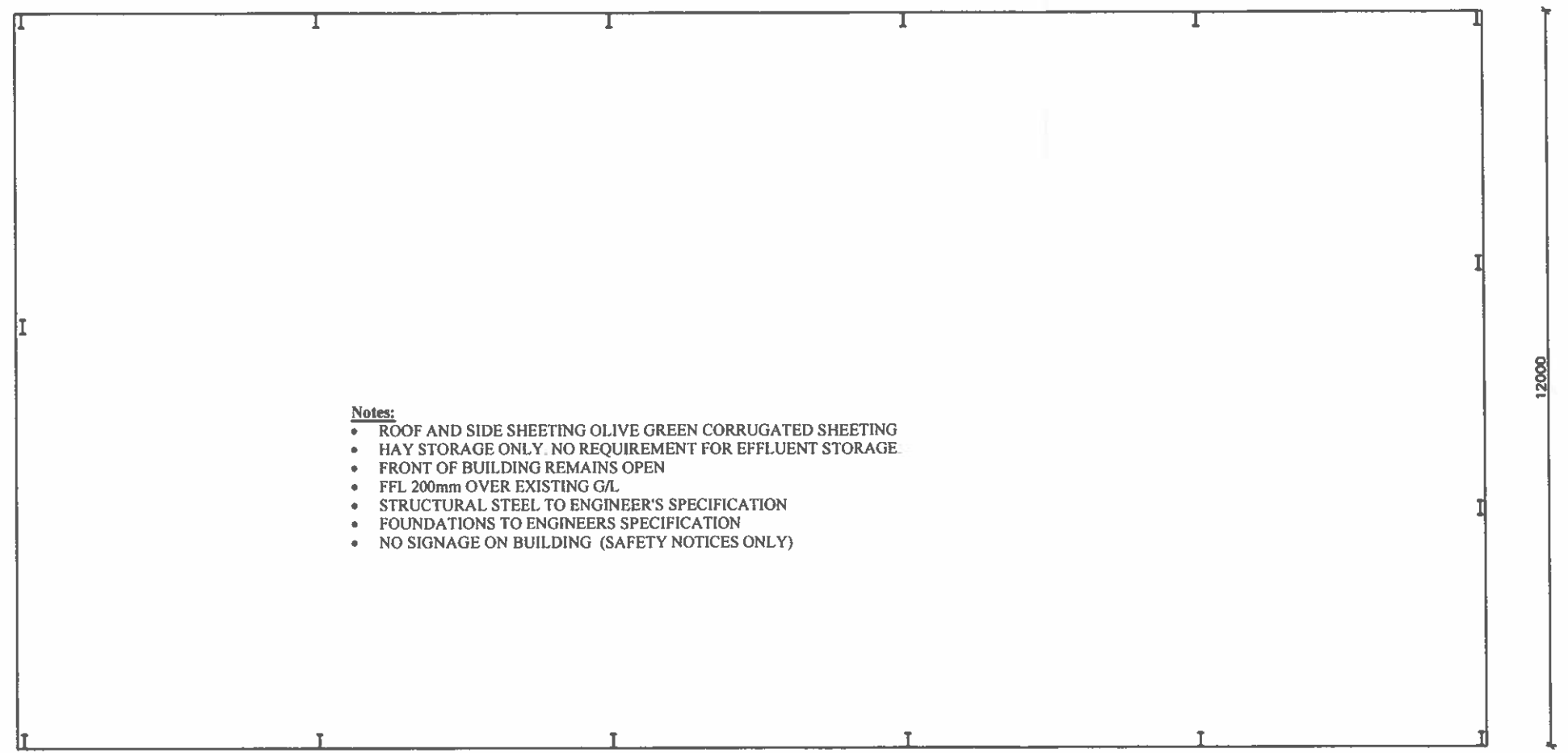
DRG. NO. L 02

Drawn by:

DEENEY ENGINEERING & PLANNING SERVICES
BRENDAN DEENEY B.TECH.
KILTOBRANKS, BALLACHADERREEN, CO. ROSCOMMON.
Tel/Fax. 094-9860908 Mobile 086-2503109
email badeeney@gmail.com.



24000
SIDE ELEVATION



- Notes:**
- ROOF AND SIDE SHEETING OLIVE GREEN CORRUGATED SHEETING
 - HAY STORAGE ONLY. NO REQUIREMENT FOR EFFLUENT STORAGE
 - FRONT OF BUILDING REMAINS OPEN
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 - STRUCTURAL STEEL TO ENGINEER'S SPECIFICATION
 - FOUNDATIONS TO ENGINEERS SPECIFICATION
 - NO SIGNAGE ON BUILDING (SAFETY NOTICES ONLY)

FLOOR PLAN
FLOOR AREA 288m²

Proposed Hay Storage Building at Rockingham Demesne	
CLIENT: M and T Casey	SCALE: 1:100
REF. NO.	DATE: July 2023
TITLE: Plan and Elevations	DRG. NO. L 01
Drawn by: DEENEY ENGINEERING & PLANNING SERVICES BRENDAN DEENEY B.TECH. KILTOBRANKS, BALLAGHADERREEN, CO. ROSCOMMON. Tel/Fax. 094-9860908 Mobile 086-2503109 email badeeney@gmail.com.	