



Tracy Davis

From: Planning Department
Sent: Thursday 28 September 2023 17:11
To: james@jlce.ie; Aaron Gill
Subject: Planning Ref. DED 611 - Notification of decision on Section 5 Declaration
Attachments: DED 611 Notification.pdf

A Chara

Please find attached decision documentation in respect of RCC Planning Ref. No. DED 611 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

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

James Kerrigan,



Reference Number: DED 611

Application Received: 6th September, 2023

Name of Applicant: James Kerrigan

Agent: James Lohan Planning & Design Consulting Engineers Ltd.

WHEREAS a question has arisen as to whether works to refurbish derelict house under Croi Conaithe Grant Scheme at Lissacarrow, Fuerty, Co. Roscommon, F42 XF86 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, and 4 of the Planning and Development Acts 2000 (as amended);
- b) Article 6 & 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);

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 consisting of works to refurbish a derelict house under the Croi Conaithe Grant Scheme', specifically the following works:
 - Upgrade roof with metal cladding to same as existing.
 - Re-plaster external walls with dash to same as existing.
 - New external insulation,
 - Upgrade windows to timber as existing.
 - Internal fit out.

at Lissacarrow, Fuerty, Co. Roscommon, F42 XF86, 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 to refurbish derelict house under CROI Conaithe Grant Scheme at Lissacarrow, Fuerty, Co. Roscommon, F42 XF86 is development and having regard to the definitions and exempted development provisions contained within the Planning and Development Act 2000 (as amended) and associated Regulations that the said works as detailed in (1) above **constitutes development that is 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.

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: 28 September, 2023

James Lohan Planning & Design Consulting Engineers Ltd.,
Unit 5, Ballypheason House,
Circular Road,
Roscommon,
Co. Roscommon, F42 C982.

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

Reference Number:	DED 611
Re:	Application for a Declaration under Section 5 of the Planning and Development Act 2000 as amended, regarding Exempted Development to <i>'refurbish derelict house under Croi Conaithe Grant Scheme'</i> .
Name and Address of Applicant:	James Kerrigan
Location of Development:	Lissacarrow, Fuerty, Co Roscommon.

WHEREAS a question has arisen as to whether to *'refurbish derelict house under Croi Conaithe Grant Scheme'* at Lissacarrow, Fuerty, Co Roscommon.

is or is not development, and is or is not exempted development:

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

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

Site Location & Development Description

The proposed development is located on a local road c 5km west of Roscommon Town. The site consists of an old dwelling which is in disrepair and has not been occupied for a substantial period of time. The applicant is proposing to refurbish this derelict house and has applied for this section 5 declaration to determine if the works proposed are development and if so are they exempt development.

Planning History:

No planning history

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2.-(1)

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

Section 3.-(1)

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

Sub section 4 (1) (h) provides that development shall be exempt development if it consists of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the

structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures

Assessment

The question to be determined in this Section 5 referral is whether to *'refurbish a derelict house under Croi Conaithe Grant Scheme'* at Lissacarrow, Fuerty, Co Roscommon is or is not development and is or is not exempted development. The applicant is proposing the following:

- Upgrade roof with metal cladding to same as existing.
- Re-plaster external walls with dash to same as existing.
- New external insulation,
- Upgrade windows to timber as existing.
- Internal fit out.

Having considered the definition of both "works" and "development" outlined above, I would deem that to *'refurbish a derelict house under Croi Conaithe Grant Scheme'* constitute works and is therefore development.

The second question to be determined declaration is whether *'to 'refurbish a derelict house under Croi Conaithe Grant Scheme'* is or is not exempted development as outlined in 4 (1) (h) of the planning and development Act as amended.

There are five elements to the works carried out in the applicant's submission:

- Upgrade roof with metal cladding to same as existing.
- Re-plaster external walls with dash to same as existing.
- New external insulation,
- Upgrade windows to timber as existing.
- Internal fit out.

Having regard to the fact the nature of the works proposed it is considered that they will 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.

Environmental Considerations :

The development is not of a nature set out in Part 2 Schedule 5 of the Planning and Development Regulations 2001 as amended.

The site is located c1.8 km away from River Suck Callows SPA. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to and distance from any sensitive location, there is no real likelihood of significant effects on European sites arising from the proposed development and not of a nature set out in Article 9 (1)(a) of the Planning and Development Regulations 2001 as amended.

Having regard to the above, I am satisfied that the general question raised in this referral can be determined as follows: *'to refurbish a derelict house under Croi Conaithe Grant Scheme'* at Lissacarrow, Fuerty Co Roscommon is development and is exempted development:

1.0 Recommendation

WHEREAS a question has arisen as **'to refurbish a derelict house under Croi Conaithe Grant Scheme' at Lissacarrow, Fuerty Co Roscommon** is development and is exempted development, and is or is not exempted development:

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

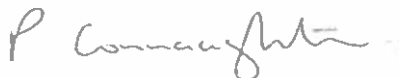
- a) Sections 2, 3, and 4 of the Planning and Development Acts 2000 (as amended);
- b) Article 6 & 9 of the Planning and Development Regulations 2001 (as amended).
- c) ~~Class 1, Part 1, Schedule 2 of the of the Planning and Development Regulations 2001 (as amended)~~
- d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 (as amended);

AND WHEREAS I have concluded that

'to refurbish a derelict house under Croi Conaithe Grant Scheme' specifically the following works:

- Upgrade roof with metal cladding to same as existing.
- Re-plaster external walls with dash to same as existing.
- New external insulation,
- Upgrade windows to timber as existing.
- Internal fit out.

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



Signed _____

Paula Connaughton
Executive planner

Date: 27th Sept 2023

Signed _____

Senior/ Senior Executive Planner

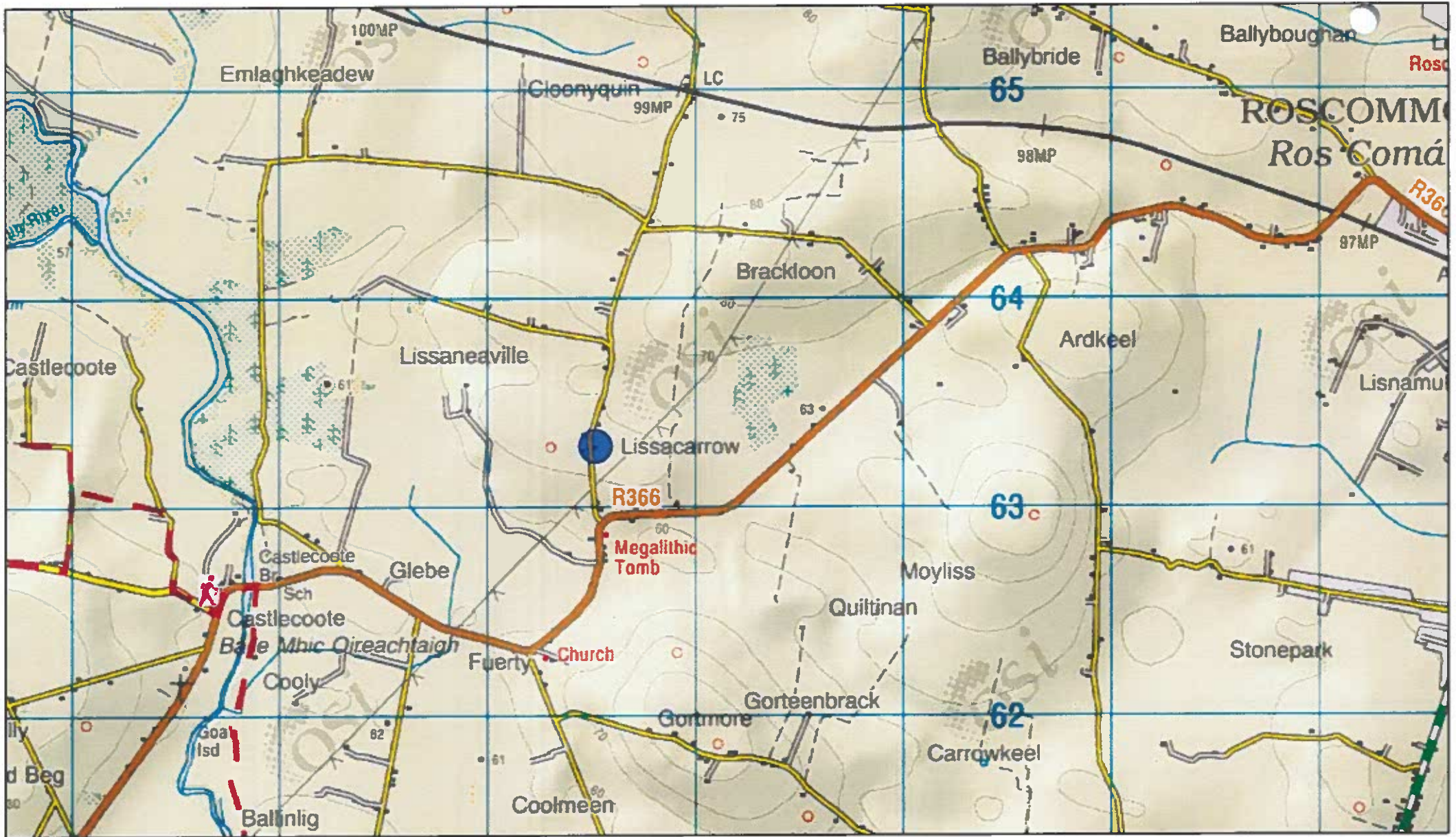
Date: _____







Map Viewer Printout

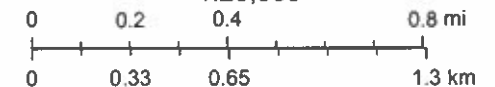


9/21/2023, 2:54:09 PM



County Boundary

1:25,000

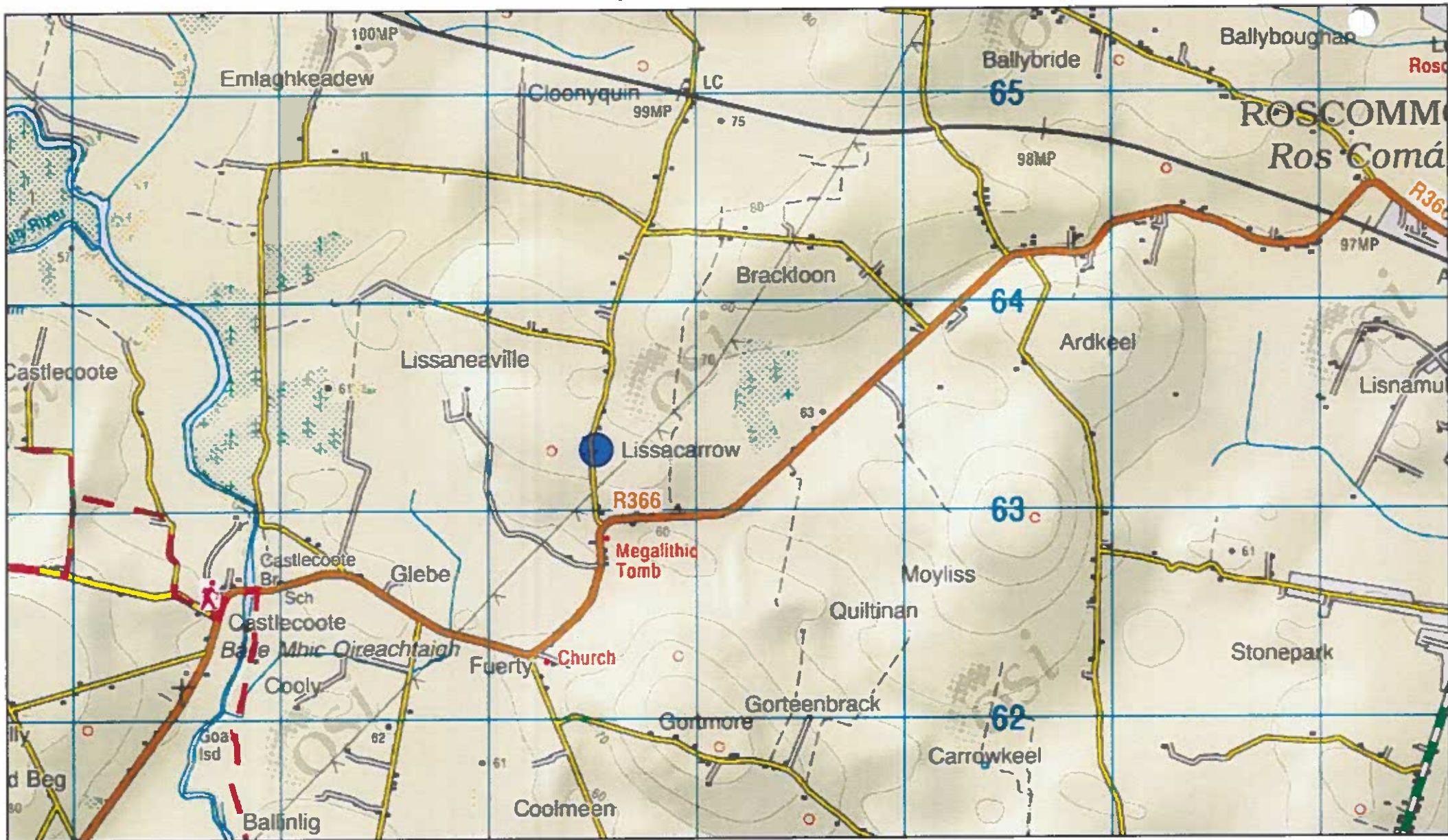


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Roscommon County Council

Outdoor Survey Island: Dúnasheen, County Carlow

Map Viewer Printout

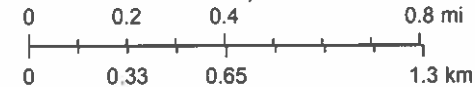


9/21/2023, 2:54:09 PM



County Boundary

1:25,000



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Roscommon County Council

Honorable Charles E. Island I. Deaconson County Council

James Kerrigan,



Date: 8th September, 2023.
Planning Reference: DED 611

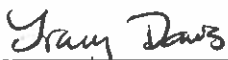
Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: To refurbish derelict house under CROI Conaithe Grant Scheme at Lissacarrow, Fuerty, Co. Roscommon, F42 XF86.

A Chara,

I wish to acknowledge receipt of your application received on the 6th September, 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. **L01/0/224477** dated 7th September, 2023 refers, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 611**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,



Tracy Davis,
Senior Executive Planner,
Planning Department.

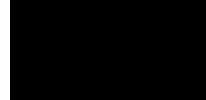
CC: James Lohan Planning & Design Consulting Engineers Ltd.,
Unit 5, Ballypheason House,
Circular Road,
Roscommon,
Co. Roscommon, F42 C982.

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

07/09/2023 09:20:47

Receipt No L01/0/224477

JAMES KERRIGAN



AGENT: JAMES LOHAN PLANNING & DESIGN CO

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 611	

Total	80.00 EUR
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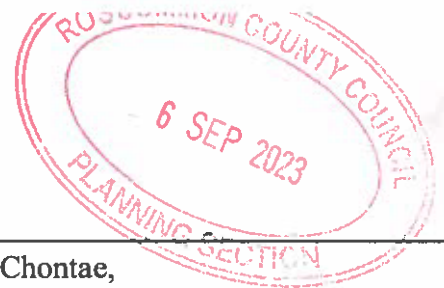
Tendered	
Cheque	80.00
001429	

Change	0.00
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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

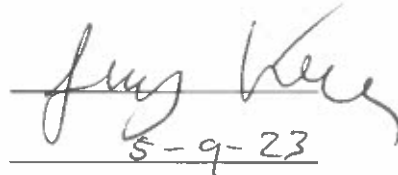
Name:	JAMES KERRIGAN
Address:	[REDACTED]
Name & Address of Agent:	James Lohan Unit 5, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	REFURBISH DERELICT HOUSE UNDER CROI CONAITHE GRANT SCHEME – SEE ATTACHED REPORT SHOWING CONDITION OF PROPERTY AND LIST OF WORKS TO BE COMPLETED ALONG WITH PLANS FOR SAME
Location (Townland & O.S No.)	LISSACARROW, FUERTY, CO. ROSCOMMON F42 XF86
Floor Area	69 SQ.M.
Height above ground level	0.10
Total area of private open space remaining after completion of this development	260SQ.M.
Roofing Material (Slates, Tiles, other) (Specify)	CORRUGATED METAL CALDDING
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	HOUSE IS TO BE EXTERNALLY INSULATED AND RENDERED WITH DASHED PLASTER FINISH
Is proposed works located at front/rear/side of existing house.	EXISTING HOUSE REPAIRS TO ROOF, WALLS AND FLOORS, ROOF- UPGRADING METAL SHEETING TO SAME AS EXISTING UPGRADE WINDOWS <i>TO timber as Existing</i> INTERNAL FIT OUT <i>plaster - reclashed as</i> <i>Existing</i>

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 9.5M
Does the proposed development involve the provision of a piped water supply	EXISTING
Does the proposed development involve the provision of sanitary facilities	NO

Signature:



Date:

5-9-23

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
Planning & Design Consulting Engineers

James Lohan

Planning & Design
Consulting Engineers
Unit 5, Ballypheason House,
Circular Road,
Roscommon.
F42 C982.

Tel/Fax: +353 90-6634365
Mob: +353 87-822 8529
Email: james@jlce.ie
aaron@jlce.ie
Web: www.jlce.ie

Roscommon County Council

FOA :

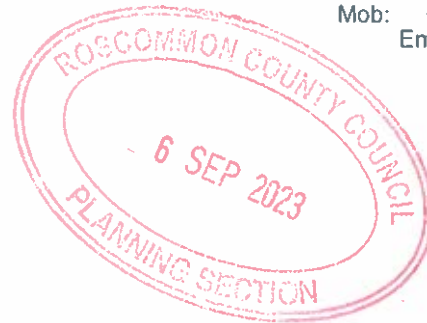
Planning Department

Aras An Chontae,

Roscommon

County Roscommon

05-09-2023



James Kerrigan

A Chara

Please see attached Application for a Declaration under Section 5 of the Planning & Development Act 2000, regarding Exempted Development as part of the required documents REFURBISH DERELICT HOUSE UNDER CROI CONAITHE GRANT SCHEME

The Proposed works involves new roofs, structural repairs to walls, new external insulations with dash plaster finish windows floors, and a full internal fit out.

Signed :

Aaron Gill

05-09-2023

window to be upgraded timber windows
walls to be stitched & replastered over
Roof, existing metal cladding to be upgraded
to same metal cladding

James Lohan Planning & Design Consulting Engineers
Unit 5, Ballypheason House, Circular Road, Roscommon.
F42 C982.



www.jlce.ie



PROJECT 05/07/2023

Wednesday, 5 July 2023

Prepared For James Kerrigan

7 Photos Identified



6.1

Location Front Elevation

Roof is a galvanised roof. This roof is not fit for purpose and should be replaced with a felt covering and new slates fitted. Any damaged timbers should be replaced. There are two chimneys in the property and these are leaking.



6.2

Location Rear Elavation

Roof is a galvanised roof. This roof is not fit for purpose and should be replaced with a felt covering and new slates fitted. Any damaged timbers should be replaced. The roof on the rear extension is galvanised. This should be removed and replaced with a flat roof covering.



6.3

Location Internal

The property is derelict. The roof is compromised and leaking and will need to be upgraded.

Floors will need to be replaced - radon barrier, insulation and new screed required.

New windows and doors.

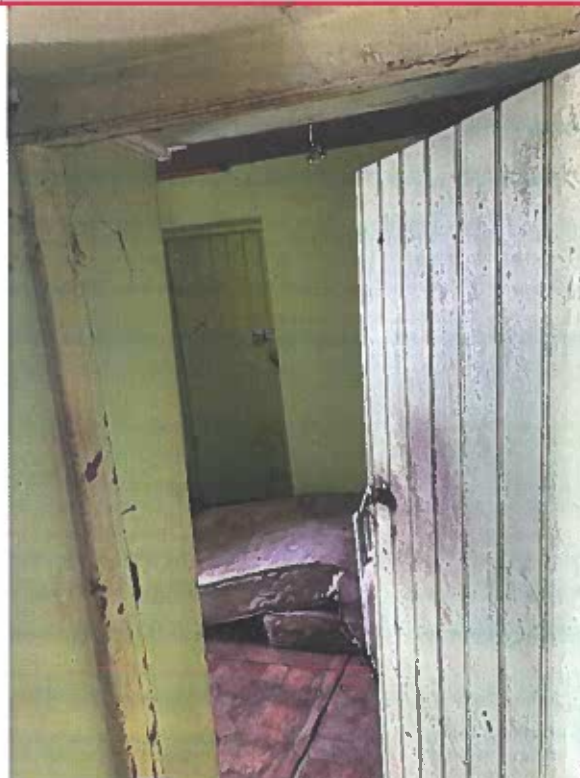
Rewire of electrics to be completed.

New plumbing to be completed.

Walls to be insulated and plastered.

Second fix timber work to be completed.

Walls and painting to be completed.



6.4

Location Internal

The property is derelict. The roof is compromised and leaking and will need to be upgraded.

Floors will need to be replaced - radon barrier, insulation and new screed required.

New windows and doors.

Rewire of electrics to be completed.

New plumbing to be completed.

Walls to be insulated and plastered.

Second fix timber work to be completed.

Walls and painting to be completed.



6.5

Location Internal

The property is derelict. The roof is compromised and leaking and will need to be upgraded.

Floors will need to be replaced - radon barrier, insulation and new screed required.

New windows and doors.

Rewire of electrics to be completed.

New plumbing to be completed.

Walls to be insulated and plastered.

Second fix timber work to be completed.

Walls and painting to be completed.



6.6

Location Internal

The property is derelict. The roof is compromised and leaking and will need to be upgraded.

Floors will need to be replaced - radon barrier, insulation and new screed required.

New windows and doors.

Rewire of electrics to be completed.

New plumbing to be completed.

Walls to be insulated and plastered.

Second fix timber work to be completed.

Walls and painting to be completed.



6.7

Location Internal

The property is derelict. The roof is compromised and leaking and will need to be upgraded.

Floors will need to be replaced - radon barrier, insulation and new screed required.

New windows and doors.

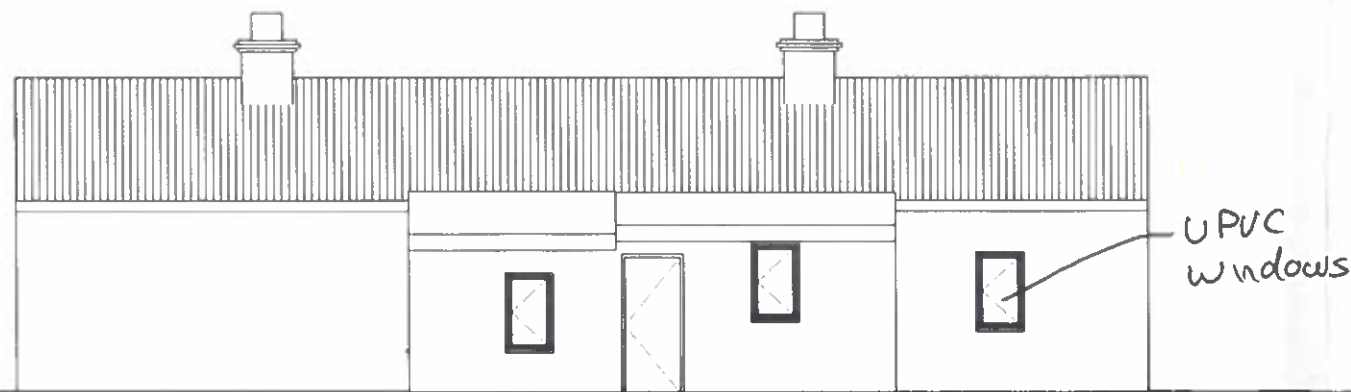
Rewire of electrics to be completed.

New plumbing to be completed.

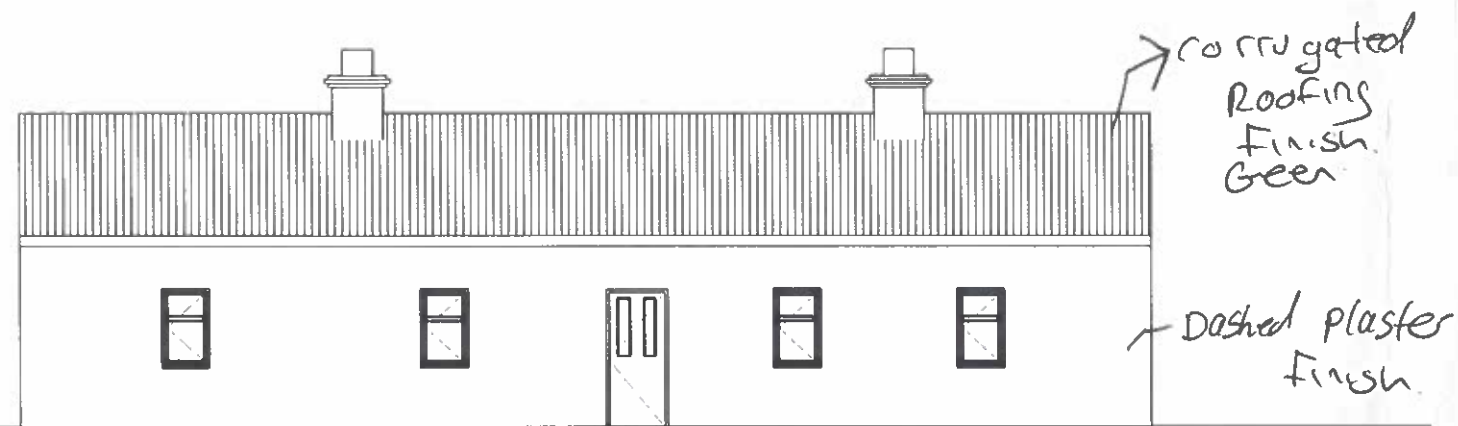
Walls to be insulated and plastered.

Second fix timber work to be completed.

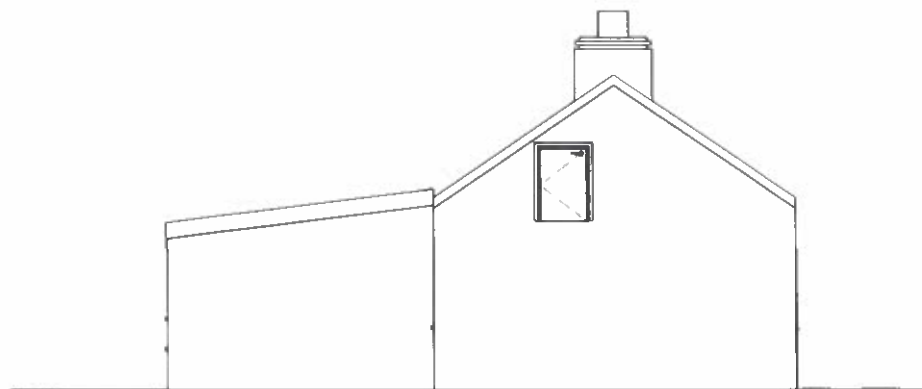
Walls and painting to be completed.



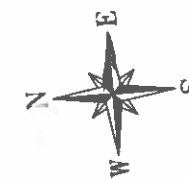
3 Rear Elevations
1 : 100



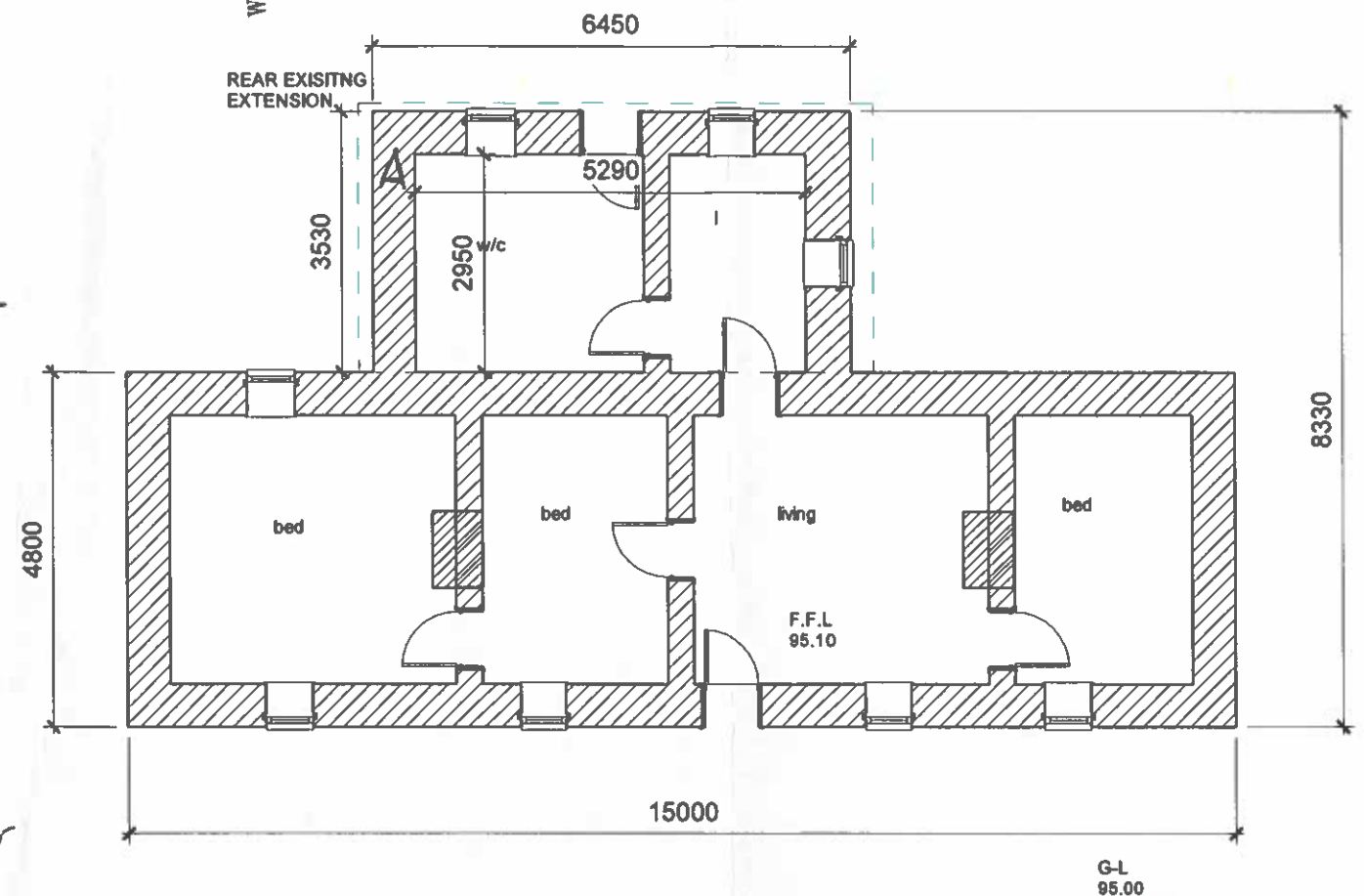
2 Front Elevation
1 : 100



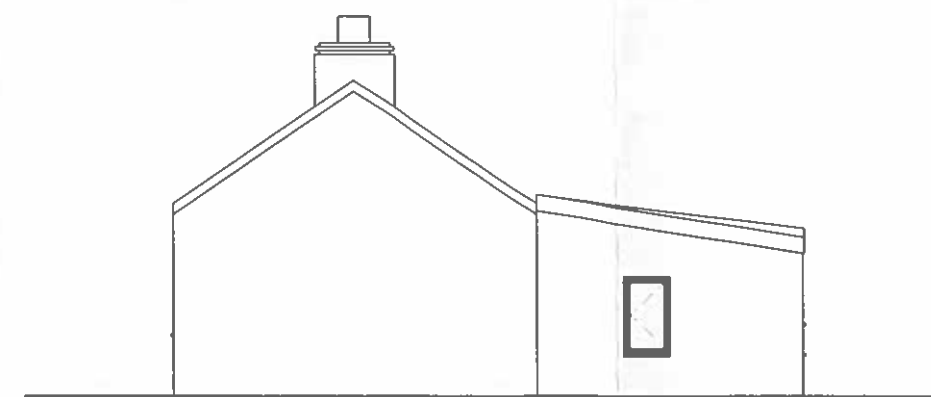
4 Side Elevation.
1 : 100



TOTAL FLOOR
AREA:
69 SQ M

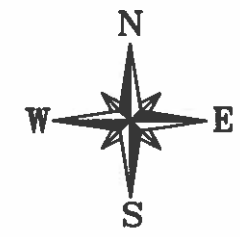
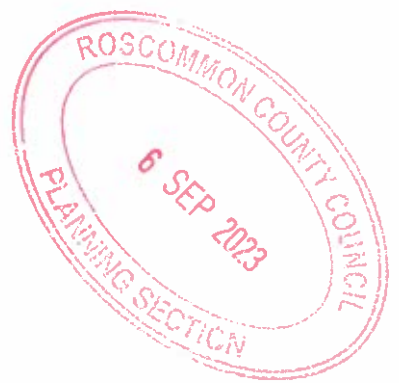
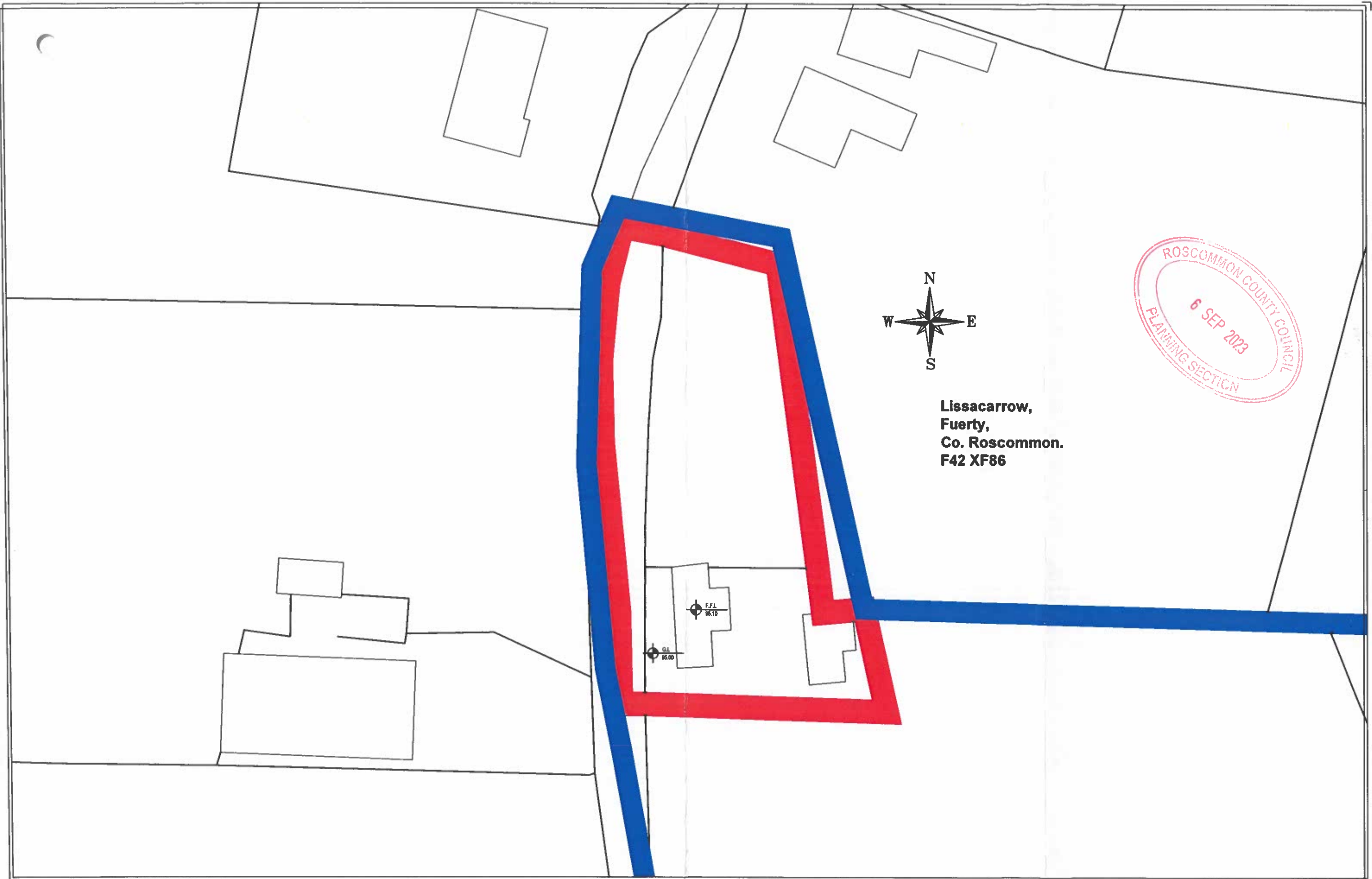


1 01- Ground Floor Level
1 : 100



5 Side Elevations
1 : 100





Lissacarrow,
Fuerty,
Co. Roscommon.
F42 XF86

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

REV	DATE	BY	CHK
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10			

Unit 5 Ballypheason House Circular Road, Roscommon F42 C982.		JAMES LOHAN CONSULTING ENGINEER		Ph: 090 6634365 / 0878226529 email: james@jce.ie / aaron@jce.ie web: www.jce.ie	
CLIENT James Kervigan	JOB PERMISSION	JOB No	23-313	DATE	11/07/2023
SITE Lissacarrow, FUERTY ROSCOMMON F42 XF86	DRAWING SITE LAYOUT	DRG No	23-313	REV	A
		SCALE 1:500			