

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

Noel and Anna Feely,


Reference Number: DED 612

Name of Applicants: Noel and Anna Feely

Agent: Philip James, Knockvicar, Boyle, Co. Roscommon.

WHEREAS a question has arisen as to whether the restoration of a derelict house and extension of 15 sqm approximately at Clooncullaan Td., Strokestown, Co. Roscommon is or is not development, or is or is not exempted development:

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000 (as amended);
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001 (as amended);
- (c) Class 1 of Part 1 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:

1. The proposed works constitute development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.
2. The proposed extension at rear of derelict house is exempted development, as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.
3. The replacement of roof and removal of two chimneys is NOT exempted development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.
4. The external insulation of derelict dwelling house is NOT 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 in respect of **the restoration of a derelict house and extension of 15 sqm approximately at Clooncullaan Td., Strokestown, Co. Roscommon**, 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 2 above constitute development that is exempted development and that the said works as detailed in 3 & 4 above constitute development that is not exempted development.

ADVICE NOTES

- The applicants have stated the proposed extension will be connecting into the existing septic tank. The existing wastewater treatment system has not been assessed. It may not be adequate and may be required to be upgraded in such circumstances planning permission would be required.
- The existing WWTP and percolation area arrangement is located within an agricultural field and is not fenced off from the livestock. The applicants are advised that this area should be fenced and the protection of the environment and livestock.

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:



Senior Executive Planner,
Planning.

Date: 8th November, 2023.

cc: Philip James,
Knockvicar,
Boyle,
Co. Roscommon.

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

Reference Number: DED 612

Development Description: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development the restoration of a derelict house and extension of 15 sqm

Name and Address of Applicant: Noel and Anna Feely, [REDACTED]
[REDACTED]

Date reports prepared:

Planning Report 1: 27th September 2023

Planning Report 2: 07th November 2023

Planning Report 1: Initial Assessment

WHEREAS a question has arisen as to whether the restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon is or is not development and is or is not exempted development.

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 1 of Part 1 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 site is located in the rural townland of Cloonculla TD, and is located c.3.8km south east of the village of Elphin. The subject site is situated on the north western side of the L-6030-0 and a vacant single storey cottage occupies the site. There are no environmental or archaeological designations located on the subject site.

The question raised in this Declaration of Exempted Development is whether the restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon, is or is not development and is or is not exempted development.

Planning History

No planning history attached to the subject site.

Adjoining site – (immediately to the north)

05-728 Planning permission to make changes to slatted cattle shed granted under planning register Ref No. PD/02/665 together with all associated site works- Granted planning permission to Noel Feeley.

02-665 Planning permission for the development of a slatted cattle shed- Granted planning permission to Noel Feeley.

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". It is considered that the restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon constitutes development, as defined in Section 3 of the Planning and Development Act 2000 (as amended).

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...." The proposed development is considered to be the carrying out of works.

Planning and Development Act 2000 (as amended)

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

PART 1 - Article 6 - Exempted Development – General

Description of Development	Conditions and Limitations
<i>Development within the curtilage of a house</i> CLASS 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.	1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres. 2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1

October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

It is proposed to construct an extension to the rear of the existing dwelling house. It is stated that the floor area will be approximately 15m². From reviewing the plans and particulars submitted and conducting a site inspection, it is considered that the existing dwelling house may have been extended previously. Clarification shall be sought in order to identify if the dwelling house was previously extended.

No elevational drawings have been submitted. A site layout plan has been submitted, however, no features including location of existing WWTP or vehicular entrance have been illustrated on same. It is necessary to request further information in this regard.

It is proposed to restore the existing dwelling house; the applicants have not detailed the extent of the works proposed. It is necessary to clarify this in order to identify if works fall under Section 4 (1) (h) of the Planning and Development Act 2000 (as amended).

It is noted that the question raised in the Section 5 Declaration does not relate to the WWTP on site. Therefore, the adequacy of the existing WWTP has not been assessed and it is considered that the existing system may not be adequate to deal with the additional loading of the proposed extension. An advisory note will be attached to the decision to advise the applicants accordingly.

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 need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination for EIAR is not required.

The site is located 1.7km away from Annaghmore Lough (Roscommon) SAC. 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. A screening determination was not required.

Recommendation

The following further information was requested:

1. Some plans and particulars were not submitted with this application. Please submit the following details:
 - a. Existing and proposed elevational drawings and floor plans at a scale of 1:100 and include the proposed external material finishes.
 - b. Site layout plan at a scale of 1:500 illustrating all features on the subject site including the existing WWTP and vehicular entrance.
2. Please clarify the extent of the works proposed for the "restoration" of the existing dwelling house.
3. It appears the existing dwelling house was previously extended. Please clarify the following:
 - a. The gross floor area of the previous extension and when these works took place.
 - b. The gross floor area of the proposed extension.

Planning Report 2: Assessment of Response to Further Information

Further information requested: 27th September 2023

Further information response received: 20th October 2023

Assessment of further information received:

FI Point 1(a) and (b)

Existing and proposed elevational drawings and floor plans have been submitted. The existing floor plans do not demarcate the use of each of the internal rooms. The cover letter states that the extension will be finished in cement napp plaster.

A revised site layout plan has also been submitted, illustrating the location of the WWTP and the site entrance, which are shown to be located on the western side of the derelict dwelling house. It appears that the existing septic tank is located on land which lies outside the established curtilage of the existing dwelling house and livestock are kept on this land, the existing WWTP and percolation area is not fenced off from the livestock. As stated in the initial planning assessment the adequacy of the existing WWTP has not been assessed and it is considered that the existing system may not be adequate to deal with the additional loading of the proposed extension and the existing WWTP and percolation should be fenced off to protect it from the livestock entering the area. An advisory note will be attached to the decision to advise the applicants accordingly.

FI Point 2

It is detailed in the cover letter accompanying the further information response that it is proposed to extend the derelict dwelling house, change the roof profile of the rear of the existing derelict dwelling house from a flat roof to an A-pitched roof and replace the slates. It is further stated in the cover letter that the two chimneys on the existing derelict dwelling house are proposed to be removed. Having regard to 4 (1) (h) of the Planning and Development Acts 2000 (as amended), I consider the proposal to remove the two chimneys and replace the roof will materially alter the character of the existing dwelling, therefore it is **not** exempted development.

It is further proposed to insulate and dry line all external walls. Having regard to 4 (1) (h) of the Planning and Development Acts 2000 (as amended), I consider that external insulation will materially alter the character of the existing dwelling house and it is **not** exempted development.

FI Point 3

The applicants have stated that the existing dwelling house has not been previously extended, however in 1975 a renovation took place in the area subject to the query of FI point 3. Prior to the renovation a utility room and toilet were situated in this part of the existing dwelling house. I consider that the existing dwelling house was therefore not previously extended and the proposed extension to the rear of the existing dwelling house which has a stated gross floor area of 14.3m² is exempted development under Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, (as amended)

Recommendation

WHEREAS a question has arisen as to whether the restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon is or is not development and is or is not exempted development.

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, (as amended)
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, (as amended)
- (c) Class 1 of Part 1 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 Acts 2000, (as amended)
- (e) The planning history of the site

AND WHEREAS I have concluded that

- a) The works are development.
- b) The proposed extension at rear of derelict house is exempted development.
- c) The replacement of roof and removal of two chimneys is not exempted development.
- d) The external insulation of derelict dwelling house is not exempted development.

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

Signed: 
Assistant Planner

Date: 08th November 2023

ADVICE NOTES

- The applicants have stated the proposed extension will be connecting into the existing septic tank. The existing wastewater treatment system has not been assessed. It may not be adequate and may be required to be upgraded in such circumstances planning permission would be required.
- The existing WWTP and percolation area arrangement is located within an agricultural field and is not fenced off from the livestock. The applicants are advised that this area should be fenced and the protection of the environment and livestock.



Thursday October 19th 2023.

Planning Reference: DED612

Ms. Tracy Davis,
Senior Executive Planner,
Planning,
Roscommon County Council.



Dear Ms. Davis,

We refer to your letter of September 27th 2023.

Point 1a.

We enclose current and proposed elevational drawings and floor plans at a scale of 1:100. The external wall finish at the front of the house is rough dash. The rear of the house is sand and cement nap plaster and the 14.3m sq. extension will be the same sand and cement nap plaster.

Point 1b.

We enclose a site layout plan at a scale of 1:500. The site layout plan shows the WWTP and the vehicular entrance which is marked on the map as site entrance.

Point 2. The extent of the works.

This is an outline of the works which we hope to carry out to bring the house back to life. We hope to extend the foot print of the house as shown on the drawings, to extend the ridged roof over the 1975 renovation and to replace the slates. We will remove the chimneys.

We will level the floors internally, insulate the house and lay underfloor heating, we will insulate and dry line all external walls and we will insulate and hang new ceilings.

We will install a heat pump. We will install en suite bathrooms, a new kitchen and we will paint and decorate the house. We will install an up to date electrical installation.

Point 3.

The existing dwelling house was not actually extended. In 1975 there was a renovation. In that area (footprint) there was a utility room and a toilet from when the house was built in 1954. There was a mass concrete water tank to collect rain water off the slated part of the house as there was no running water in the house at that time. The concrete water tank was the roof of the bathroom and utility. It dripped in cold weather internally! In 1975 piped water was connected to the house and the house was renovated. The utility footprint was changed to a bedroom and the bathroom was modernised.

Point 3a.

The previous work took place in 1975 and the footprint that was renovated at that time was 28.7msq.

Point 3b.

The gross floor area of the proposed new extension 2023 is 14.3msq.

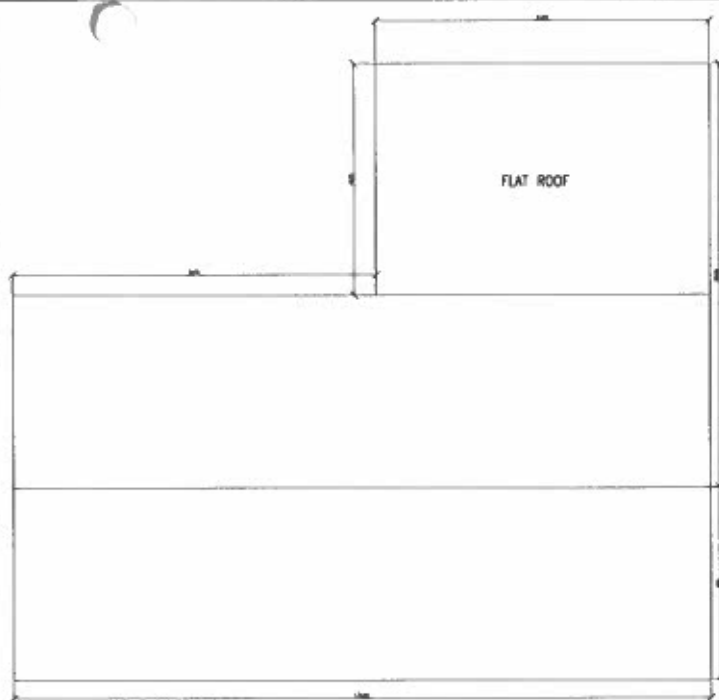
I hope that we have answered your queries and that the proposed work on the house can be exempted from planning.

Kind regards,

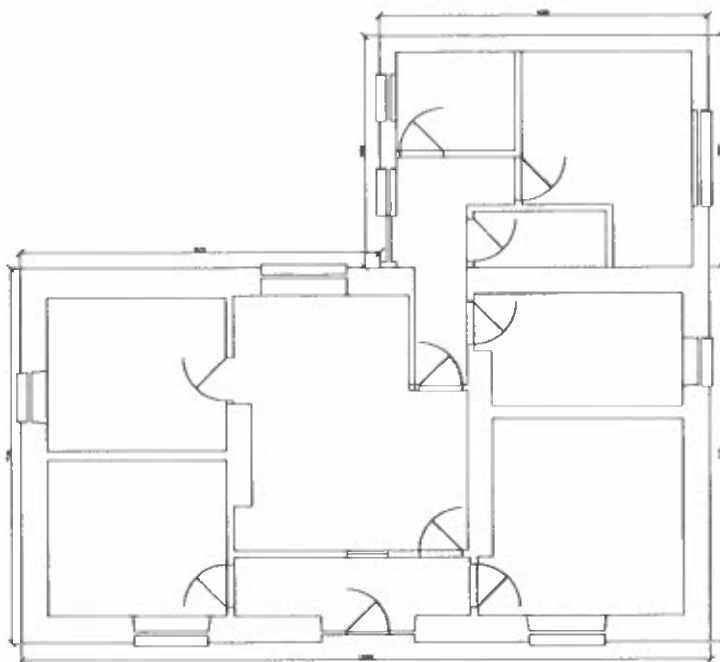
Noel Feely Anna Feely

Noel and Anna Feely

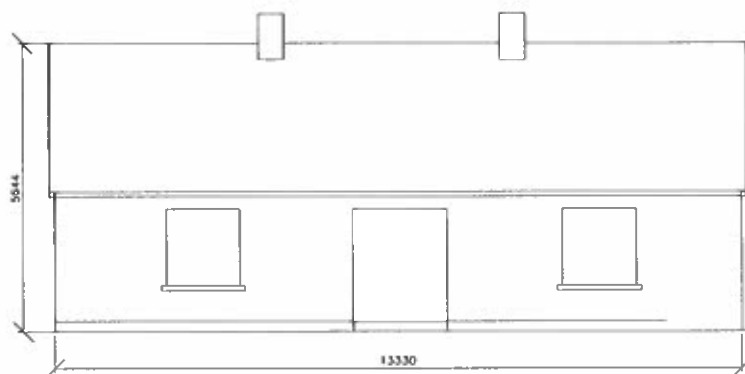




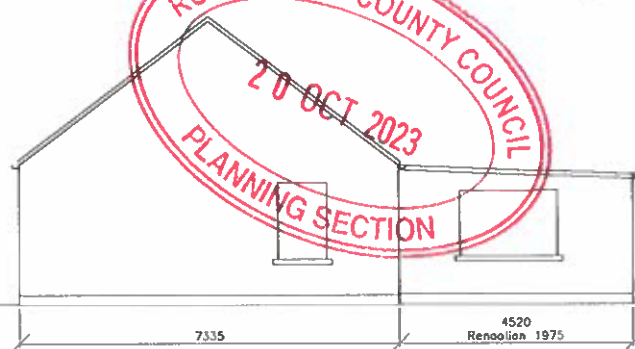
ROOF PLAN



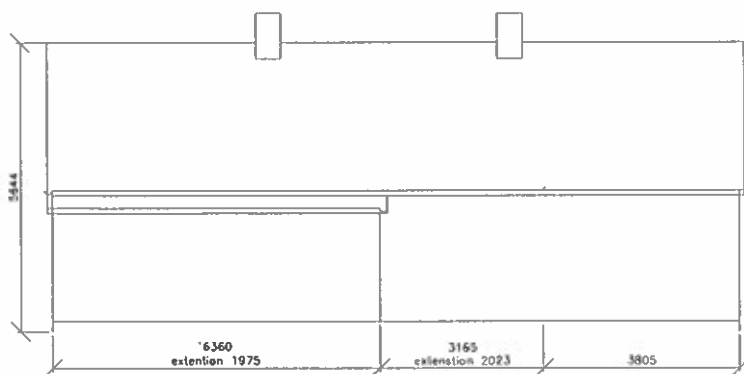
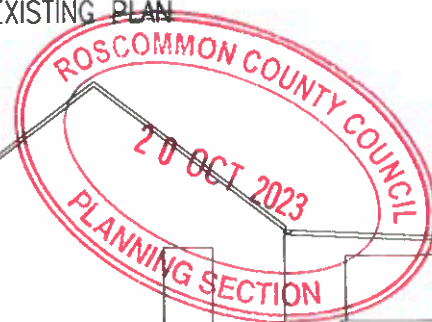
EXISTING PLAN



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

PROJECT: PROPOSED-RESTORATION
FOLIO-RN36582

DRAWING: EXISTING-PLAN-&-ELEVATIONS

DWG.No.: 03

REV.:

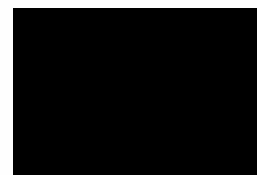
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DATE: 19/08/23

DRAWN: P.JAMES

CHKD.:

Anna & Noel Feely



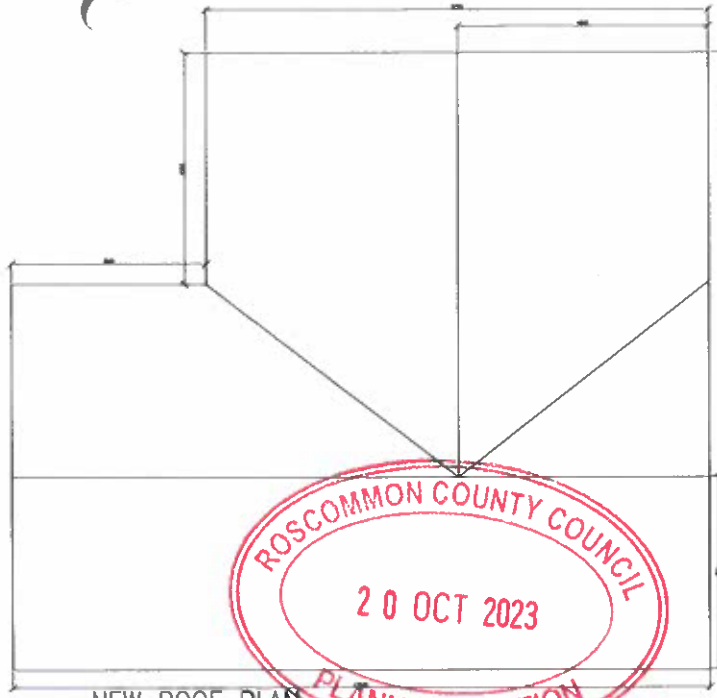
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DO NOT SCALE USE FIGURED DIMENSIONS ONLY

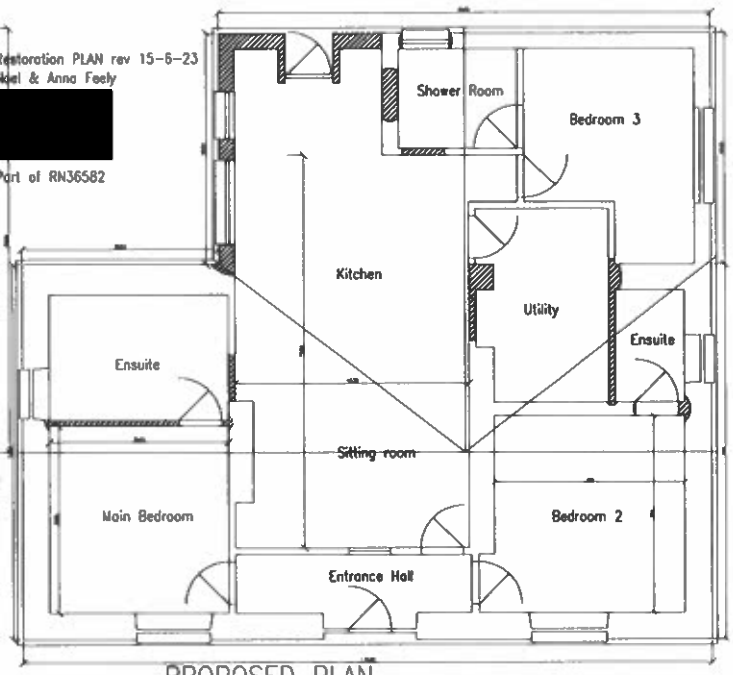
COPYRIGHT RESERVED

Restoration PLAN rev 15-6-23
Noel & Anna Feely

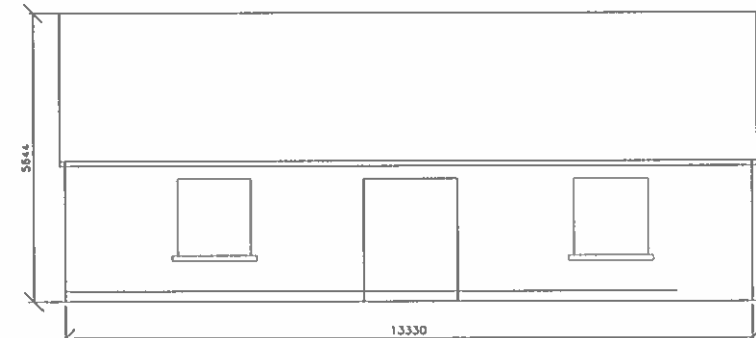
Part of RN36582



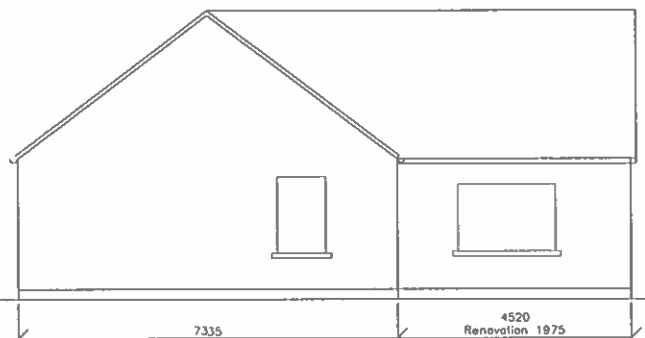
NEW ROOF PLAN



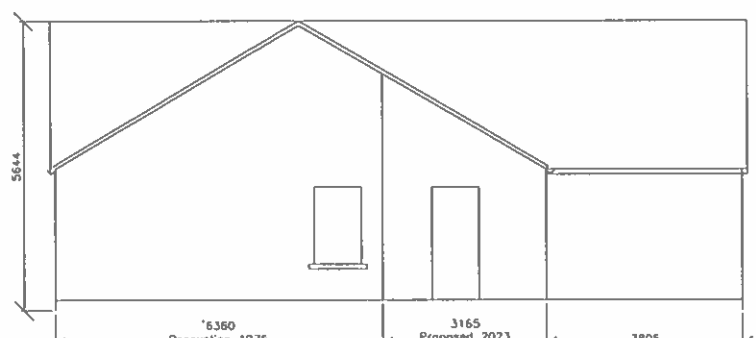
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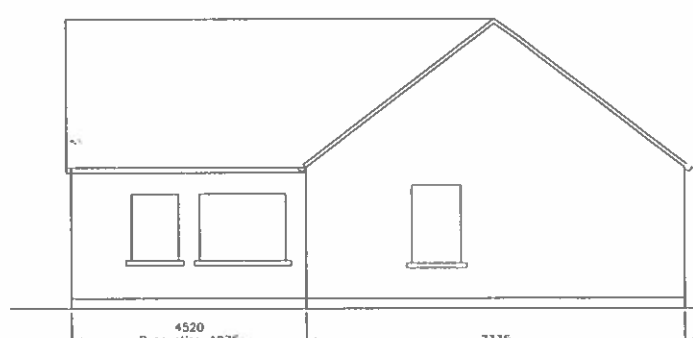
SOUTH ELEVATION



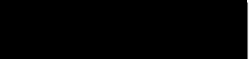
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

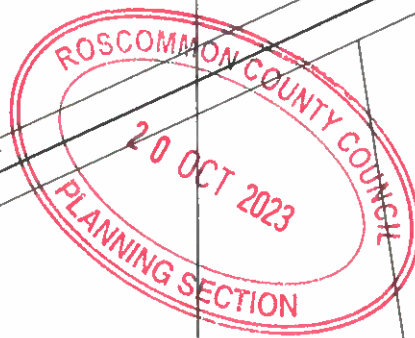
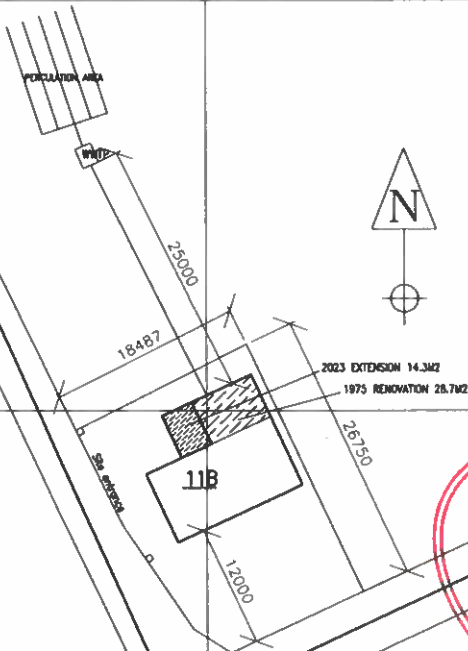
PROJECT: PROPOSED-RESTORATION FOLIO-RN36582		Anna & Noel Feely 
DRAWING: PROPOSED-PLAN-&-ELEVATIONS		
DWG.No.: 02	REV.:	
SCALE: 1/100	DATE: 19/08/23	
DRAWN: PJAMES	CHKD.:	

REV:	DATE:	DESCRIPTION
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Part of RN36582



40,000m

PROJECT: PROPOSED RESTORATION
FOLIO-RN36582

DRAWING: A3-SITE-PLAN

DWG.No.: 01

REV.:

SCALE: 1/500

DATE: 19/08/23

DRAWN: P.JAMES

CHKD.:

Anna & Noel Feely



REV:	DATE:	DESCRIPTION

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REGISTERED POST

Noel and Anna Feely,

Date: 27/09/2023
Planning Reference: DED 612

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 restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon is or is not development and is or is not exempted development.

A Chara,

Further to your application received on the 7th September, 2023 and in order for the Planning Authority to determine as to whether the restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD., Strokestown, Co. Roscommon is or is not development or is or is not exempted development, you are requested to submit the following further information:

1. Some plans and particulars were not submitted with this application. Please submit the following details:
 - a. Existing and proposed elevational drawings and floor plans at a scale of 1:100 and include the proposed external material finishes.
 - b. Site layout plan at a scale of 1:500 illustrating all features on the subject site including the existing WWTP and vehicular entrance.
2. Please clarify the extent of the works proposed for the "restoration" of the existing dwelling house.
3. It appears the existing dwelling house was previously extended. Please clarify the following:
 - a. The gross floor area of the previous extension and when these works took place.
 - b. The gross floor area of the proposed extension.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 612**.

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

Mise le meas,

Tracy Davis

Senior Executive Planner, Planning.

CC: Philip James,
Knockvicar, Boyle, Co. Roscommon.

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

Reference Number: DED 612

Development Description: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the extension of a kitchen to an existing dwelling – planned extension 13sqm

Name and Address of Applicant: Noel and Anna Feely, [REDACTED]
[REDACTED]

Date: 27th September 2023

WHEREAS a question has arisen as to whether The restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon is or is not development and is or is not exempted development.

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 1 of Part 1 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 site is located in the rural townland of Cloonculla TD, and is located c.3.8km south east of the village of Elphin. The subject site is situated on the north western side of the L-6030-0 and a vacant single storey cottage occupies the site. There are no environmental or archaeological designations located on the subject site.

The question raised in this Declaration of Exempted Development is whether the restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon, is or is not development and is or is not exempted development.

Planning History

No planning history attached to the subject site.

Adjoining site – (immediately to the north)

05-728 Planning permission to make changes to slatted cattle shed granted under planning register Ref No. PD/02/665 together with all associated site works- Granted planning permission to Noel Feeley.

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”. It is considered that the restoration of a derelict house and extension of 15 sqm approximately at Cloonculla TD, Strokestown, Co. Roscommon constitutes development, as defined in Section 3 of the Planning and Development Act 2000 (as amended).

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....” The proposed development is considered to be the carrying out of works.

Planning and Development Act 2000 (as amended)

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

PART 1 - Article 6 - Exempted Development – General

Description of Development	Conditions and Limitations
<i>Development within the curtilage of a house</i> CLASS 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.	1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres. 2. (a) Where the house has been extended previously, the floor area of any such extension,

taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the

	<p>house, to the rear of the house to less than 25 square metres.</p> <p>6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.</p> <p>(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.</p> <p>(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden.</p>
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It is proposed to construct an extension to the rear of the existing dwelling house. It is stated that the floor area will be approximately 15m². From reviewing the plans and particulars submitted and conducting a site inspection, it is considered that the existing dwelling house may have been extended previously. Clarification shall be sought in order to identify if the dwelling house was previously extended.

No elevational drawings have been submitted. A site layout plan has been submitted, however, no features including location of existing WWTP or vehicular entrance have been illustrated on same. It is necessary to request further information in this regard.

It is proposed to restore the existing dwelling house; the applicants have not detailed the extent of the works proposed. It is necessary to clarify this in order to identify if works fall under Section 4 (1) (h) of the Planning and Development Act 2000 (as amended).

It is noted that the question raised in the Section 5 Declaration does not relate to the WWTP on site. Therefore, the adequacy of the existing WWTP has not been assessed and it is considered that the existing system may not be adequate to deal with the additional loading of the proposed extension. An advisory note will be attached to the decision to advise the applicants accordingly.

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 need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination for EIAR is not required.

The site is located 1.7km away from Annaghmore Lough (Roscommon) SAC. 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. A screening determination is not required.

Recommendation

It is recommended the following further information is requested:

1. Some plans and particulars were not submitted with this application. Please submit the following details:
 - a. Existing and proposed elevational drawings and floor plans at a scale of 1:100 and include the proposed external material finishes.
 - b. Site layout plan at a scale of 1:500 illustrating all features on the subject site including the existing WWTP and vehicular entrance.
2. Please clarify the extent of the works proposed for the “restoration” of the existing dwelling house.
3. It appears the existing dwelling house was previously extended. Please clarify the following:
 - a. The gross floor area of the previous extension and when these works took place.
 - b. The gross floor area of the proposed extension.

Signed: 
Assistant Planner

Date: 27th September 2023





Noel and Anna Feely,

Date: 8th September, 2023.
Planning Reference: DED 612

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000
(as amended), regarding Exempted Development.
Development: The restoration of a derelict house and extension of 15 sqm approximately at
Cloonculla TD, Strokestown, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application received on the 7th 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. **L01/0/224498** dated 7th September, 2023 refers, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 612**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,



Tracy Davis,
Senior Executive Planner,
Planning Department.

CC: Philip James,
Knockvicar,
Boyle,
Co. Roscommon.

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

07/09/2023 15:19:51

Receipt No : L01/0/224498

ANNA & NOEL FEELY



PLANNING APPLICATION FEES 80.00
GOODS 80.00
VAT Exempt/Non-vatable
DED 612

Total : 80.00 EUR

Tendered :
Cheque 80.00
500664

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) 66 371000

Email: planning@roscommoncoco.ie



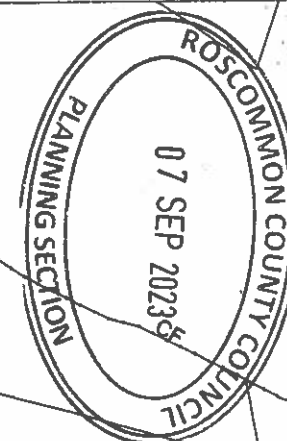
Roscommon County Council

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

Name:	Noel and Anna Feely
Address:	<div style="background-color: black; width: 150px; height: 50px;"></div>
Name & Address of Agent:	Philip James Knockvicar, Boyle, Co. Roscommon
Nature of Proposed Works	Restoration of derelict house Extension of 15sq m.approx
Location (Townland & O.S No.)	Clooncullaan TD, O.S. no.Folio RN36582
Floor Area	126.5m sq. existing and 14.3m sq. extension
Height above ground level	200mm
Total area of private open space remaining after completion of this development	Type text here 350 m sq.
Roofing Material (Slates, Tiles, other) (Specify)	Slates
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Painted plaster
Is proposed works located at front/rear/side of existing house.	Rear of house

Folio Number: RN36582

Application Number: D2010LR054929G
590070 mE, 786110 mN



The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine



Folio: RN36582

This map should be read in conjunction with the folio. The description of the land on the folio and map is not conclusive as to the boundaries or extent of the land (see Section 85 of the Registration of Title Act, 1964), as substituted by Section 62 of the Registration of Deeds and Title Act 2006.

For details of the terms of use, and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see www.pra.ie.

This map incorporates Ordnance Survey Ireland (OSI) mapping data under a licence from OSI. Copyright © OSI and Government of Ireland.

Freehold (centre-line of parcel edge aligned)



Leasehold (centre-line of parcel aligned)



Burdens (may not all be represented on map)

Right of Way / Wayleave

A full list of burdens and their symbology can be found at:
www.landdirect.ie

For use by The Property
Registration Authority only



Created

Application No.: D2010LR054929G

Date: 26 July 2010 12:51:18

1:2500 Scale

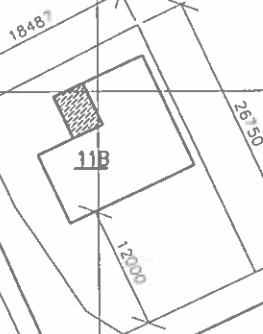
589270 mE, 785460 mN

Date Printed: 23/07/2010





Part of RN36582



40,000m

PROJECT: PROPOSED RESTORATION
FOLIO-RN36582

Anna & Noel Feely

DRAWING: A3-SITE-PLAN

DWG.No.: 01

REV.:

SCALE: 1/500

DATE: 19/08/23

DRAWN: P.JAMES

CHKD.:

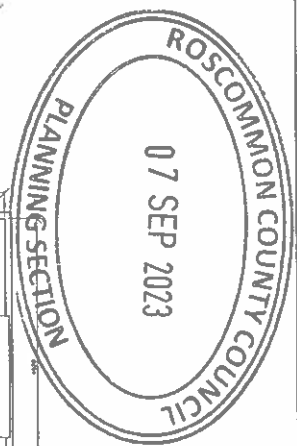
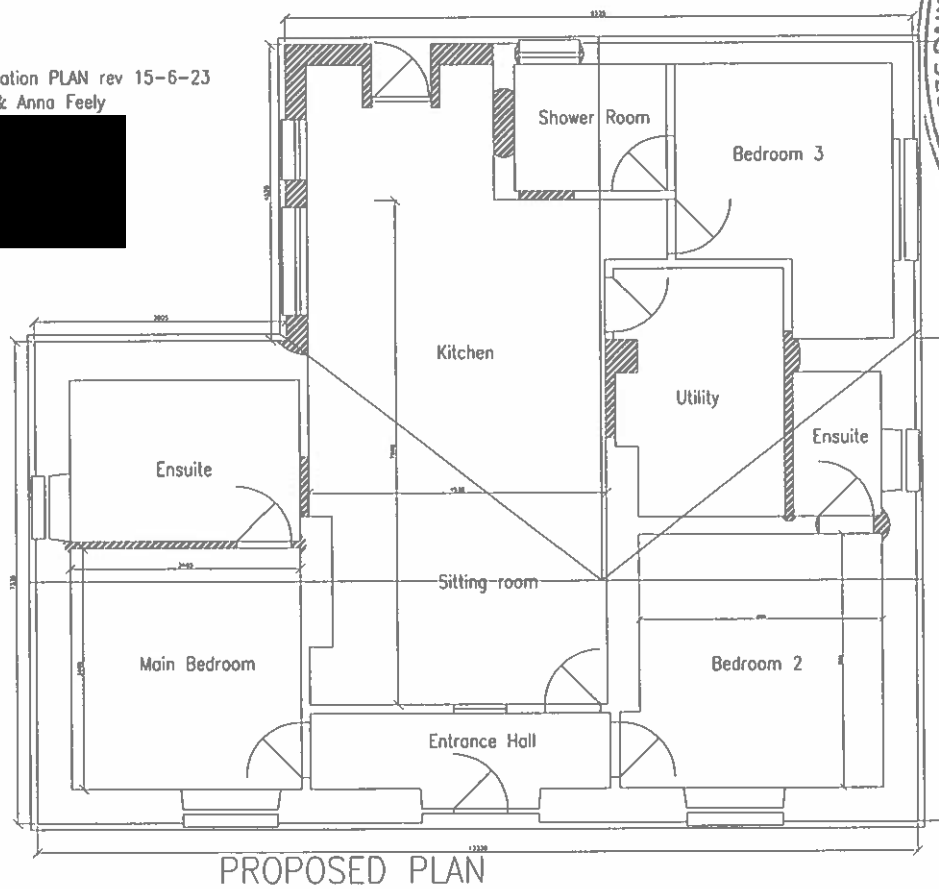
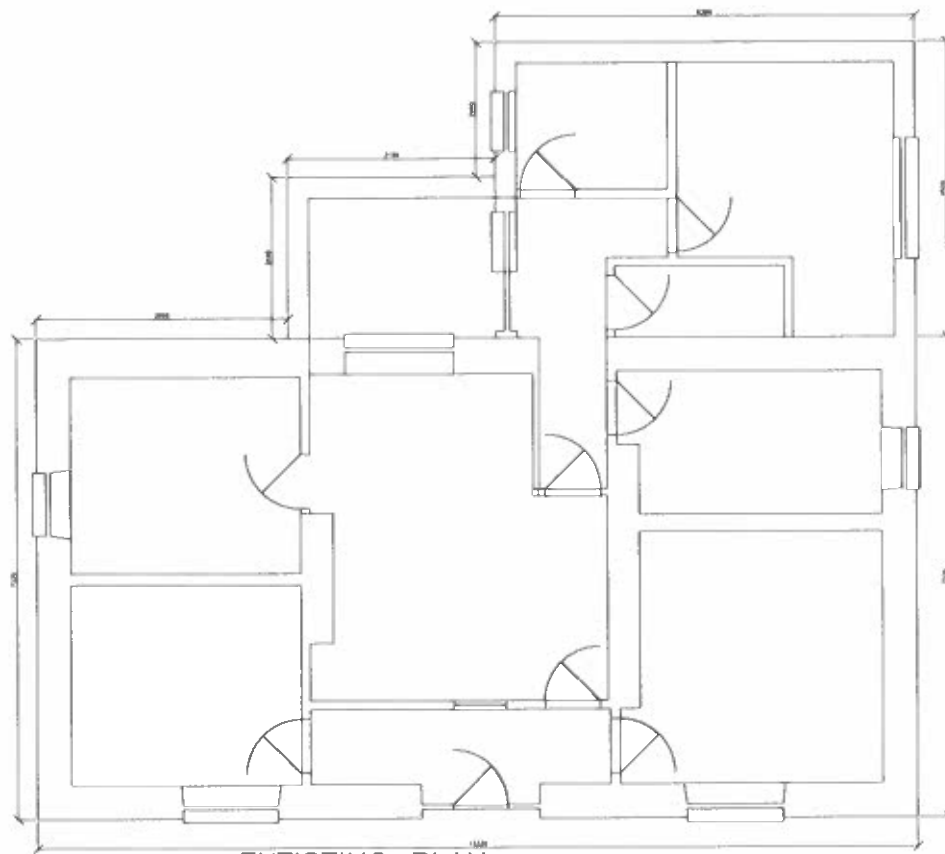
REV:

DATE:

DESCRIPTION

DO NOT SCALE USE FIGURED DIMENSIONS ONLY

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REV:	DATE:	DESCRIPTION

PROJECT: PROPOSED RESTORATION PCAD-RV-6502	
DRAWING: PROPOSED PLAN	
DWG. No.: 02	REV.:
SCALE: 1/8"=1'	DATE: 12/08/99
DRAWN: PAVES	CHKD.:
DO NOT SCALE USE FIGURED DIMENSIONS ONLY	

Anno & Noel Feely

Clooncullane,
Strokestown,
Co. Roscommon.

Wednesday September 5th 2023.



Dear Roscommon County Council Planning,

We jointly own a house built in 1954 in Clooncullane TD. We plan to restore this house. My mother in law died in this house in September 2006 and it has not been lived in since. It is vacant for 17 years.

I was advised by the Vacant Homes section to submit an exemption from planning permission form prior to applying for the restoration grant.

You can see from the drawings that there will be an extension of 14.3m sq.

I attach the required documents and the fee of €80.

Kind regards,

Anna Feely
Anna and Noel Feely.

Noel Feely

