

**ROSCOMMON COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

**SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**NOTIFICATION OF DECISION**

Kieran Supple,



Reference Number: DED 618

Name of Applicant: Kieran Supple

Agent: N/A

WHEREAS a question has arisen as to whether the renovation of existing cottage/building to add small extension to rear (under 40sq.m.) at Sheegory, Boyle, Co. 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 1 and 7 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 (39.92sqm) to the rear of existing cottage is exempted development, as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.
3. The proposed porch (1.95sqm) on front elevation of the existing cottage is exempted development, as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.
4. The demolition of the chimneys is NOT exempted development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.
5. The new drainage works from the existing cottage and new extension to be installed and re-routed to the existing WWTP is NOT exempted development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.

**NOW THEREFORE:**

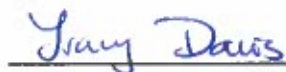
By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared in respect of **the renovation of existing cottage/building to add small extension to rear (under 40sq.m.) at Sheegory, Boyle, 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 in 2 & 3 above constitute development that is exempted development and that the said works as detailed in 4 & 5 above constitute development that is not 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:



Senior Executive Planner,  
Planning.

Date: 20<sup>th</sup> November, 2023.

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

<b>Reference Number:</b>	DED 618
<b>Development Description:</b>	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development renovation of existing cottage/building, add small extension to rear (under 40sq.m.)
<b>Name and Address of Applicant:</b>	Kieran Supple, [REDACTED]
<b>Date reports prepared:</b>	
Planning Report 1:	10 <sup>th</sup> October 2023
Planning Report 2:	15 <sup>th</sup> November 2023

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**Planning Report 1: Initial Assessment**

WHEREAS a question has arisen as to whether the renovation of existing cottage/building, add small extension to rear (under 40sq.m.) at Sheegorey, Boyle, 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 and 7 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 Sheegorey, Boyle, and is located c3km north of Boyle. The subject site is situated on the north eastern side of the L-1036-0 and a 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 renovation of existing cottage/building, add small extension to rear (under 40sq.m.) at Sheegorey, Boyle, Co. Roscommon, is or is not development and is or is not exempted development.

**Planning History**

No planning history attached to 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". It is considered that renovation of existing cottage/building, add small extension to rear (under 40sq.m.) 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.

**PART 1 - Article 6 - Exempted Development – General**

Description of Development	Conditions and Limitations
<p><i>Development within the curtilage of a house</i></p> <p><b>CLASS 1</b></p> <p>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.</p>	<p>1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</p> <p>(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.</p> <p>(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.</p> <p>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.</p> <p>(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.</p> <p>(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.</p>

	<p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p> <p>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.</p> <p>(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.</p> <p>(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.</p> <p>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.</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 39.8m<sup>2</sup>. The external material finishes are stated to be plaster and tiles on the roof. The application form states that the existing water supply will rely on the existing well and the proposed development will involve the provision of sanitary facilities, these details have not been illustrated on the site layout plan submitted, in the interests of clarity this detail is required to be submitted by way of further information illustrating all features of the subject site, including location of existing WWTP and location of the existing well.

The applicant states that it is proposed "to do up existing cottage/building", no details have been provided on the works proposed to take place to the existing cottage and further information is required in order to identify the extent of the works proposed to take place. Furthermore, it is noted that a proposed porch

is illustrated to be constructed on the front elevation. The gross floor area of the proposed porch is 2m<sup>2</sup>. The heights have not been demarcated on the plans and particulars. In order to ensure the proposal is in accordance with the conditions and limitations of Class 7 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, (as amended) as set out below.

**PART 1 - Article 6 - Exempted Development – General**

Description of Development	Conditions and Limitations
<p><b>CLASS 7</b></p> <p>The construction or erection of a porch outside any external door of a house.</p>	<p>1. Any such structure shall be situated not less than 2 metres from any road.</p> <p>2. The floor area of any such structure shall not exceed 2 square metres.</p> <p>3. The height of any such structure shall not exceed, in the case of a structure with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.</p>

**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 3.49km away from Lough Arrow SAC and 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. A screening determination is not required.

**Recommendation**

*The following further information was requested:*

1. Some details were excluded from the plans and particulars submitted with this application. Please submit the following details:
  - a. A site layout plan at a scale of 1:500 illustrating all features on the subject site and the exact location of the proposed extension to dwelling house in relation to the boundaries and the position of the existing WWTP and percolation area.
  - b. Elevational drawing at a scale of 1:100, illustrating the maximum height of the existing dwelling house, proposed extension and proposed porch.
2. Please clarify the extent of the works proposed to the existing dwelling house, which shall also be illustrated on the ground floor plans.

## **Planning Report 2: Assessment of Response to Further Information**

Further information requested: 11<sup>th</sup> October 2023

Further information response received: 13<sup>th</sup> November 2023

### **Assessment of further information received:**

#### **FI Point 1**

A revised site layout plan has been submitted illustrating all features on the subject site and the exact location of the proposed extension to dwelling house in relation to the boundaries and the position of the existing WWTP and percolation area. Furthermore, revised elevational drawing have been submitted at a scale of 1:100 and it is stated that the maximum height of the proposed extension is 4.57m. I consider that the proposal is in compliance with Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, (as amended).

#### **Point 2**

A list of the proposed works intended to be carried out to the existing cottage has been provided. It is stated that no changes are proposed to the front elevation of cottage. The chimneys are proposed to be removed in order to improve airtightness and energy efficiency. I consider the proposed demolition of the two chimneys will materially alter the character of the structure, ~~therefore~~ it is therefore not exempted development.

Furthermore, new drainage from the existing cottage and new extension will be installed and re-routed to the existing WWTP. I consider that the new drainage works from the existing cottage and new extension ~~will be~~ installed and re-routed to the existing WWTP not exempted development.

### **Recommendation**

WHEREAS a question has arisen as to whether the renovation of existing cottage/building <sup>to</sup> add small extension to rear (under 40sq.m.) at Sheegorey, Boyle, 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 and 7 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 (39.92sqm) to the rear of existing cottage is exempted development.

- c) The proposed porch (1.95 sq.m) on front elevation of the existing cottage is exempted development.
- d) The demolition of the chimneys is not exempted development.
- e) The new drainage works from the existing cottage and new extension <sup>to</sup> ~~will~~ be installed and re-routed to the existing WWTP not exempted development.

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

Signed:   
Assistant Planner

Date: 17<sup>th</sup> November 2023





Planning Section

Roscommon County Council

Co. Roscommon

RE:Kieran Supple,



Planning Reference: DED618

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 renovation of existing  
cottage/building and addition of a small extension to rear (under 40sq.m.) at Sheegorey, Boyle, Co.  
Roscommon is or is not development and is or is not exempted development.

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To whom it may concern,

Further to receipt of Letter from the RCC 11<sup>th</sup> of October 2023 requesting further information for  
Application no. DED618 please find below and in Drawings submitted responses.

1. Some details were excluded from the plans and particulars submitted with this application. Please  
submit the following details:

*a. A site layout plan at a scale of 1:500 illustrating all features on the subject site and the exact  
location of the proposed extension to dwelling house in relation to the boundaries and the position  
of the existing WWTP and percolation area.*

1(a) Site layout plan provided with extension (39.92m<sup>2</sup>) to the rear of existing building and proposed porch (1.950m<sup>2</sup>) to the front of existing building, both highlighted in pink. Distances from existing boundary and proposed new boundary marked in meters.

Existing septic tank and percolation area marked on site layout.

All dimensions in meters.



b. Elevational drawing at a scale of 1:100, illustrating the maximum height of the existing dwelling house, proposed extension and proposed porch. (See DWG 001)

2. Please clarify the extent of the works proposed to the existing dwelling house, which shall also be illustrated on the ground floor plans.

(See DWG 001)

#### Walls

External walls to be constructed with 50mm therma board on 100mm solid concrete block inner leaf with min 100mm polystyrene insulation, 50mm cavity and 100mm solid concrete block outer leaf and Nap plaster finish.

#### Floors

Concrete floors to have 150mm concrete floor with A393 Mesh reinforcement on 100mm rigid Kingspan Insulation or similar with 25mm expansion joints to face of inner leaf of wall. DPM on sand blinding and Min 150mm hardcore

#### Foundations

External wall foundations to be 900mm x 300mm .

Foundation concrete strength to be 35N20.

Reinforcement to be used - A393 steel mesh with 50mm cover at edges and 450mm laps top and bottom layers.

#### Roof

Cut roof with rafters at 400mm centres to be strictly in compliance with IIRS specification, design, longitudinal members, and diagonal bracing to be in accordance with manufacturers and suppliers specifications, 100mm x 75mm wall plate treated and bolted.

35mm x 38mm treated battens on approved felt, Concrete tiles to match existing dwelling, 25mm fascia, 19mm soffit TG&V, 125mm Hr. Gutter, min 150mm glass fibre quilt insulation to roof space throughout.

#### Lintels

Where prestressed concrete lintels are used the bearing shall be minimum 150mm for spans up to 1500mm and 200mm for spans up to 3000mm, with smooth site facing downwards, notwithstanding any other detail or specification, in any instance where the roof span on plan does not exceed 6000mm and the width of any ope in external cavity walls is under 1500, depth of blockwork over the lintel shall not be less than 225mm.

#### Vertical strapping

Walls at eaves to be strapped to roof with galvanised MS straps of cross sectional area not less than 30mm x 5mm and max 2000mm centres. Fix twisted galvanised vertical restraint straps 30 x 5 at not more than 2000 centres starting nearest gable, tying down to blockwork in wall at eaves, straps to be

at least 750mm long 450mm of which should be over blockwork, 3 nail fixings at roof, 2 nail fixings at wall plate and 4 nail fixings to wall, last nail fixing as close to end of strap as possible.

#### **Existing non load-bearing walls**

Internal Walls to existing dwelling to be demolished and replaced with new 100mm solid block wall on edge. Back wall within the extension layout to be knocked and new 215mm block wall to be built to support roof and to accommodate new extension layout.

#### **Floors**

Existing floors to be removed and new Concrete floors to have 150mm concrete floor with A393 Mesh reinforcement on 100mm rigid Kingspan Insulation or similar with 25mm expansion joints to face of inner leaf of wall. DPM on sand blinding and Min 150mm hardcore

#### **Air tightness and insulation & Services**

Floors, walls and attic to be insulated and made airtight for air to water heating system including underfloor heating to new and existing building. Dwelling to be rewired with new heating and electrical system.

#### **Front Elevation**

No change to front of existing cottage with the addition of New Porch. The chimneys will be removed to help increase the airtightness and energy efficiency of the dwelling and there will be no longer use of solid fuel in the dwelling. If required, imitation chimneys can be retrofitted.

#### **Septic tank**

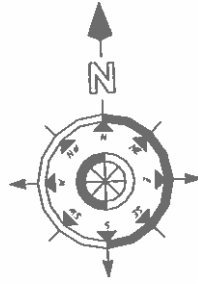
The existing septic tank and percolation area are marked up on the site layout. New drainage from existing and new extension will be installed and rerouted to existing WWTP

Mise le Meas,

Roch Hanmore

*Roch Hanmore*





Existing Septic tank  
and percolation area

PROPOSED Ext.

PROPOSED  
New Porth



Projection / Spatial Reference:

Centre Point Coordinates: ITM

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X,Y= 579631, 805694

Reference Index:

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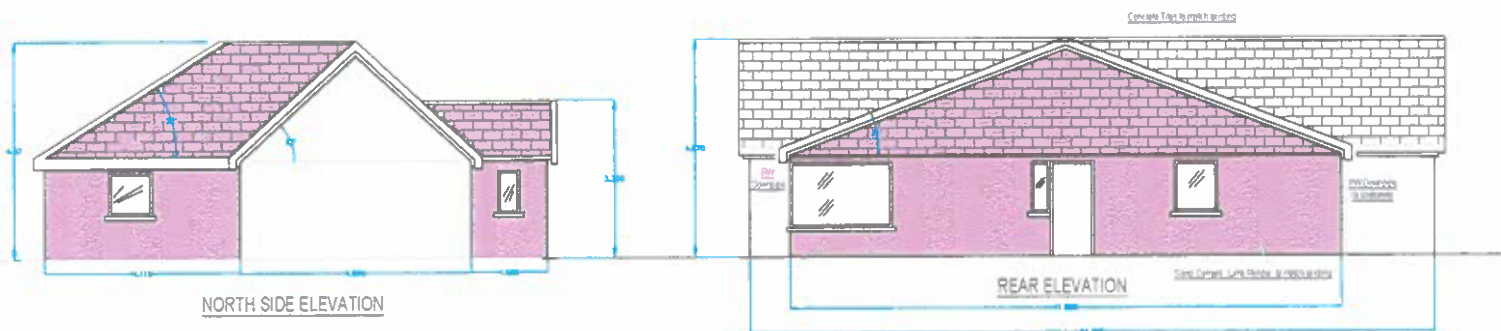
Map Series | Map Sheets 1670

REV:	DESCRIPTION	Added to Band, Single York Location 07/06/2023, 1/21
Site Area:	UTM 786	Extension Area 39.92m2
CLIENT:	Proposed New Extension for: Kieran Supple	
OWNER:	[REDACTED]	
DESIGNER:	Roch Hammore Knockanush, Boyle Co. Roscommon	
WIT:	Sheegorey Boyle, Co. Roscommon	
WKS:	Proposed Site Layout Plan	
SCALE AT AS:	DATE:	BY:
Scale 1:500	7/11/2023	RH
PROJECT NO:	DWG NO:	REVISION:
RH 003	DWG 006	1

Tiles (as existing) on 20 x 50 Lathes on Breathable felt on 125mm Rafters 75 x 100 wallplate fixed to inner cavity leaf.

Render finish to external Elevations.

Footpaths to have 50mm fall on 1.2 wide footpath with 1:12 ramp to roller shutter door.



#### Existing none load-bearing walls

Internal Walls to existing dwelling to be demolished and replaced with new 100mm solid block wall on edge. Back wall within the extension layout to be knocked and new 215mm block wall to be built to support roof and to accommodate new extension layout.

#### Floors

Existing floors to be removed and new Concrete floors to have 150mm concrete floor with A393 Mesh reinforcement on 100mm rigid Kingspan Insulation or similar with 25mm expansion joints to face of inner leaf of wall. DPM on sand blinding and Min 150mm hardcore

#### Air tightness and insulation & Services

Floors, walls and attic to be insulated and made airtight for air to water heating system including underfloor heating to new and existing building. Dwelling to be rewired with new heating and electrical system.

#### Front Elevation

No change to front of existing cottage with the addition of New Porch.

NO:	0000000000	00	0000
Floor Area Extension dwelling 47.83m <sup>2</sup> with Proposed Extension of 38.82m <sup>2</sup>			
CLIENT: Proposed New Extension for: Kieran Supple			
Drawn by: Rodd Henmore Knockanureah, Boyle Co. Roscommon roddhenmore@gmail.com			
WFL: Sheegorey, Boyle, Co. Roscommon			
Title: Rear and Side Elevations (New Extension and Porch in Pink)			
Scale:	1:100	Date:	7/11/2023 RH
Project:	RH 003	Drawn:	DWG 003
		Sheet:	1



South Side ELEVATION



FRONT ELEVATION

#### Walls

External walls to be constructed with 50mm thermal board on 100mm solid concrete block inner leaf with min 100mm polystyrene insulation, 50mm cavity and 100mm solid concrete block outer leaf and Nap plaster finish.

#### Floors

Concrete floors to have 150mm concrete floor with A393 Mesh reinforcement on 100mm rigid Kingspan Insulation or similar with 25mm expansion joints to face of inner leaf of wall DPM on sand blinding and Min 150mm hardcore

#### Foundations

External wall foundations to be 900mm x 300mm.

Foundation concrete strength to be 35N20

Reinforcement to be used A393 steel mesh with 50mm covers at edges and 450mm laps top and bottom layers.

#### Roof

Cut roof with rafters at 400mm centres to be strictly in compliance with BRS specification, design, longitudinal members, and diagonal bracing to be in accordance with manufacturers and suppliers specifications, 100mm x 75mm wall plate treated and bolted.

35mm x 38mm treated battens on approved felt, Concrete tiles to match existing dwelling, 25mm fascia, 39mm soffit TG&V, 125mm Ht. Gutter, min 150mm glass fibre quilt insulation to roof space throughout.

#### Lintels

Where prestressed concrete lintels are used the bearing shall be minimum 150mm for spans up to 1500mm and 200mm for spans up to 3000mm, with smooth site facing downwards, notwithstanding any other detail or specification, in any instance where the roof span on plan does not exceed 6000mm and the width of any ope in external cavity walls is under 1500, depth of blockwork over the lintel shall not be less than 225mm.

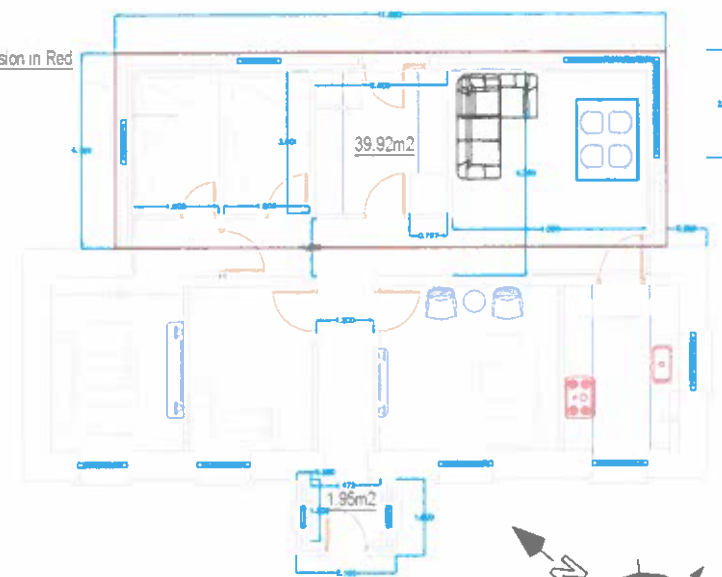
#### Vertical strapping

Walls at eaves to be strapped to roof with galvanised MS straps of cross sectional area not less than 30mm x 5mm and max 2000mm centres. Fix twisted galvanised vertical restraint straps 30 x 5 at not more than 2000 centres starting nearest gable, tying down to blockwork in wall at eaves, straps to be at least 750mm long 450mm of which should be over blockwork, 3 nail fixings at roof, 2 nail fixings at wall plate and 4 nail fixings to wall, last nail fixing as close to end of strap as possible.

#### Wall Ties

Wall ties to T.5268, vertical twist type, galvanised or stainless steel at 750mm horizontal spacing's and 450mm (2 course) vertical spacing's, staggered or such spacing's as will maintain the same number of ties per square meter, and 300mm vertical spacing's at unbonded jambs to all openings in cavity walls with in 150mm of the openings.

#### Extension in Red



Ground Floor Plan

#### Notes:

REF	DESCRIPTION	BY	DATE
1	Roof Area Extension dwelling 47.83m2 with Proposed Extension of 39.92m2		
2	Client: Proposed New Extension for Kieron Supply		
3	Drawn by: Rach Monmore Knockarush, Boyle Co. Roscommon rachmonmore@gmail.com		
4	Site: Sheeagorey, Boyle, Co. Roscommon		
5	Scale: 1:100	DATE: 7/11/2023	REVISION: 1
6	Scale: 1:100	DATE: 7/11/2023	REVISION: 1
7	Scale: 1:100	DATE: 7/11/2023	REVISION: 1
8	Scale: 1:100	DATE: 7/11/2023	REVISION: 1
9	Scale: 1:100	DATE: 7/11/2023	REVISION: 1
10	Scale: 1:100	DATE: 7/11/2023	REVISION: 1



**Tracy Davis**

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**From:** Planning Department  
**Sent:** Wednesday 11 October 2023 17:10  
**To:** [REDACTED]  
**Subject:** Planning Ref. No. DED 618 - Section 5 Declaration further information request  
**Attachments:** DED 618 FI Request Letter.pdf

A Chara

Please find herewith attached the further information request in respect of DED 618 – Section 5 Declaration of Exempted Development.

Mise le meas

**Tracy Davis | Planning Department**  
Áras an Chontae, Roscommon, Co. Roscommon. F42 VR98  
☎ (090) 6637100 ✉ [planning@roscommoncoco.ie](mailto:planning@roscommoncoco.ie)  
🌐 [www.roscommoncoco.ie](http://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*



**REGISTERED POST**

Kieran Supple,



Date: 11/10/2023  
Ref: DED 618

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 renovation of existing cottage/building and addition of a small extension to rear (under 40sq.m.) at Sheegorey, Boyle, Co. Roscommon is or is not development and is or is not exempted development.

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A Chara,

Further to your application received on the 19<sup>th</sup> September, 2023 and in order for the Planning Authority to determine as to whether the renovation of existing cottage/building and addition of a small extension to rear (under 40sq.m.) at Sheegorey, Boyle, 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 details were excluded from the plans and particulars submitted with this application. Please submit following the details:
  - a. A site layout plan at a scale of 1:500 illustrating all features on the subject site and the exact location of the proposed extension to dwelling house in relation to the boundaries and the position of the existing WWTP and percolation area.
  - b. Elevational drawing at a scale of 1:100, illustrating the maximum height of the existing dwelling house, proposed extension and proposed porch.
2. Please clarify the extent of the works proposed to the existing dwelling house, which shall also be illustrated on the ground floor plans.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 618**.

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

Mise le meas,

*Tracy Davis*

Senior Executive Planner, Planning.



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

**Reference Number:** DED 618

**Development Description:** Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development renovation of existing cottage/building, add small extension to rear (under 40sq.m.)

**Name and Address of Applicant:** Kieran Supple, [REDACTED]  
**Date:** 10<sup>th</sup> October 2023

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WHEREAS a question has arisen as to whether the renovation of existing cottage/building, add small extension to rear (under 40sq.m.) at Sheegorey, Boyle, 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 and 7 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 Sheegorey, Boyle, and is located c3km north of Boyle. The subject site is situated on the north eastern side of the L-1036-0 and a 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 renovation of existing cottage/building, add small extension to rear (under 40sq.m.) at Sheegorey, Boyle, Co. Roscommon, is or is not development and is or is not exempted development.

**Planning History**

No planning history attached to 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". It is considered that renovation of existing cottage/building, add small extension to rear (under

40sq.m.) 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.

**PART 1 - Article 6 - Exempted Development – General**

Description of Development	Conditions and Limitations
<p><i>Development within the curtilage of a house</i></p> <p><b>CLASS 1</b></p> <p>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.</p>	<p>1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</p> <p>(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.</p> <p>(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.</p> <p>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.</p> <p>(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.</p> <p>(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.</p> <p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p> <p>4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such</p>

	<p>extension shall not exceed the height of the rear wall of the house.</p> <p>(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.</p> <p>(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.</p> <p>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.</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 39.8m<sup>2</sup>. The external material finishes are stated to be plaster and tiles on the roof. The application form states that the existing water supply will rely on the existing well and the proposed development will involve the provision of sanitary facilities, these details have not been illustrated on the site layout plan submitted, in the interests of clarity this detail is required to be submitted by way of further information illustrating all features of the subject site, including location of existing WWTP and location of the existing well.

The applicant states that it is proposed "to do up existing cottage/building", no details have been provided on the works proposed to take place to the existing cottage and further information is required in order to identify the extent of the works proposed to take place. Furthermore, it is noted that a proposed porch is illustrated to be constructed on the front elevation. The gross floor area of the proposed porch is 2m<sup>2</sup>. The heights have not been demarcated on the plans and particulars. In order to ensure the proposal is in accordance with the conditions and limitations of Class 7 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, (as amended) as set out below.

**PART 1 - Article 6 - Exempted Development – General**

Description of Development	Conditions and Limitations
<b>CLASS 7</b>  The construction or erection of a porch outside any external door of a house.	1. Any such structure shall be situated not less than 2 metres from any road.  2. The floor area of any such structure shall not exceed 2 square metres.  3. The height of any such structure shall not exceed, in the case of a structure with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.

**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 3.49km away from Lough Arrow SAC and 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. A screening determination is not required.

**Recommendation**

*It is recommended the following further information is requested:*

1. Some details were excluded from the plans and particulars submitted with this application. Please submit following details:
  - a. *A* Site layout plan at a scale of 1:500 illustrating all features on the subject site and the exact location of the proposed extension to dwelling house in relation to the boundaries and the position of the existing WWTP and percolation area.
  - b. Elevational drawing at a scale of 1:100, illustrating the maximum height of the existing dwelling house, proposed extension and proposed porch.
2. Please clarify the extent of the works proposed to the existing dwelling house, *which shall also be illustrated on the ground floor plans.*

Signed:

Assistant Planner



Date: 10<sup>th</sup> October 2023













Mr. Kieran Supple,

Date: 20<sup>th</sup> September, 2023.

Planning Reference: DED 618

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

Development: Do up existing cottage/building, add small extension to rear (under 40sq.m. at  
Sheegorey, Boyle, Co. Roscommon

\*\*\*\*\*

A Chara,

I wish to acknowledge receipt of your application received on the 19<sup>th</sup> 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. **L01/0/224662** dated 19<sup>th</sup> September, 2023 refers, receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 618**.  
This should be quoted in all correspondence and telephone queries.

Mise le meas,



Tracy Davis,  
Senior Executive Planner,  
Planning Department.





Roscommon County Council  
Aras an Chontae  
Roscommon  
09066 37100

19/09/2023 09 20 03

Receipt No : L01/0/224662

KIERAN SUPPLE

PLANNING APPLICATION FEES 80.00  
GOODS 80.00  
VAT Exempt/Non-vatable  
DED618

Total 80.00 EUR

Tendered  
Cheque 80.00  
503152

Change 0.00

Issued By : Aine McDermott  
From : Central Cash Office

**Sharon Kelly**

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**From:** Kieran Supple [REDACTED]  
**Sent:** Thursday 14 September 2023 09:13  
**To:** Planning Department  
**Subject:** Additional Info - Ref DED 618  
**Attachments:** KS - Floor Plan DWG 002.pdf; Site Layout 1.500 Map.pdf; KS- Site Location Map 1.2500.pdf; KS - Elevations DWG 001.pdf

Hi there,

Ref DED 618: Kieran Supple, Sheegorey, Boyle, Co. Roscommon.

As a follow up to Sharon's phone call yesterday please see attached the following:

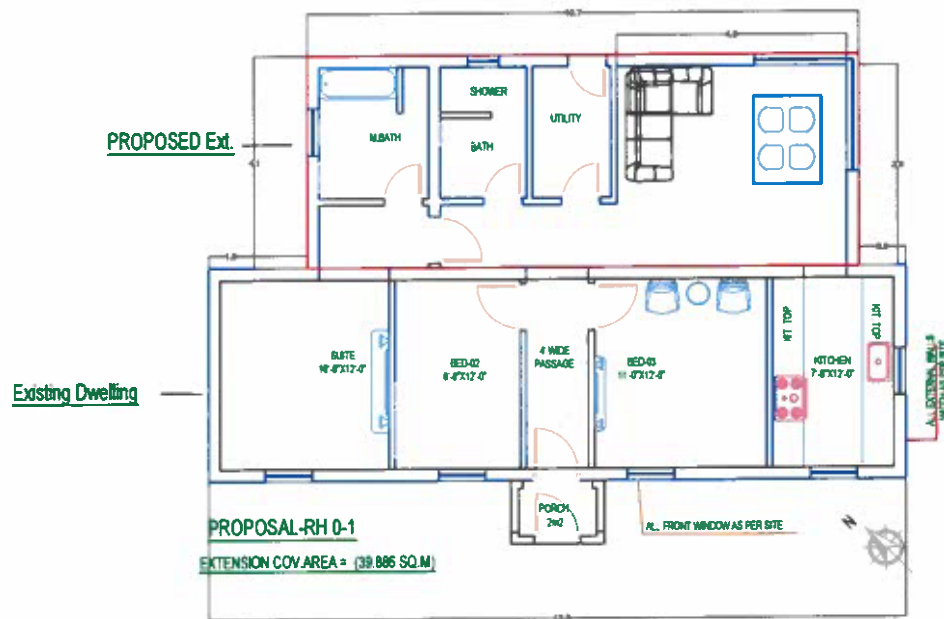
DWG 001 Elevations 1:100  
DWG 002 Floor Plans 1:100  
DWG 005 Site Location MAP 1:2500  
DWG 006 Site Layout 1:500

The proposed extension is colored in red or outlined in red.

Any problems or questions please let me know me know.

Kind Regards,  
Kieran Supple  
[REDACTED]



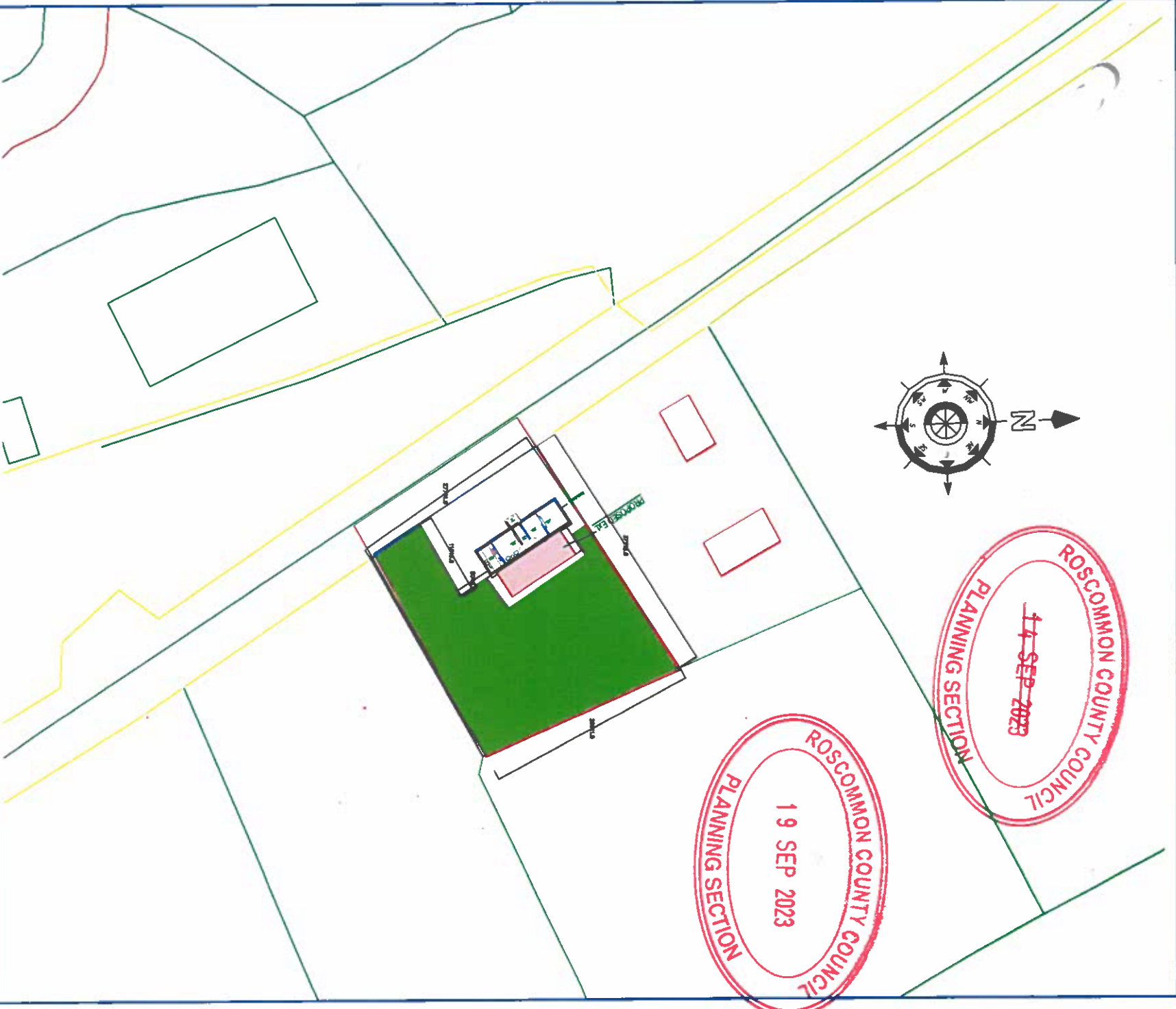
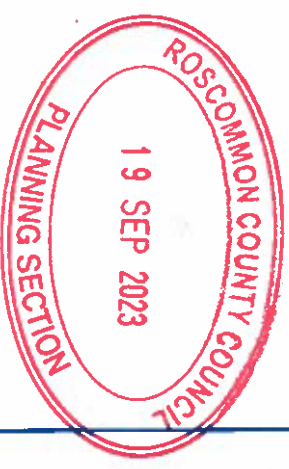
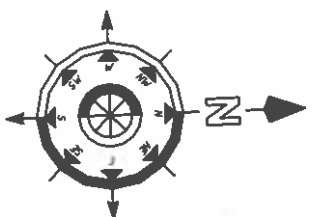


ROSCOMMON COUNTY COUNCIL  
19 SEP 2023  
PLANNING SECTION

ROSCOMMON COUNTY COUNCIL  
~~14 SEP 2023~~  
PLANNING SECTION

Notes:

NO	DESCRIPTION	BY	DATE
1	Plan for Existing Dwelling 47.93m2 with Proposed Extension 39.886m2		
2	Proposed New Extension for [REDACTED]		
3	Drawn by: Rodh Hammons, Knockarush, Boyle Co. Roscommon, rodh.hammons@gmail.com		
4	Site: Sheeagorey, Boyle, Co. Roscommon		
5	Title: Floor plan of Existing and proposed Extension		
6	Scale: 1:100	3-9-2023	RH
7	Project No: RH 003	DWG 002	0



Projection / Spatial Reference:

Centre Point Coordinates: ITM

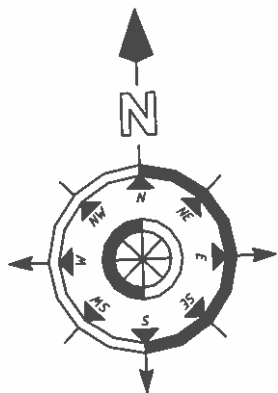
X,Y= 579631, 805694

Reference Index:

Map Series | Map Sheets

1:5,000 | 1670

[illegible]



Site  
Location

Projection / Spatial  
Reference:

Centre Point  
Coordinates: ITM

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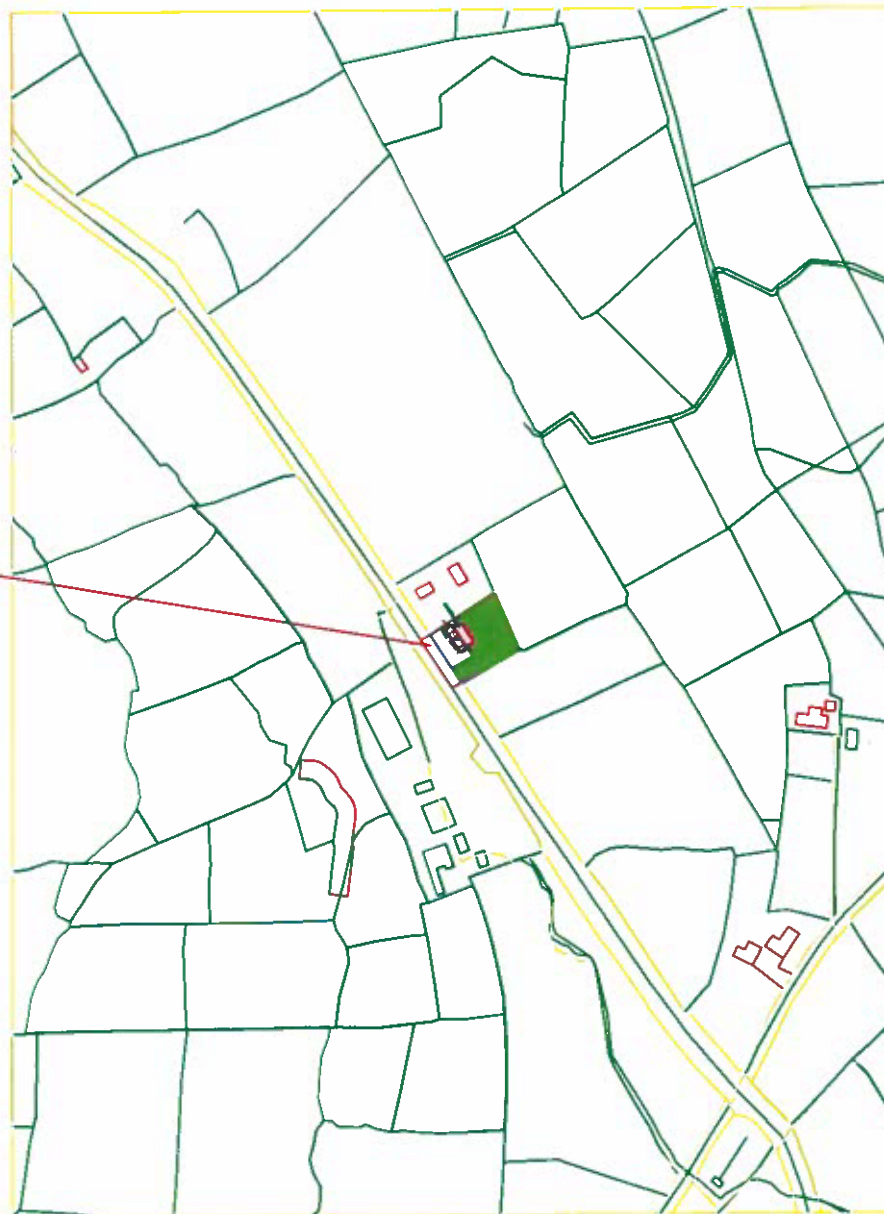
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Reference Index:

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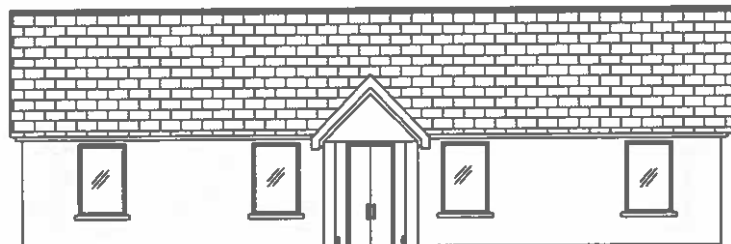
Map Series | Map  
Sheets

1:5,000 | 1670

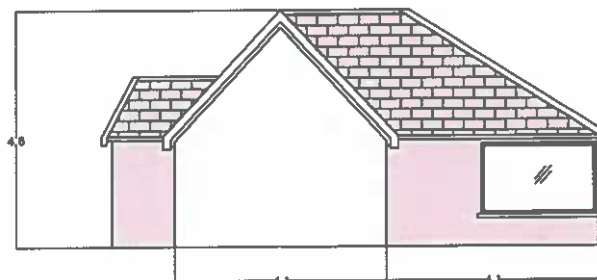


Area	0.11Ha	Area	39.896m2
Site Area	0.11Ha	Site Area	39.896m2
Proposed New Extension for Kieran Supple			
[Redacted Name]			
Roch Hammore Knockanureh, Boyle Co. Roscommon			
Shaggorey Boyle, Co. Roscommon			
Proposed Site Location Map			
Scale 1:2500	Date 13/9/2023	Author RH	Checker
Project No RH 003	DWG No DWG 005		

Notes:



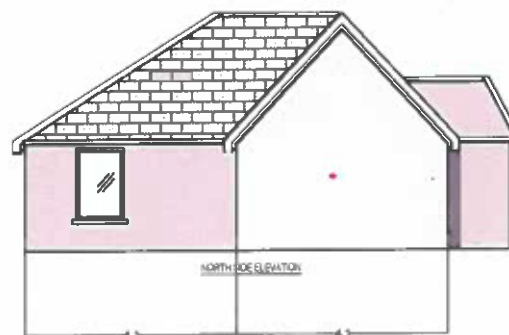
FRONT ELEVATION



SOUTH SIDE ELEVATION



BACK ELEVATION



NORTH SIDE ELEVATION



Site	Reference	Rev	Date
Plot Area	Extension Building 47.93m2 with Proposed Extension of 36.89m2m2		
Client	Proposed New Extension for: Kieran Supple		
Drawn by	Roch Hammore Knockbarush, Boyle Co. Roscommon rochhammore@gmail.com		
Site	Shesgarry, Boyle, Co. Roscommon		
Scale	Proposed Elevations (New Extension and Porch in Pink)		
Scale	1:100	Date	13/9/2023
Project No	RH 003	Drawn By	RH
		Check By	
		Drawn No	0



RN

Sharon Kelly

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**From:** Kieran Supple [REDACTED]  
**Sent:** Tuesday 12 September 2023 11:52  
**To:** Planning Department  
**Subject:** Section 5 - Kieran Supple  
**Attachments:** Section5Form.pdf; End Elevations.pdf; Front and rear Elevations.pdf; Ground floor Plan.pdf; Site.pdf

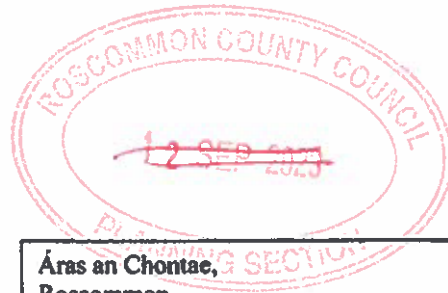
Hi there,

As a follow up to the vacant property refurbishment grant, please see attached completed Section 5 form along with site location map and building drawings. Following discussions with Jennifer O'Neill in the vacant property department she requested a 'DED ref Num' in order for her to proceed. If possible, would you mind furnishing a DED number so I can respond to Jennifer. Please contact me for payment when suitable.

Any problem just let me know.

Kind Regards,  
Kieran Supple  
[REDACTED]





Conteáirí Contae  
Ros Comáin  
Roscommon  
County Council

Áras an Chontae,  
Roscommon,  
Co. Roscommon.

Phone: (090) 6637100

Email: [planning@roscommoncoco.ie](mailto:planning@roscommoncoco.ie)

### Roscommon County Council

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

Name:	KIERAN SUPPLE
Address:	[REDACTED]
Name & Address of Agent:	W/A
Nature of Proposed Works	Do up existing cottage/building, add small extension to rear (under 40sq.m)
Location (Townland & O.S No.)	Sheegrey, Boyle, Co. Roscommon
Floor Area	Existing building floor area is 47.93m
Height above ground level	4.57m
Total area of private open space remaining after completion of this development	1170 msq
Roofing Material (Slates, Tiles, other) (Specify)	Tiles
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Plaster
Is proposed works located at front/rear/side of existing house.	REAR

E: 579521.436  
N: 805578.747





## 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)	
Existing use of land or structure	None
Proposed use of land or structure	Rental
Distance of proposed building line from edge of roadway	Existing building is 7.7m from Road edge
Does the proposed development involve the provision of a piped water supply	Using existing well water supply
Does the proposed development involve the provision of sanitary facilities	Yes

Signature:

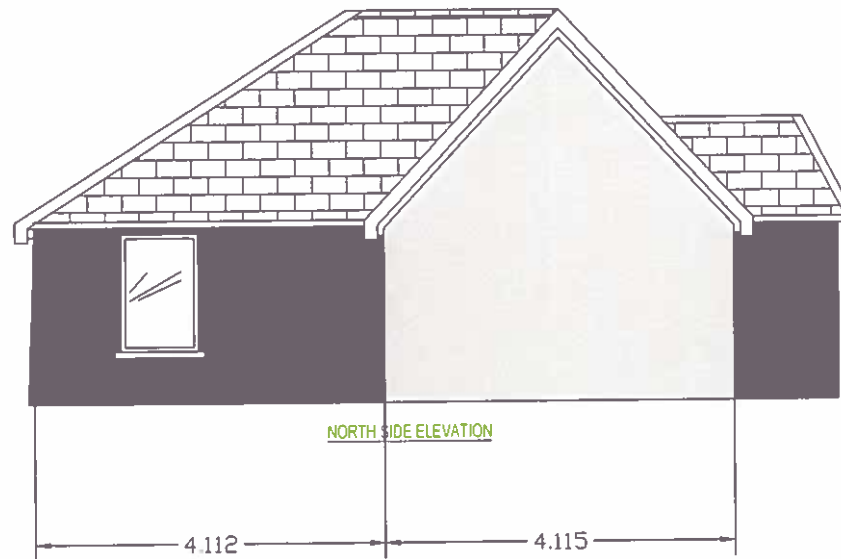
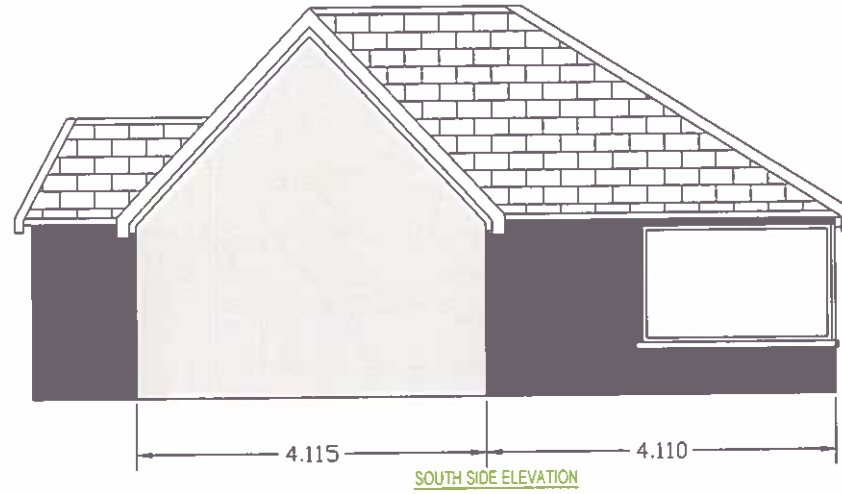
Vivian Supple

Date:

25-8-23

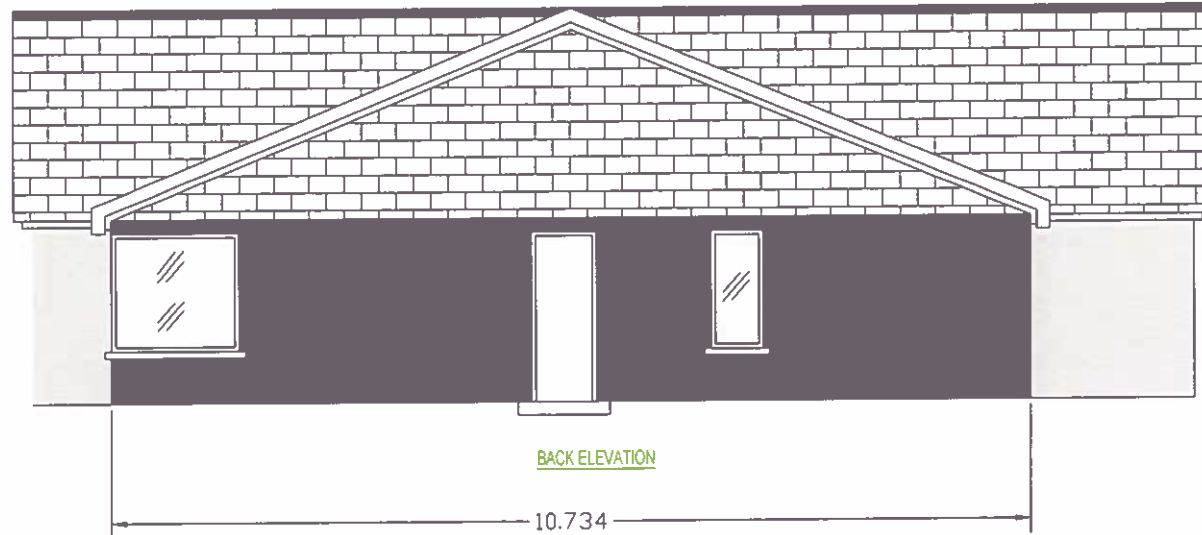
Note: This application must be accompanied by:-

- (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



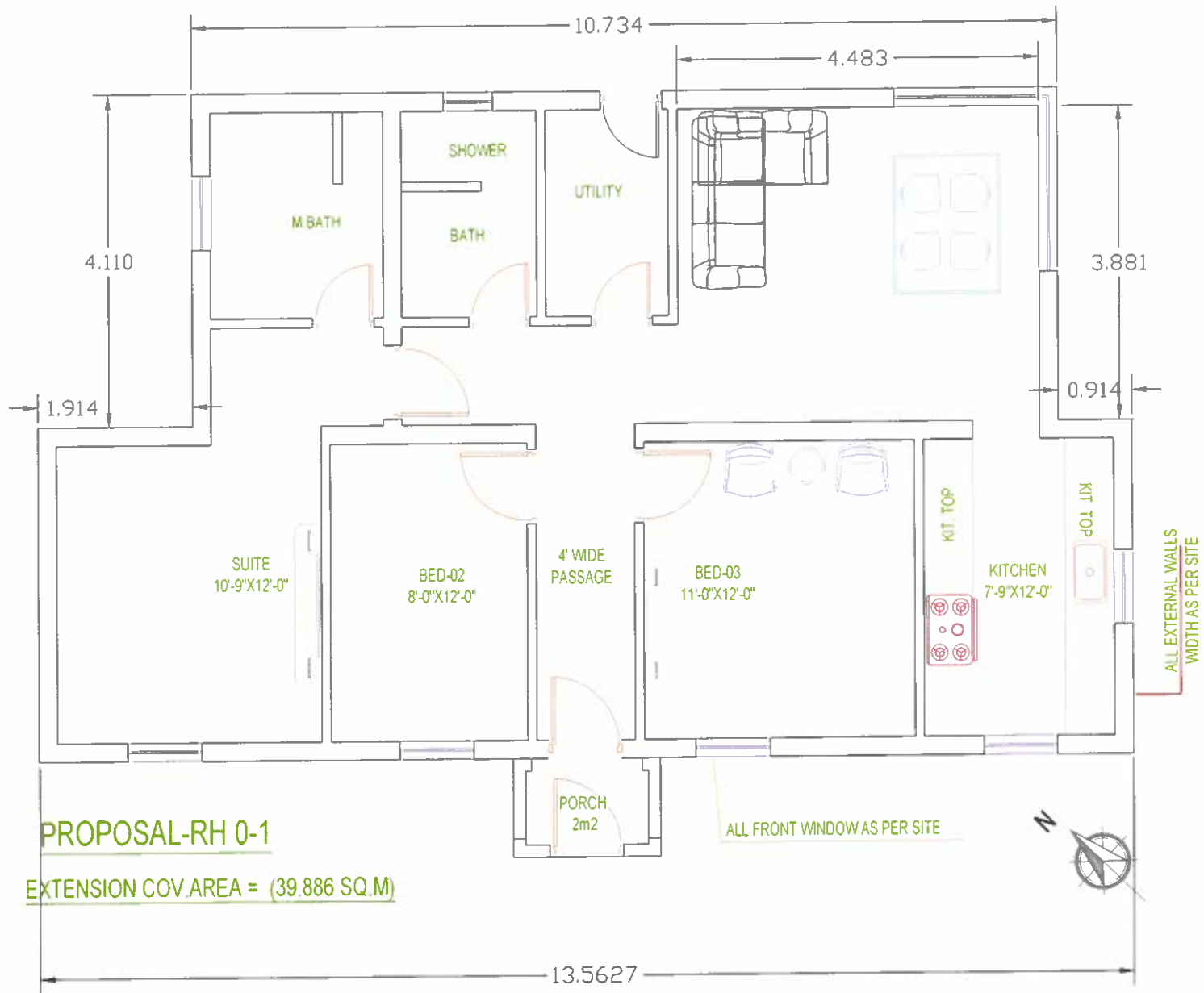


FRONT ELEVATION



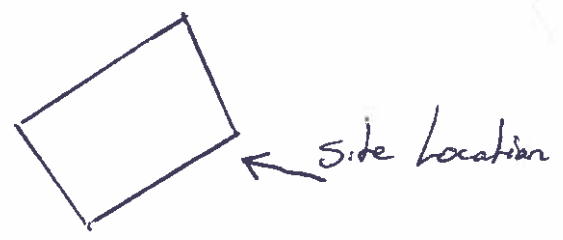
BACK ELEVATION





ROSCOMMON COUNTY COUNCIL  
 19 SEP 2023  
 PLANNING SECTION

ROSCOMMON COUNTY COUNCIL  
 12 SEP 2023  
 PLANNING SECTION



Site Location

XY	579457, 805691
Scale	1 : 1000
Townland	Sheegorey
Barony	Boyle
County	Roscommon