

**ROSCOMMON COUNTY COUNCIL**

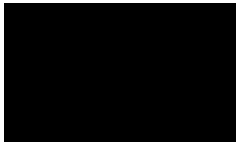
**PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

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

**NOTIFICATION OF DECISION**

**REGISTERED POST**

Karen Moran & Jeremy Delanoue,



**Reference Number:** DED 640

**Application Received:** 21<sup>st</sup> December, 2023

**Name of Applicants:** Karen Moran & Jeremy Delanoue

**Agent:** James Lohan Consulting Engineer Ltd., Unit 5 Ballypheason House, Circular Road., Roscommon.

**WHEREAS** a question has arisen as to whether to construct a 40sq.m extension to the rear of the existing dwelling house and to construct a 25sq.m garage at Tobervaddy, Athleague, Co. Roscommon., F42 DC96 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 Class 3 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 – 2011.
- (e) The planning history of the site.

**AND WHEREAS** Roscommon County Council has concluded that:

- (a) The proposed works constitute development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.
- (b) The proposed development to construct of a 40sq.m extension to the rear of the existing dwelling house and a 25sq.m garage, is exempted development as defined in the Planning and Development Act 2000 (as amended) and associated Regulations.

**NOW THEREFORE:**

By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development **to construct a 40sq.m extension to the rear of the existing dwelling house and to construct a 25sq.m garage at Tobervaddy, Athleague, Co. Roscommon., F42 DC96 is development that is exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

**Signed on behalf of the Council:**



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**Tracy Davis,  
Senior Executive Planner,  
Planning.**

**Date: 22<sup>nd</sup> January, 2024.**

**cc via email: James Lohan Consulting Engineer Ltd.,  
Unit 5 Ballypheason House,  
Circular Road,  
ROSCOMMON**

**APPROPRIATE ASSESSMENT  
SCREENING REPORT  
for  
DED 640**

Development: To construct a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage at Tobervaddy, Athleague, County Roscommon



**Comhairle Contae  
Ros Comáin**  
Roscommon  
County Council

A handwritten signature in black ink, appearing to read 'Glen', is written below the Roscommon County Council logo.

Table 1: Project Details

<b>Development Type</b>	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to construct a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage
<b>Development Location</b>	Tobervaddy, Athleague, County Roscommon
<b>File Reference Number</b>	DED 640
<b>Description of the Project</b>	To construct a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage

Table 2: Identification of Natura 2000 Sites (SACs and SPAs) which may be impacted by the proposed development

Please answer the following questions in order to determine whether there are any Natura 2000 sites which could potentially be impacted by the proposed development.

**Special Areas of Conservation (SAC)**

**Impacts on habitats**

1.	Impacts on Freshwater Habitats	Likely Effects (direct, indirect or cumulative)
	<p>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same?</p> <p><b>Sites to consider</b>  <b>Ballinturly Turlough SAC</b> (Site Code: 000588)  Distance from Site: 1.44 km  Designated features: Turloughs (#3180)</p> <p><b>Lisduff Turlough SAC</b> (Site Code: 000609)  Distance from Site: 4.04 km  Designated features: Turloughs (#3180)</p> <p><b>Four Roads Turlough SAC</b> (Site Code: 001637)  Distance from Site: 7.8 km  Designated features: Turloughs (#3180)</p> <p><b>Lough Ree SAC</b> (Site Code: 000440)  Distance from Site: 10.47 km  Designated features: Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation (#3150)</p>	<p>No</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p>

	<p><b><u>Lough Croan Turlough SAC</u></b> (Site Code: 000610) Distance from Site: 10.69 km Designated features: Turloughs (#3180)</p> <p><b><u>Lough Funshinagh SAC</u></b> (Site Code: 000611) Distance from Site: 12.63 km Designated features: Turloughs (#3180)</p> <p><b><u>Lisnageeragh Bog and Ballinastack Turlough SAC</u></b> (Site Code: 000296) Distance from Site: 13.21 km Designated features: Turloughs (#3180)</p> <p><b><u>Lough Lurgen Bog/Glenamaddy Turlough SAC</u></b> (Site Code: 000301) Distance from Site: 13.9 km Designated features: Turloughs (#3180)</p>	<p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p>
<b>2.</b>	<b>Impacts on Bog Mires and Fens Habitats</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Bog Mires and Fens habitats, or within 1km of same?</p> <p><b>Sites to consider</b> <b><u>Camderry Bog SAC</u></b> (Site Code: 002347) Distance from Site: 9.79 km Designated features: Active raised bogs (#7110), Degraded raised bogs still capable of natural regeneration (#7120), Depressions on peat substrates of the Rhynchosporion (#7150)</p> <p><b><u>Lough Ree SAC</u></b> (Site Code: 000440) Distance from Site: 10.47 km Designated features: Degraded raised bogs still capable of natural regeneration (#7120), Alkaline fens (#7230)</p> <p><b><u>Lisnageeragh Bog and Ballinastack Turlough SAC</u></b> (Site Code: 000296) Distance from Site: 13.21 km Designated features: Active raised bogs (#7110), Degraded raised bogs still capable of natural regeneration (#7120), Depressions on peat substrates of</p>	<p>No</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p>

	<p>the Rhynchosporion (#7150)</p> <p><b><u>Lough Lurleen Bog/Glenamaddy Turlough SAC</u></b> (Site Code: 000301)  Distance from Site: 13.9 km  Designated features: Active raised bogs (#7110), Degraded raised bogs still capable of natural regeneration (#7120), Depressions on peat substrates of the Rhynchosporion (#7150)</p> <p><b><u>Curraghlehagh Bog SAC</u></b> (Site Code: 002350)  Distance from Site: 14.18 km  Designated features: Depressions on peat substrates of the Rhynchosporion (#7150), Degraded raised bogs still capable of natural regeneration (#7120), Active raised bogs (#7110)</p> <p><b><u>Kilsallagh Bog SAC</u></b> (Site Code: 000285)  Distance from Site: 14.57 km  Designated features: Active raised bogs (#7110), Degraded raised bogs still capable of natural regeneration (#7120), Depressions on peat substrates of the Rhynchosporion (#7150)</p>	<p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p>
<b>3.</b>	<b>Impacts on Forests Habitats</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Forests habitats, or within 1km of same?</p> <p><b>Sites to consider</b>  <b><u>Lough Ree SAC</u></b> (Site Code: 000440)  Distance from Site: 10.47 km  Designated features: Old sessile oak woods with Ilex and Blechnum in the British Isles (#91A0), Bog woodland (#91D0)</p>	<p>No</p> <p>No significant impacts on this Natura site are likely</p>
<b>4.</b>	<b>Impacts on Grasslands Habitats</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	<p>Is the development within a Special Area of Conservation whose qualifying interests include Grasslands habitats, or within 1km of same?</p>	<p>No</p>

	<b>Sites to consider</b> <b>Lough Ree SAC</b> (Site Code: 000440) Distance from Site: 10.47 km Designated features: Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) (#6210)	No significant impacts on this Natura site are likely
5.	<b>Impacts on Heath and Scrub Habitats</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Heath and Scrub habitats, or within 1km of same?  <b>Sites to consider</b> None	No  N/A
6.	<b>Impacts on Rocky Habitats</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Rocky habitats, or within 1km of same?  <b>Sites to consider</b> <b>Lough Ree SAC</b> (Site Code: 000440) Distance from Site: 10.47 km Designated features: Limestone pavements (#8240)	No  No significant impacts on this Natura site are likely
7.	<b>Impacts on Dunes Habitats</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Dunes habitats, or within 1km of same?  <b>Sites to consider</b> None	No  No significant impacts on this Natura site are likely
8.	<b>Impacts on Coastal Habitats</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Coastal habitats, or within 1km of same?	No

	<b>Sites to consider</b> None	N/A
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#### Impacts on Species

<b>1.</b>	<b>Impacts on Amphibians</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Amphibians, or in the catchment of same?  <b>Sites to consider</b> None	No  N/A
<b>2.</b>	<b>Impacts on Anthropods</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Anthropods or within 1km of same?  <b>Sites to consider</b> None	No  N/A
<b>3.</b>	<b>Impacts on Fish</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Fish, or within 1km of same?  <b>Sites to consider</b> None	No  N/A
<b>4.</b>	<b>Impacts on Mammals</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Mammals, or within 1km of same?  <b>Sites to consider</b> <b>Lough Ree SAC</b> (Site Code: 000440) Distance from Site: 10.47 km Designated features: Lutra lutra (Otter) (#1355)	No  No significant impacts on this Natura site are likely



<b>5.</b>	<b>Impacts on Molluscs</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Molluscs, or within 1km of same?  <b>Sites to consider</b> None	No  N/A
<b>6.</b>	<b>Impacts on Non-vascular Plants</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Non-vascular plants, or within 1km of same?  <b>Sites to consider</b> None	No  N/A
<b>7.</b>	<b>Impacts on Reptiles</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Reptiles, or within 1km of same?  <b>Sites to consider</b> None	No  N/A
<b>8.</b>	<b>Impacts on Vascular Plants</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Area of Conservation whose qualifying interests include Vascular Plants, or within 1km of same?  <b>Sites to consider</b> None	No  N/A

**Special Protection Areas (SPA):**

<b>1.</b>	<b>Impacts on Birds</b>	<b>Likely Effects (direct, indirect or cumulative)</b>
	Is the development within a Special Protection Area, or within 1km of same?  <b>Sites to consider</b> <u><b>River Suck Callows SPA</b></u> (Site Code: 004097) Distance from Site: 0.23 km Designated features: Whooper Swan ( <i>Cygnus cygnus</i> )	Yes  It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. However, there is <b>no</b> likelihood of significant effects, and <b>no</b>

	<p>(#A038),Wigeon (<i>Anas penelope</i>) (#A050),Golden Plover (<i>Pluvialis apricaria</i>) (#A140),Lapwing (<i>Vanellus vanellus</i>) (#A142),Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) (#A395),Wetland and Waterbirds (#A999)</p> <p><b><u>Four Roads Turlough SPA</u></b> (Site Code: 004140) Distance from Site: 7.85 km Designated features: Golden Plover (<i>Pluvialis apricaria</i>) (#A140),Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) (#A395),Wetland and Waterbirds (#A999)</p> <p><b><u>Lough Croan Turlough SPA</u></b> (Site Code: 004139) Distance from Site: 10.69 km Designated features: Shoveler (<i>Anas clypeata</i>) (#A056),Golden Plover (<i>Pluvialis apricaria</i>) (#A140),Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) (#A395),Wetland and Waterbirds (#A999)</p> <p><b><u>Lough Ree SPA</u></b> (Site Code: 004064) Distance from Site: 13.46 km Designated features: Little Grebe (<i>Tachybaptus ruficollis</i>) (#A004),Whooper Swan (<i>Cygnus cygnus</i>) (#A038),Wigeon (<i>Anas penelope</i>) (#A050),Teal (<i>Anas crecca</i>) (#A052),Mallard (<i>Anas platyrhynchos</i>) (#A053),Shoveler (<i>Anas clypeata</i>) (#A056),Tufted Duck (<i>Aythya fuligula</i>) (#A061),Common Scoter (<i>Melanitta nigra</i>) (#A065),Goldeneye (<i>Bucephala clangula</i>) (#A067),Coot (<i>Fulica atra</i>) (#A125),Golden Plover (<i>Pluvialis apricaria</i>) (#A140),Lapwing (<i>Vanellus vanellus</i>) (#A142),Common Tern (<i>Sterna hirundo</i>) (#A193),Wetland and</p>	<p>adverse impacts to site integrity predicted due to the nature and limited scale of development.</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p> <p>No significant impacts on this Natura site are likely</p>
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	Waterbirds (#A999)	
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All designated sites within a 15km radius of the subject site have been considered in this screening for Appropriate Assessment.

**Conclusion Table 2: If the answer to all of these questions is no, significant impacts can be ruled out for Natura 2000 sites. No further assessment is required; proceed to the Habitats Directive Conclusion Statement.**

#### **Screening for Appropriate Assessment - Conclusion Statement**

<b>Development Type:</b> Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended
<b>Development Location:</b> Toberavaddy, Athleague, County Roscommon
<b>Natura 2000 sites within impact zone:</b> SPA:004064, SPA:004097, SPA:004139, SPA:004140, SAC:000440, SAC:000609, SAC:000588, SAC:002350, SAC:000296, SAC:000610, SAC:001637, SAC:000611, SAC:000285, SAC:000301, SAC:002347, SAC:002199, SAC:002200
<b>Planning File Reference Number:</b> DED 640
<p><b>Description of the Project:</b> To construct a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage at Tobervaddy, Athleague, County Roscommon</p> <p><b>Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s):</b> Potential indirect limited impact has been identified due to the sites proximity to the River Suck Callows SPA (Site Code: 004097)</p>
<p><b>If there are potential negative impacts, explain whether you consider if these are likely to be significant, and if not, why not:</b> It is considered there could be a potential impact on this site as a result of the proximity of the proposed development to the designated area. However, there is <b>no</b> likelihood of significant effects, and <b>no</b> adverse impacts to site integrity predicted due to the nature and limited scale of development.</p> <p>It is not considered that there will be any loss of habitat within any European Sites, nor any loss of any qualifying Annex 1 habitat outside designated sites. It is not considered therefore that there is any potential for cumulative habitat loss or disturbance impacts.</p>
<p><b>Conclusion of Screening Assessment:</b> Following an assessment of the proposed development and any potential relationships with European Sites, it is concluded that either alone or in combination with other plans or projects; there would be no likely significant effects on any European Sites.</p>
<p><b>Documentation reviewed for making this statement:</b> Roscommon County Development Plan 2022-2028, documentation submitted with the planning application and the NPWS website.</p>

Completed by: Jennifer Foy

Date: 22<sup>nd</sup> January 2024

Signed:

Assistant Planner

*Jennifer Foy*

Date: 22<sup>nd</sup> January 2024

Signed:

~~Mary Grier~~

Senior Planner

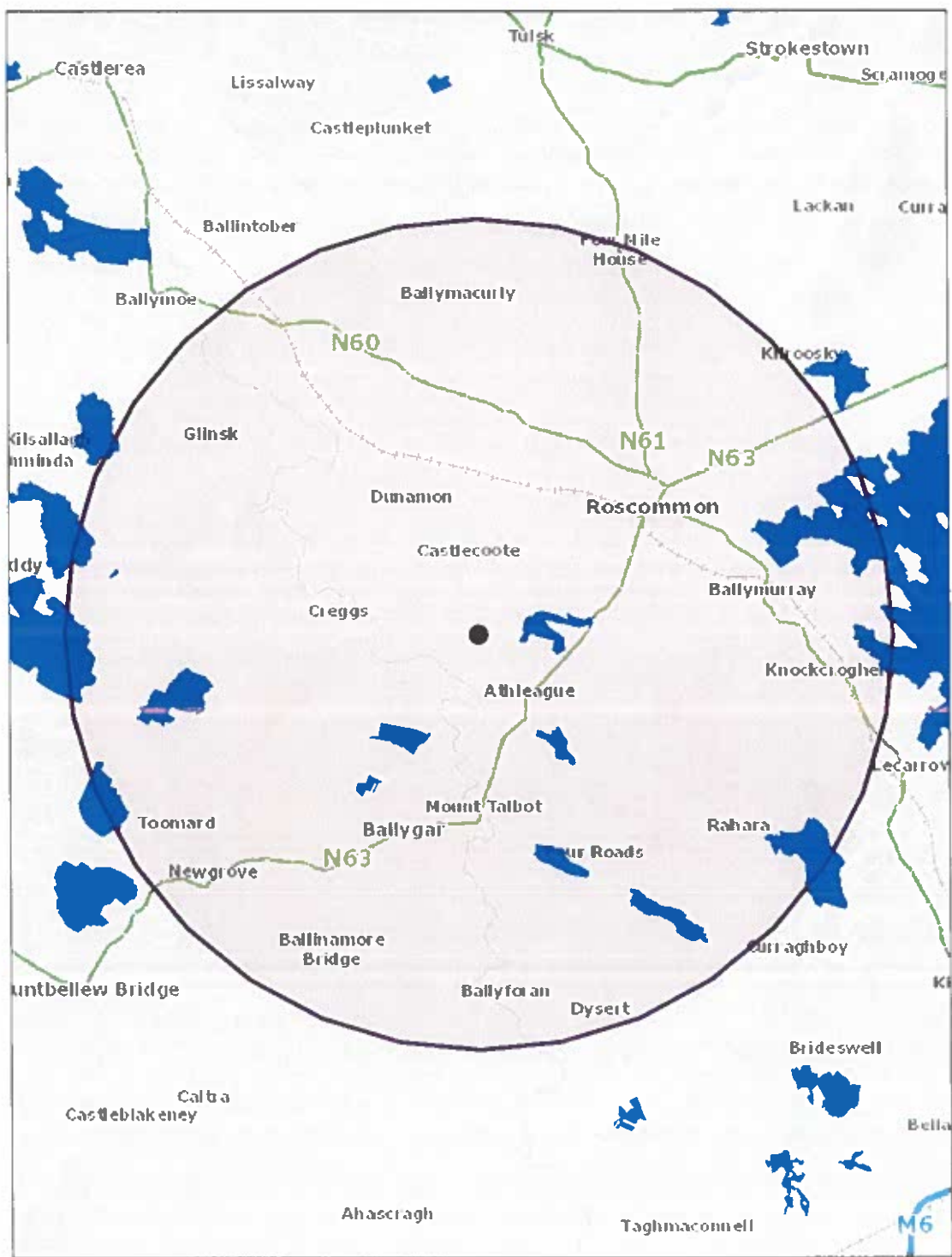
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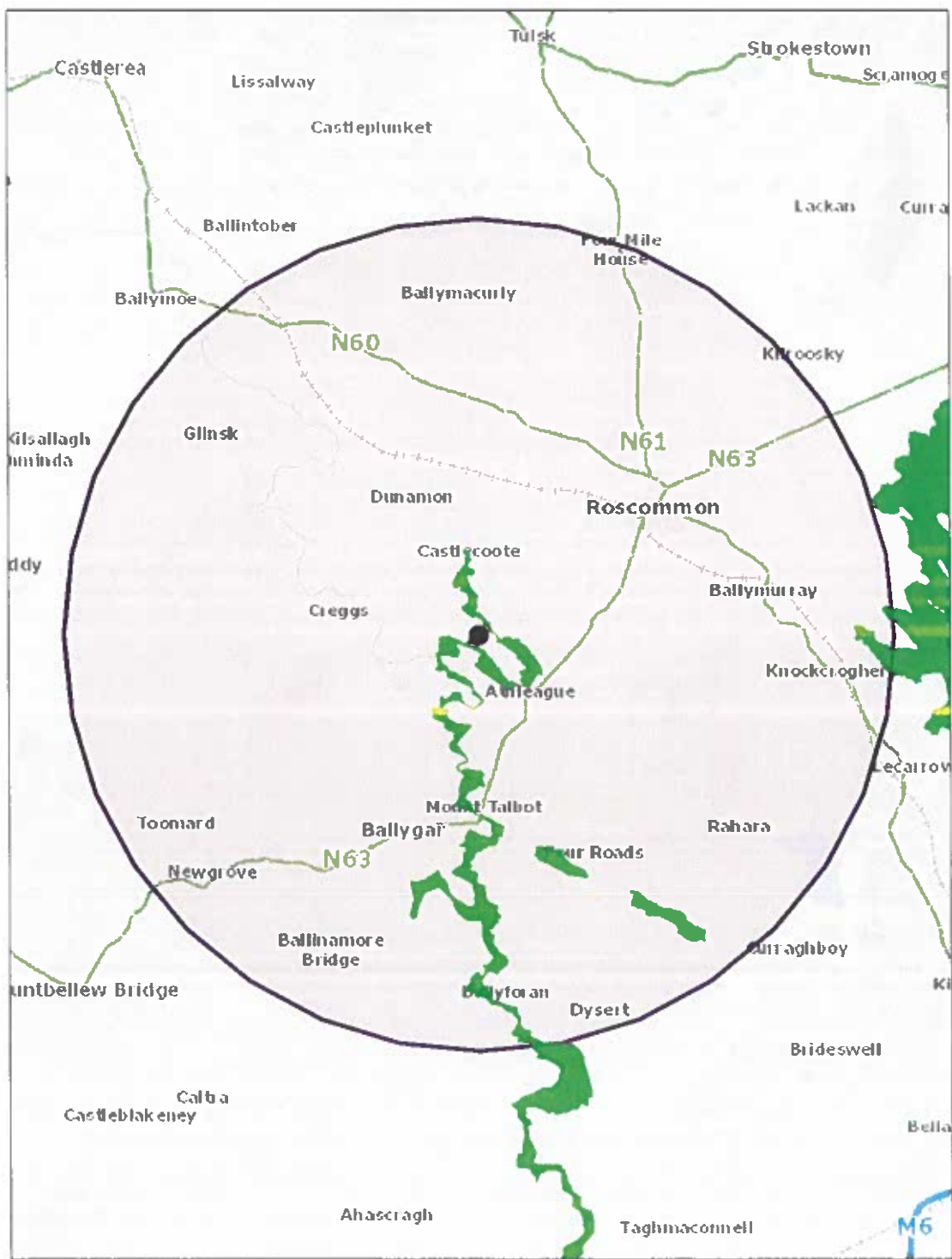
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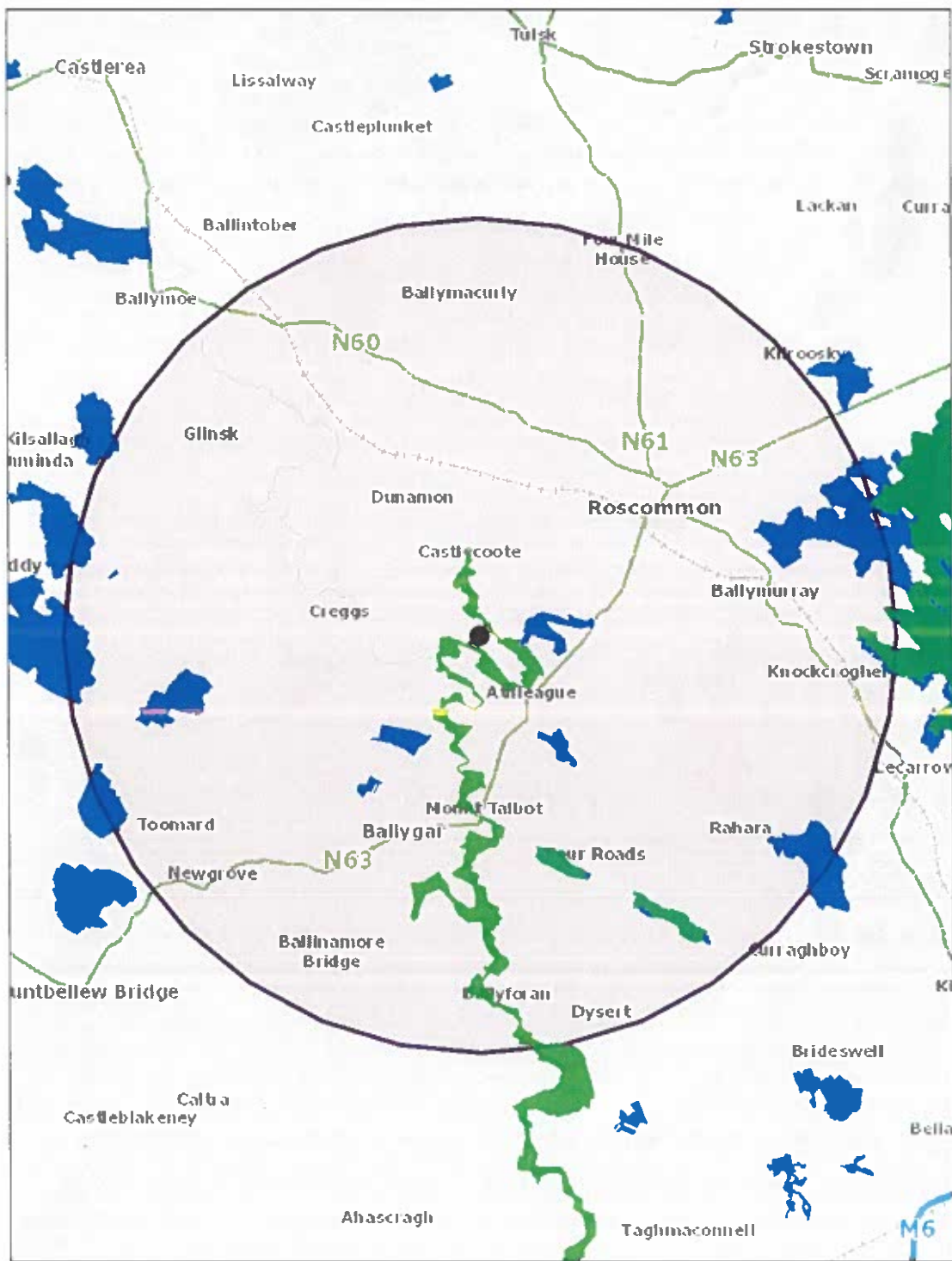
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**SAC (blue) within 15km of Ref. DED 640**



SPA (green) within 15km of Ref. DED 640



**SAC & SPA within 15km of Ref. DED 640**

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

**Reference Number:** DED 640

**Name and Address of Applicant:** Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to construct a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage at Tobervaddy, Athleague, County Roscommon

**Applicant:** Karen Moran & Jeremy Delanoue

**Date:** 19<sup>th</sup> January 2024

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WHEREAS a question has arisen as to whether to construct a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage at Tobervaddy, Athleague, County Roscommon is or is not development and is or is not exempted development.

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 1 and Class 3 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 – 2011
- (e) The planning history of the site

**Site Location & Development Description**

The existing dwelling house is located in Tobervaddy, Athleague, County Roscommon and is accessed off the R362 Regional Road. There is no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS. The proposed development consists of the construction of a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage. The subject site is approximately 0.23 km from the River Suck Callows SPA (Site Code: 004 097).

**Planning History**

PD 24 60011 - Permission to upgrade existing treatment system by installing new treatment system and polishing filter and all ancillary site development works. Status: New Application. Due: 7<sup>th</sup> March 2024.

**Assessment**

In accordance with the Planning and Development Act, 2000 Section 3. (1) development is defined as the following: "In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any



structures or other land". The proposed development is considered to be the carrying out of works. Works are defined in the Act as; "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure....". It is considered that said construction of a 40sqm extension to the rear of the existing dwelling house and a 25sqm garage constitutes development, as defined in Section 3 of the said Act.

The proposed 40sqm extension to the rear of the existing house has been considered within the scope of Class 1 of Part 1 of Article 6 - *Exempted Development General* of the Regulations.

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

##### *Development within the curtilage of a house*

##### 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.

##### Column 2 - Conditions and Limitations

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.

The construction of a 25sqm garage has been considered within the scope of Class 3 of the Planning and Development Regulations, 2001 (as amended). The Planning Authority note that there is a small existing extension to the rear of the existing dwelling. As per the submitted drawings, this will however be subsumed within the proposed 40sqm rear extension and can be demolished under Class 50 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended.

### CLASS 3

The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.

1. No such structure shall be constructed, erected or placed forward of the front wall of a house.

2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.

3. The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres.

4. The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.

5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.

6. The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.

The construction of a 40sqm extension to the rear of the existing dwelling house and a 25sqm garage in this case is considered to be exempted development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations, it is reasonable to conclude that on the basis of the information available, it is considered that the proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the need for EIA or AA does not apply with respect to the current referral case.

Given the sites close proximity to the River Suck Callows SPA (Site Code: 004 097), the Planning Authority carried out an Appropriate Assessment screening exercise and has concluded that no impacts on any sites in the Natura network will be adversely impacted by the proposal.

I am satisfied that an Environmental Impact Statement or Appropriate Assessment are not required. It should be noted that any development for which Environmental Impact Assessment or Appropriate Assessment is required shall not be exempted development unless specifically exempted in regulations where there is provision in other legislation for the carrying out of EIA or AA. In addition, the restrictions on exemption Art 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

#### **Recommendation**

WHEREAS a question has arisen as to whether to construct a 40sqm extension to the rear of the existing dwelling house and to construct a 25sqm garage at Tobervaddy, Athleague, County Roscommon is or is not development and is or is not exempted development.

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 1 and Class 3 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 – 2011
- (e) The planning history of the site

#### **AND WHEREAS I have concluded that**

- a) The works are development.
- b) The construction of a 40sqm extension to the rear of the existing dwelling house and a 25sqm garage is exempted development.
- c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

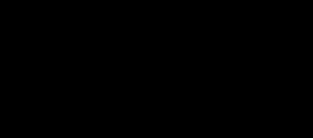
and I recommend that a declaration to that effect should be issued to the applicant.

Signed:   
Assistant Planner

Date: 22<sup>nd</sup> January 2024



Karen Moran & Jeremy Delanoue,



Date: 10<sup>th</sup> January, 2024  
Planning Reference: DED 640

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.  
Development: Permission for construction of a 40sq.m. extension to rear of existing house and construct 25 sq.m. garage at Tobervaddy, Athleague, Co. Roscommon F42 DC96.

\*\*\*\*\*

A Chara,

I wish to acknowledge receipt of your application received on the 21<sup>st</sup> December, 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. L01/0/226420 dated 8<sup>th</sup> January, 2024 refers, receipt enclosed herewith.

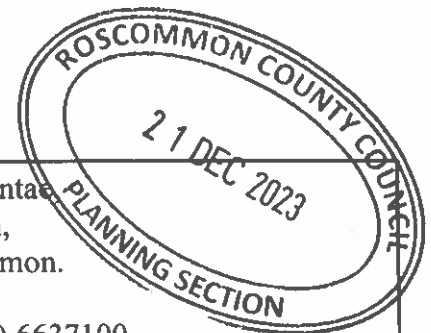
**Note:** Please note your Planning Reference No. is **DED 640**.  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

---

Tracy Davis,  
Senior Executive Planner,  
Planning Department.

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



## Roscommon County Council

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

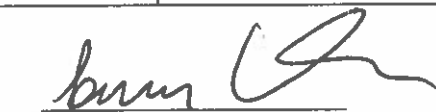
Name:	Karen Moran & Jérémy Delanoue
Address:	[REDACTED]
Name & Address of Agent:	James Lohan Unit 5, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	Construct a 40sq.m extension to rear of existing house. Construct 25sq.m Garage
Location (Townland & O.S No.)	Toberavaddy, Athleague, Co. Roscommon.F42 DC96
Floor Area	63sq.m existing and 40sq.m Proposed
Height above ground level	0.15
Total area of private open space remaining after completion of this development	900SQ.M.
Roofing Material (Slates, Tiles, other) (Specify)	SLATES
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	HOUSE IS TO RENDERED AND PAINTED WITH A NAP PLASTER RENDER
Is proposed works located at front/rear/side of existing house.	Extension Under 40sq.m. to rear OF EXISTING 24m <sup>2</sup> Domestic Garage Rear

## Roscommon County Council

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

Has an application been made previously for this site	NO
If yes give ref. number (include full details of existing extension, if any)	N/A
Existing use of land or structure	DOMESTIC HOUSE
Proposed use of land or structure	DOMESTIC HOUSE
Distance of proposed building line from edge of roadway	51m
Does the proposed development involve the provision of a piped water supply	EXISTING
Does the proposed development involve the provision of sanitary facilities	EXISTING SEPTIC TANK

Signature:



Date:

✓ ~~10-08-2023~~ 20-12-2023

Note: This application must be accompanied by:-

- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed



Roscommon County Council  
Aras an Chontae  
Roscommon  
09066 37100

08/01/2024 14 09 15

Receipt No : L01/0/226420

KAREN MORAN & JEREMY DELANOUE  
C/O JAMES LOHAN  
UNIT 5 BALLYPHEASON HOUSE  
CIRCULAR ROAD  
ROSCOMMON

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED 640	

Total :	80 00 EUR
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Tendered	
Cheque	80 00
500330	

Change :	0 00
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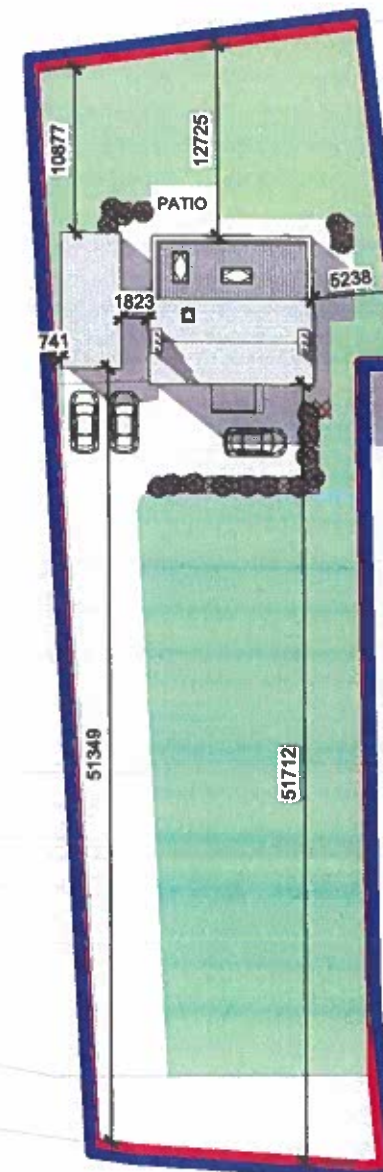
Issued By : Bernadine Duignan  
From : Central Cash Office



# LEGEND

**SITE BOUNDARY OUTLINED IN RED (0.150 HECTARES)**

**LAND HOLDINGS OUTLINED IN BLUE**



1

## Site Layout

1 : 500



**James Lohan**  
Planning & Design Consulting Engineers

DO NOT SCALE FROM THIS DRAWING. ONLY FROM FIGURED DIMENSIONS.

ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.  
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.

STATUS KEY: SK SKETCH PR PRELIMINARY FT FOR TENDER PC FOR CONSTRUCTION SS SUPERSEDED

**DRAFT**

STA	DATE	REV
1	21-07-2023	1



**James Lohan**  
Planning & Design Consulting Engineers

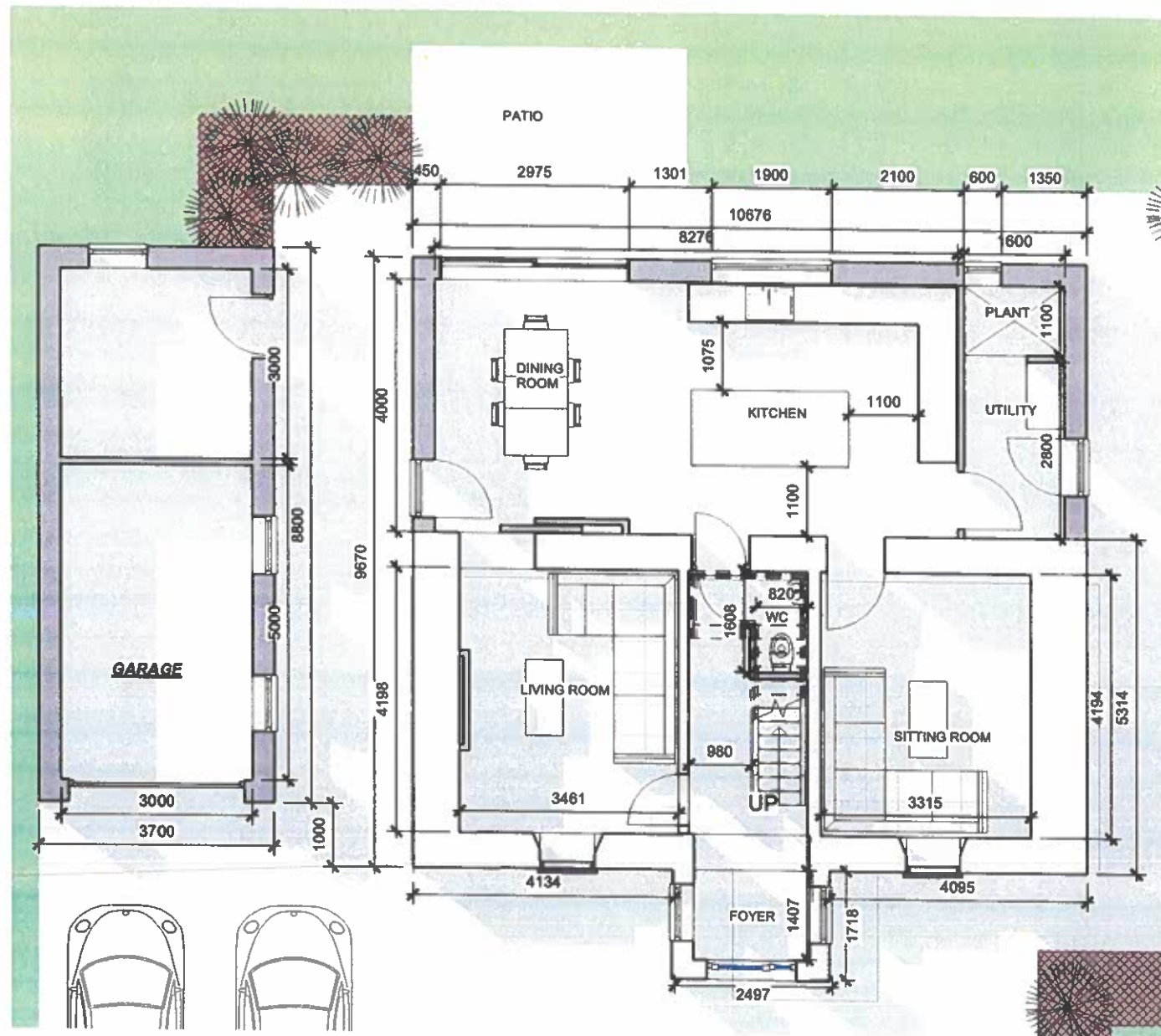
Civil Engineering  
Architectural Design  
3D Modelling  
Surveying

Unit 5  
Rugby Ground House  
Circular Road  
Roscommon  
F42 CM2

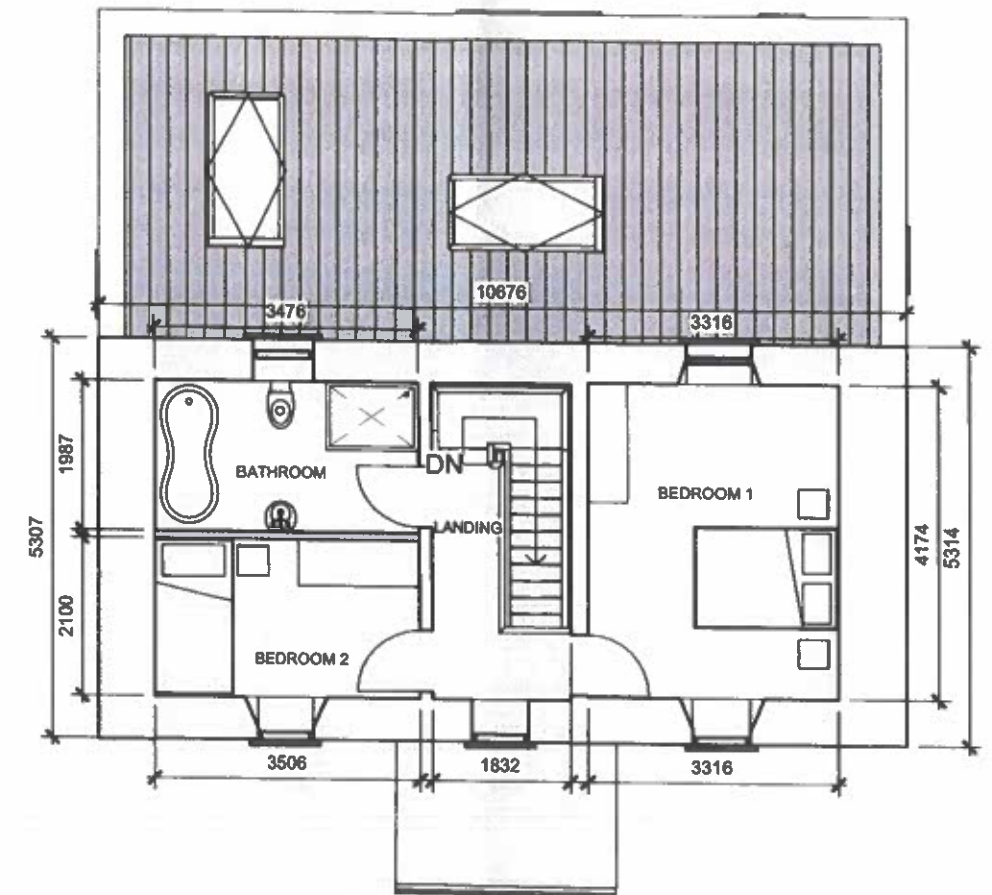
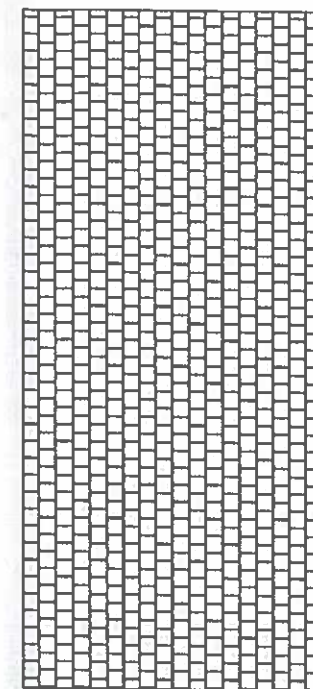
E-mail: [john@jlohan.ie](mailto:john@jlohan.ie) / [sarah@jlohan.ie](mailto:sarah@jlohan.ie)  
P: 087 622823  
T: 0800 664495

CLIENT: KAREN MORAN & JAMMY DELANQUE	JOB: EXTENSION UNDER 40SQM	JOB No: 23-117-SK	DATE: 21-07-2023
TITLE: TOBERAVADDY, ATHLEAGUE, CO. ROSCOMMON, F42 DC96	DRAWING: SITE LAYOUT PLAN	DWG No: 001	REV
	SCALE: 1:500	DRAWN BY: CLARE	





1 00- GROUND FLOOR PLAN  
1 : 100



2 01- FIRST FLOOR PLAN  
1 : 100



STATUS KEY:	SK SKETCH DESIGN	PR PRELIMINARY	FT FOR TENDER	FC FOR CONSTRUCTION	SS SUPERSEDED
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**DRAFT**

		/	/	/
		/	/	/
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S/A	DATE	R		



**James Lohan**  
Planning & Design Consulting Engineers

**Civil Engineering  
Architectural Design  
3D Modeling  
Summer**

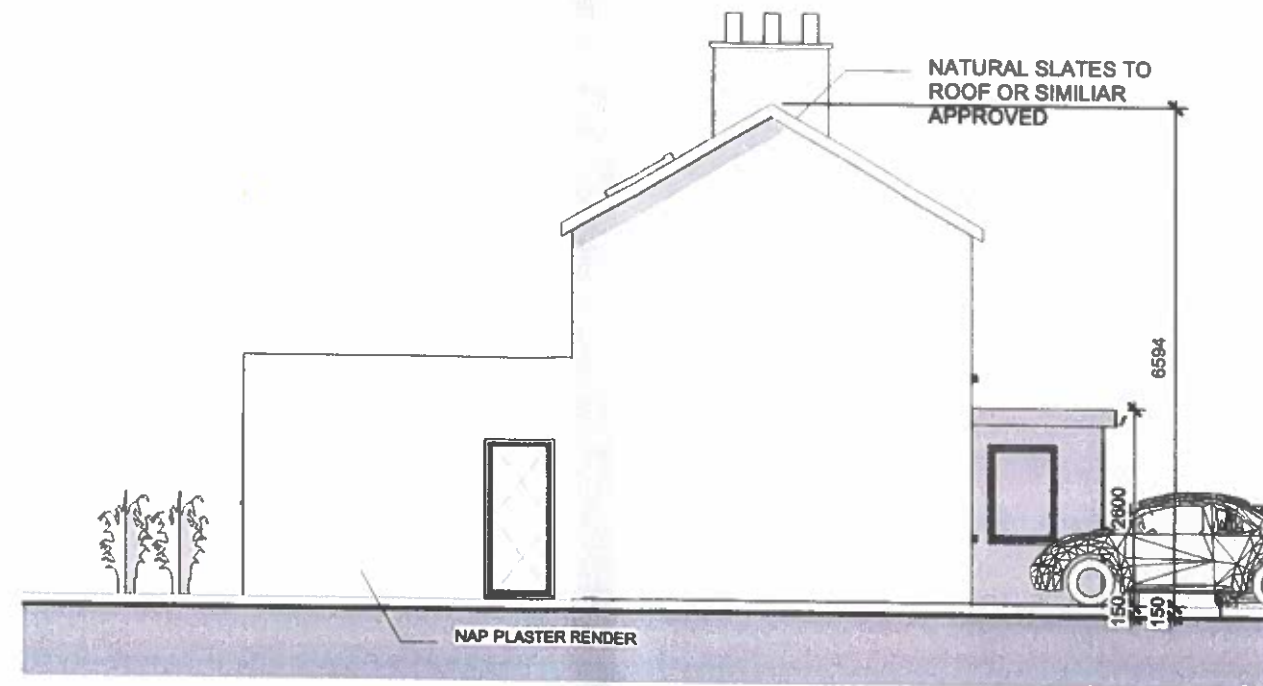
**Unit 5**  
**Sallypiston House**  
**Circular Road**  
**Accommodation**  
012 234 5678

[illegible]

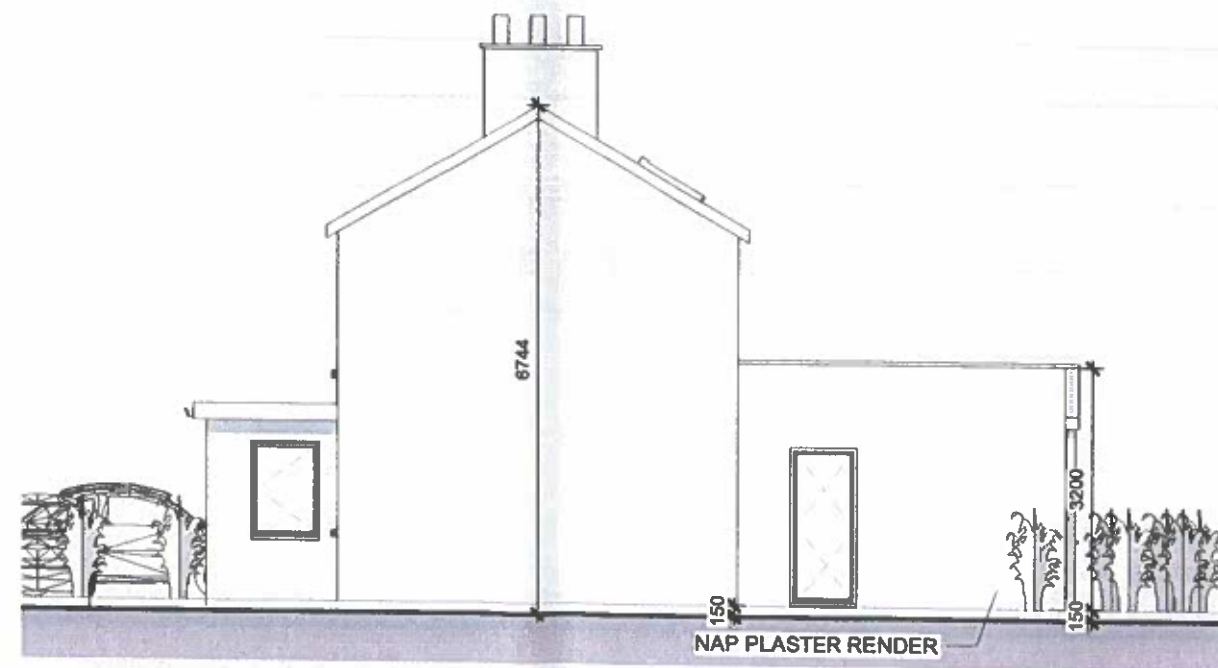
Fax: 017 3226232  
Tel: 01733 604100

CLIENT	KAREN MORAN & JARMY DELANOE	JOB	EXTENSION UNDER 40SQM	JOB NO	23-117-SK	DATE	21-07-2023
SITE	TOBERAVADDY, ATHLEAGUE, CO. ROSCOMMON, F42 DC96	DRAWING	FRONT & REAR ELEVATIONS	DRAW NO	003	REV	
				SCALE	1:100	ISSUED BY:	ELAN

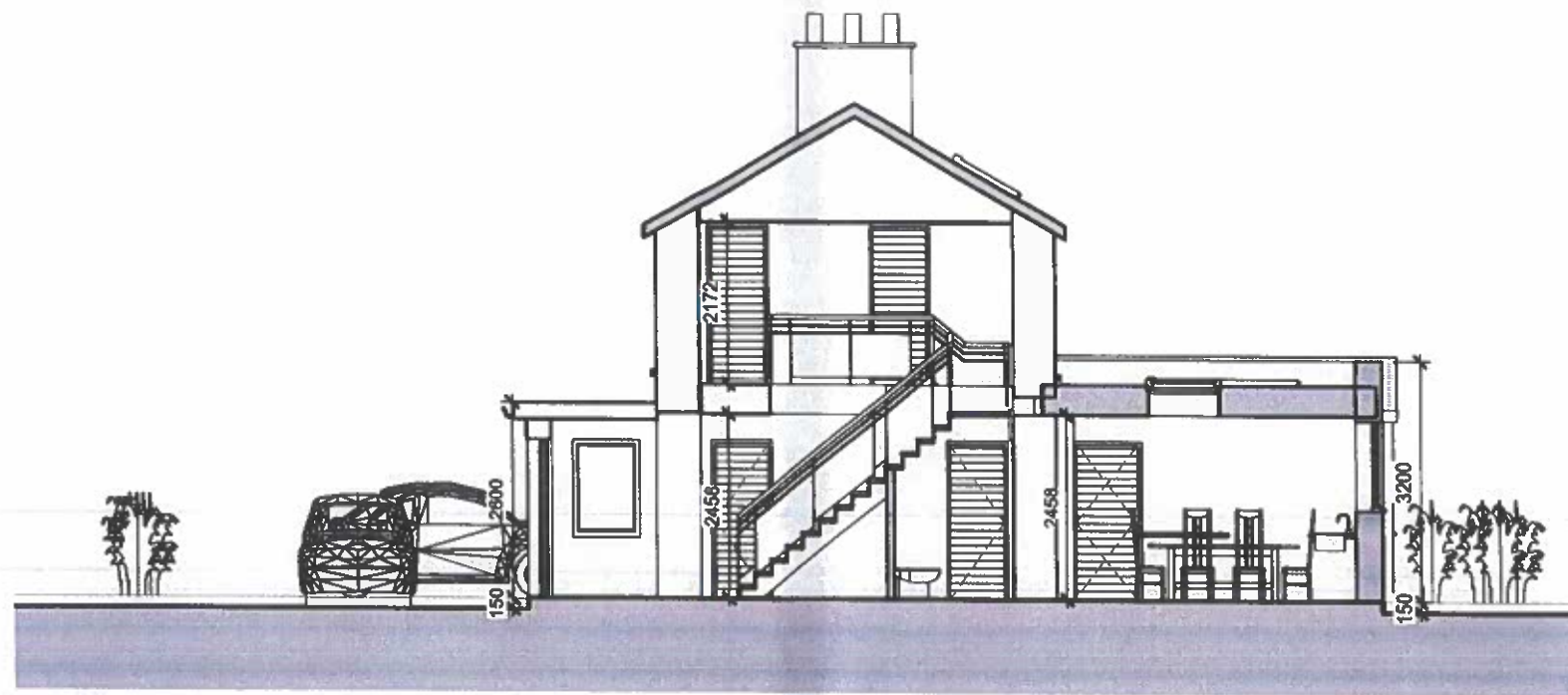




**1 Side Elevation (EAST)**  
1 : 100



**2 Side Elevation (WEST)**  
1 : 100



**1** Section 1  
1 : 100



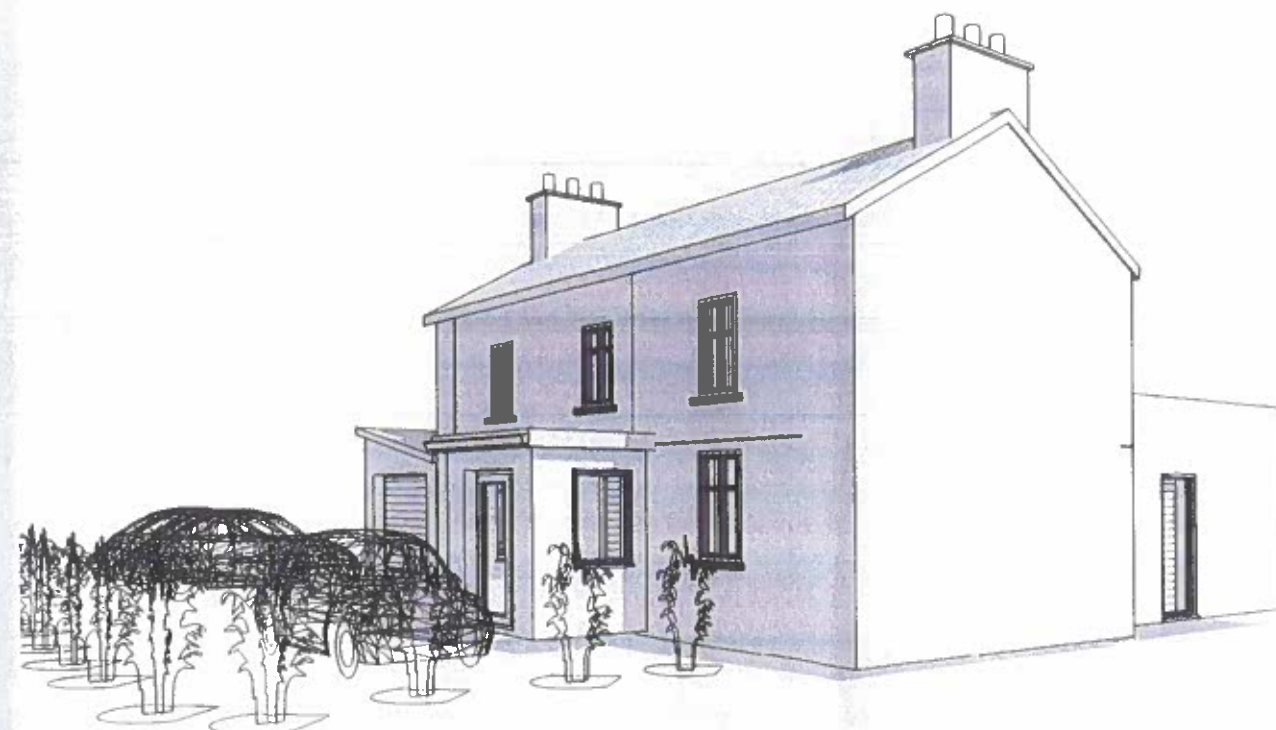
1 3D View 1



2 3D View 2



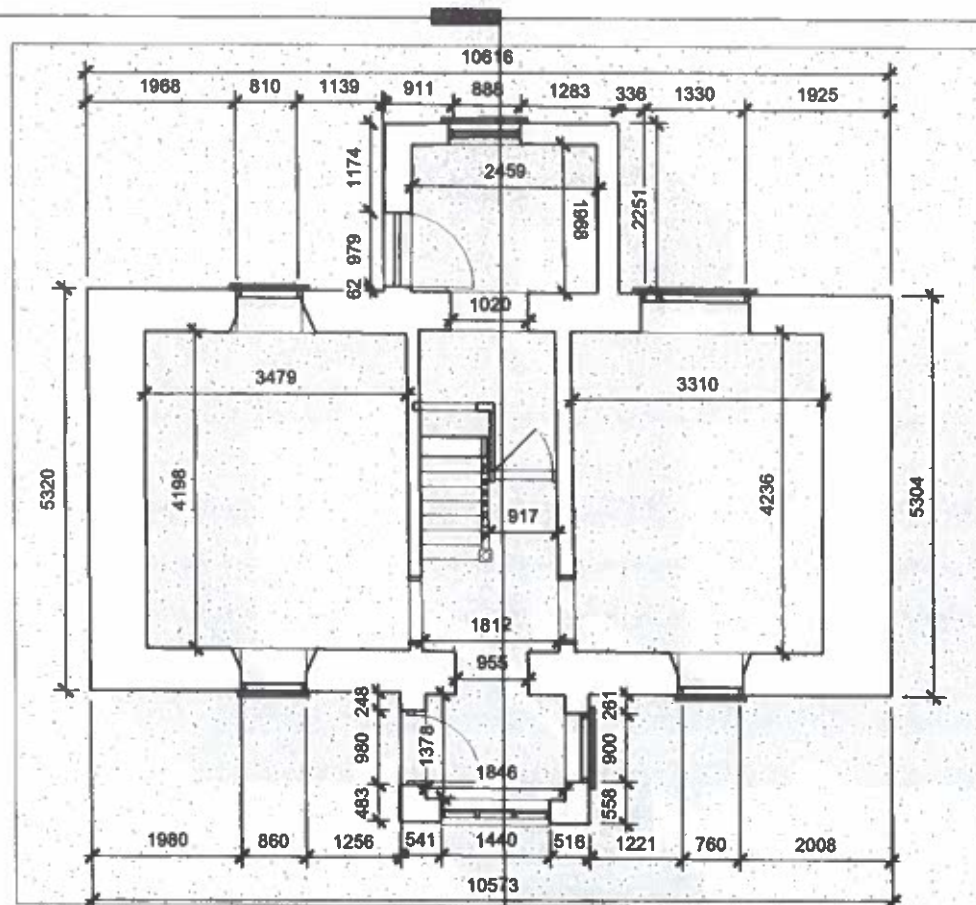
3 3D View 3



4 3D View 4



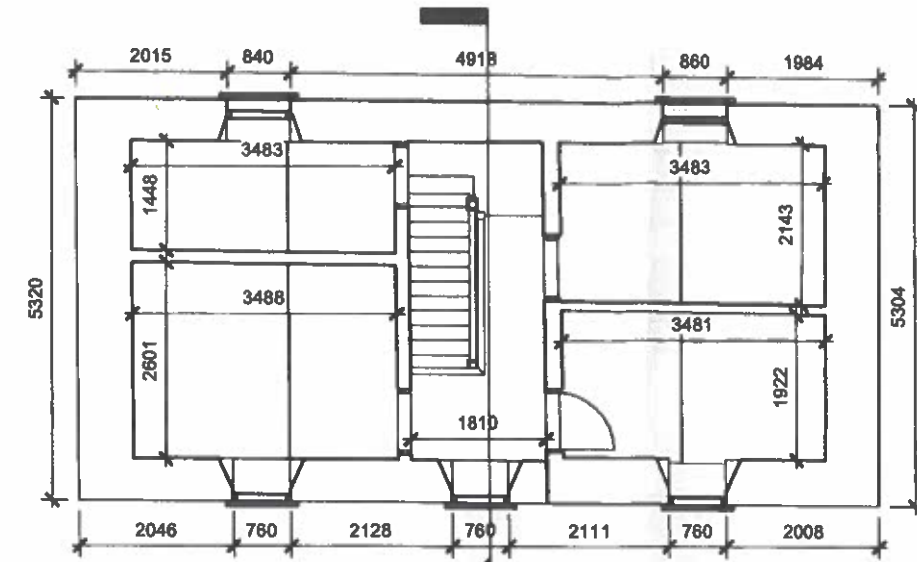




**1 00- GROUND FLOOR PLAN**  
1 : 100



**3 3D View 1**



**2 01- FIRST FLOOR PLAN**  
1 : 100

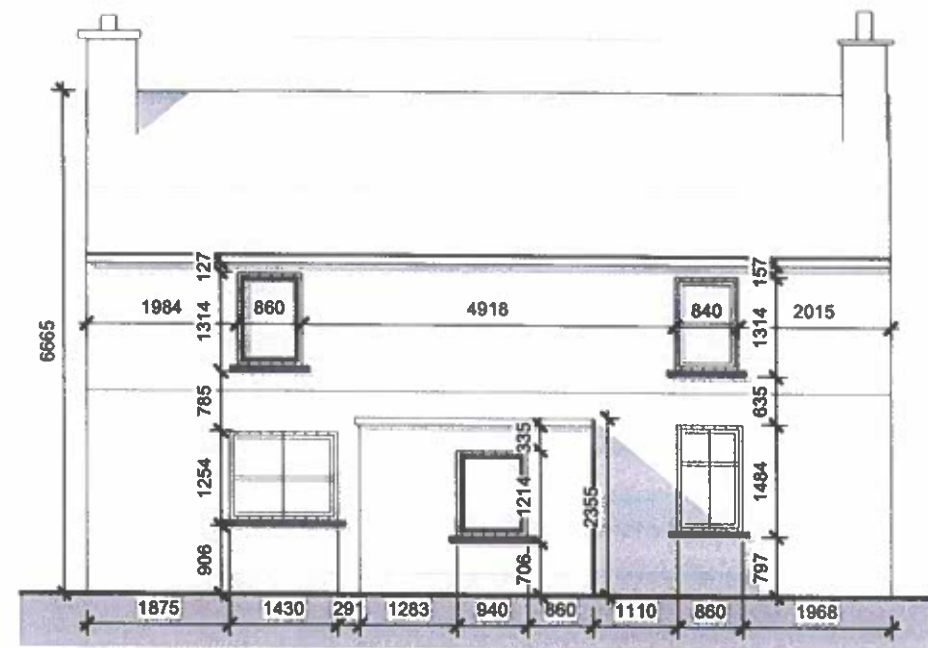


**4 Section 1**  
1 : 100

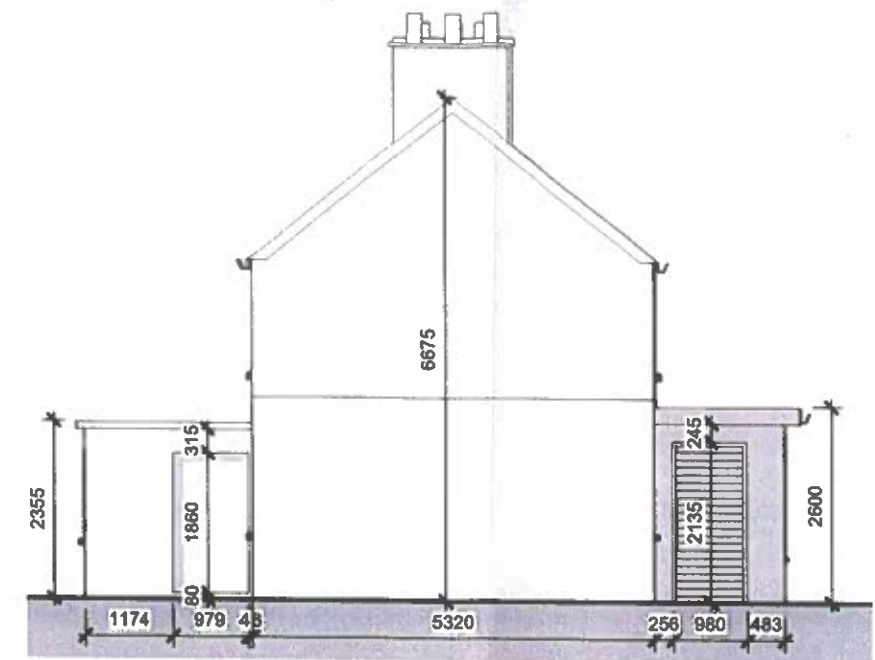




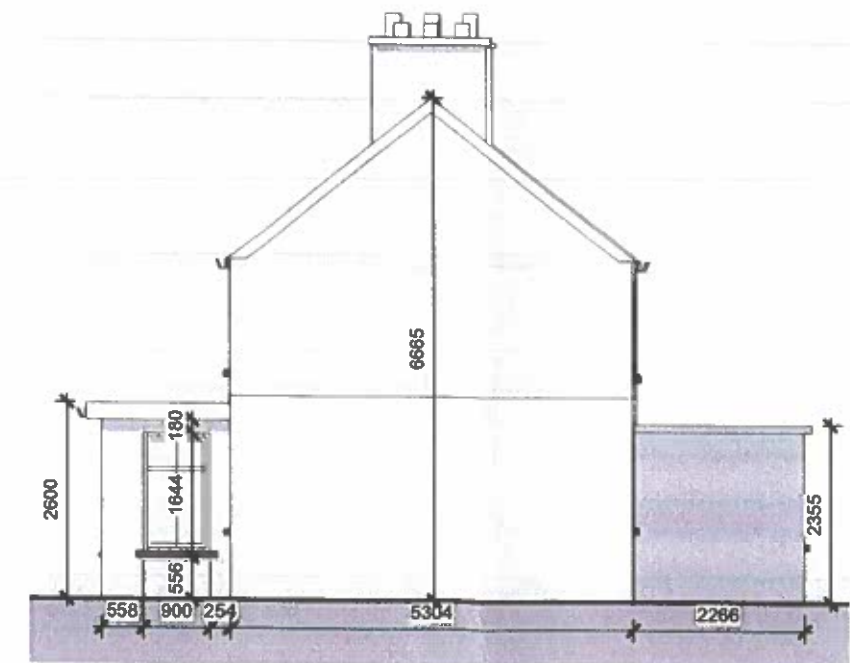
**1 Front Elevation (SOUTH)**  
1 : 100



**2 Rear Elevation (NORTH)**  
1 : 100



**3 Side Elevation (EAST)**  
1 : 100



**4 Side Elevation (WEST)**  
1 : 100