

ROSCOMMON COUNTY COUNCIL

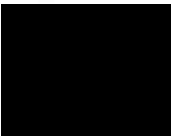
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Naomi Slye,



Reference Number: DED 665

Application Received: 23rd February 2024

Name of Applicants: Naomi Slye

Agent: N/A

WHEREAS a question has arisen as to whether the change of use of an old schoolhouse into a residential dwelling at Aughoo, 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, 9 and 10 of the Planning and Development Regulations, 2001, as amended.
- (c) Part 1 Article 6 of Schedule 2 of the Planning and Development, 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 Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The works fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:
"development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;"
However, the change of use from a school to a dwelling house is not exempt 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.

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 **change use of an old schoolhouse into a residential dwelling at Aughoo, Co. Roscommon.,** is development that is **not exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:



**Alan O'Connell,
Senior Executive Planner,
Planning.**

Date: 10th May 2024

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

Reference Number:	DED 665
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for a schoolhouse to be used as a home (residential).
Name of Applicant:	Naomi Slye
Location of Development:	Aughoo, Co. Roscommon (F52 TC91)
Site Visit:	08/05/2024

WHEREAS a question has arisen as to whether the following works; for a schoolhouse to be used as a home (residential) at the above address 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, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) Part 1 Article 6 of Schedule 2 of the Planning and Development, 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

Site Location & Development Description

The site contains an old school building, associated out building/shelter to the east of the site is located in Aughoo, Co. Roscommon, and is accessed from either the L-5016 or the L-1008 both local roads. The proposed development consists of the change of use from an old school to a residential unit.

There are no European designated sites in, adjoining or in close proximity to the subject site. There is no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS.

Archaeological and Cultural Heritage

No RMP recorded in the likely zone of influence of the proposed development. No Protected structures or structures listed in the National Inventory of Architectural Heritage the likely zone of influence of the proposed development.

Appropriate Assessment

The closest European sites to the site of the proposed development are Corrigeenroe Marsh PNHA (Site Code 000596) which is located circa 3.8km to the south west, Lough Arrow SPA (Site Code 004050), which is approximately 4.1km west, and Kilronan Mountain Bog NHA (Site Code 000617), which is approximately 5.3km north east of the subject site.

Having regard to the separation distance between the site and the closest Natura 2000 site and the nature of the proposal, there is no real likelihood of significant effects on the conservation objectives of these or other European sites arising from the proposed development. Therefore, exclude the need for further Appropriate Assessment.

Planning History

As per the Roscommon County Council's Planning Registry, no recent planning history has been traced relating to the subject site. There has been a pre planning meeting (4355) completed.

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

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

Section 3. -(1)

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

Section 4(1) of the Act defines certain types of development as being 'exempted development'. Of potential relevance is section 4(1)(h) which provides as follows:

development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 4 (2) of the Planning and Development Act provides that the Minister, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations.

Planning and Development Regulations, 2001 as amended

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Article 9 (1) applies:

Development to which article 6 relates shall not be exempted development for the purposes of the Act

viiiB) comprise development in relation to which a planning authority or an Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

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 works constitute development, as defined in Section 3 of the said Act.

The proposal includes the change of use from an old school to a residential unit. These works have considered in the context of Section 4 (1)(h) of the Act, consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The proposed works are not however exempted, as there is no class in Part 1 Article 6 of Schedule 2 of the Planning and Development, 2001, as amended and articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended that the change of use from a school to a dwelling is an exempt development. Therefore, for the above reason the proposed works is deemed not an exempt development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations it is reasonable to conclude, on the basis of the information available, 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 AA does not apply with respect to the current case.

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

Recommendation

WHEREAS a question has arisen as to whether a proposed development for a schoolhouse to be used as a home (residential) as outlined above at Aughoo, 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, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) Part 1 Article 6 of Schedule 2 of the Planning and Development, 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

- The works outlined above are development.
- The works fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:

development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

However, the change of use from a school to a dwelling are not an exempt development.

- 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 WHEREAS I have concluded that the said development for a schoolhouse to be used as a home (residential) as outlined above at Aughoo, Co. Roscommon is not an exempted development and I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Date: 9th May 2024

Civil Technician



Signed:

Date: 9th May 2024

Senior Executive Planner







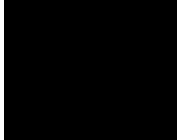




Comhairle Contae
Ros Comáin
Roscommon
County Council



Naomi Slye,



Date: 23rd February 2024

Planning Reference: DED 665

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

Development: Permission for change of use – change old schoolhouse into residential premises under the Planning & Development Act (Exempt Development) Regulations 2018 at Aughoo, Roscommon.

A Chara,

I wish to acknowledge receipt of your application received on the 23rd February 2024, 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. **L01/0/226445** dated 10th January 2024, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 665**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner,
Planning Department.

Roscommon County Council
Aras an Chontae
Roscommon
08088 37100

10/01/2024 10:44:34

Receipt No L01/0/228445

NAOMI SLYE

PLANNING APPLICATION FEES 80.00
GOODS 80.00
VAT Exempt/Non-vatable
DED 842 665

Total 80.00 EUR

Tendered
Credit/Debit Card 80.00
1875

Change 0.00

Issued By : Bernadine Duignan
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council

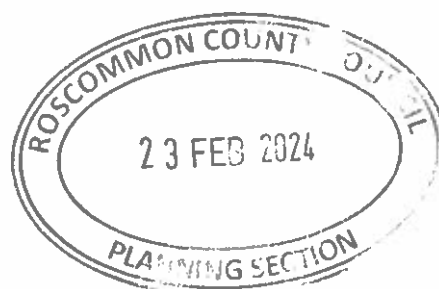


Áras an Chontae,
Roscommon,
Co. Roscommon
Phone: (090) 66 37100
Email: planning@roscommoncoco.ie

Roscommon County Council

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

Name:	Naomi Slye
Address:	[REDACTED]
Name & Address of Agent:	
Nature of Proposed Works	Schoolhouse to be used as home (residential).
Location (Townland & O.S No.)	Aughoo, Roscommon
Floor Area	1600 sq ft.
Height above ground level	Remaining the same, Single story.
Total area of private open space remaining after completion of this development	Remaining the same.
Roofing Material (Slates, Tiles, other) (Specify)	Remaining the same, Slates.
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Remaining the same (repainting White).
Is proposed works located at front/rear/side of existing house.	Remaining the same





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	Unused School house on 0.8 acre
Proposed use of land or structure	Residential
Distance of proposed building line from edge of roadway	Remaining the same
Does the proposed development involve the provision of a piped water supply	Remaining the same
Does the proposed development involve the provision of sanitary facilities	Remaining the same

Signature:

Naoife

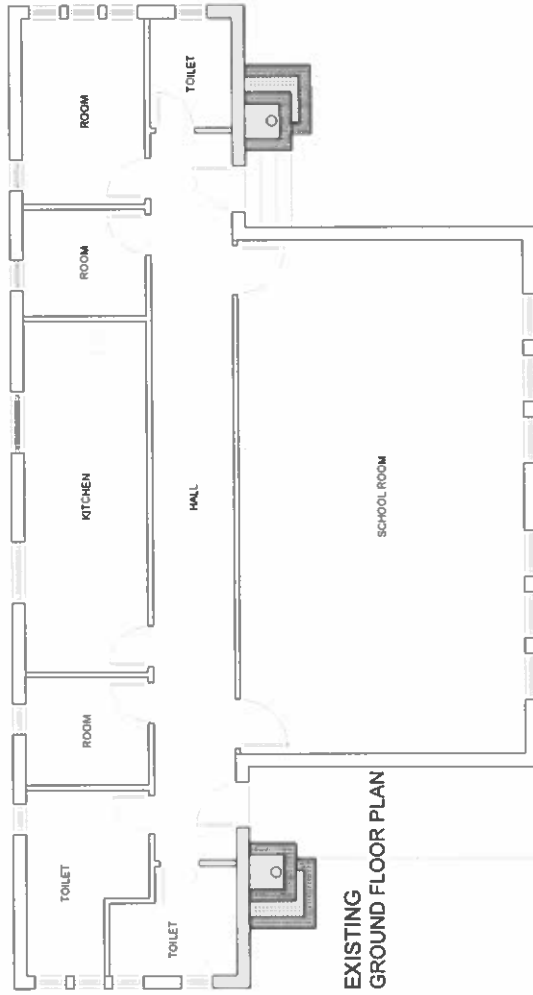
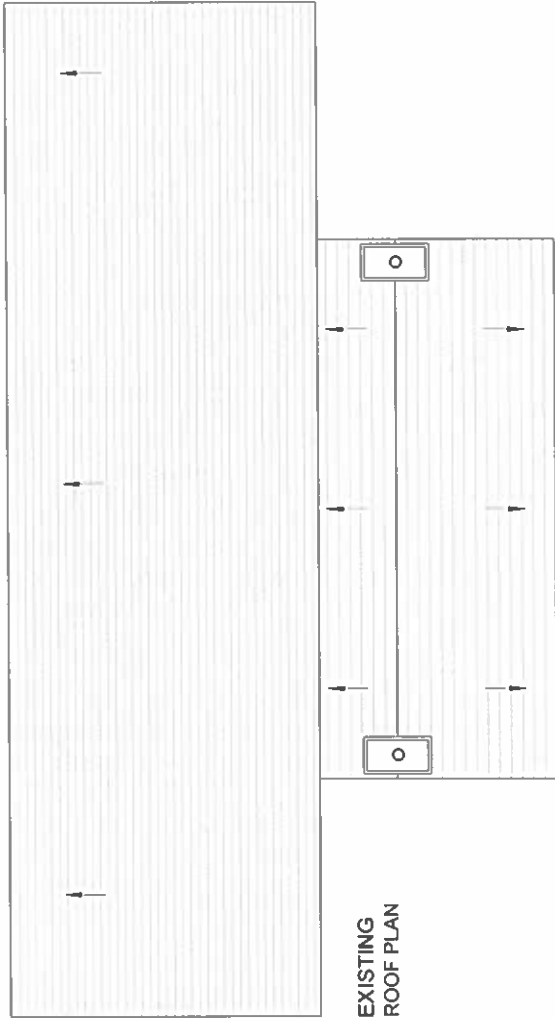
Date:

13/10/23

Note: This application must be accompanied by:-

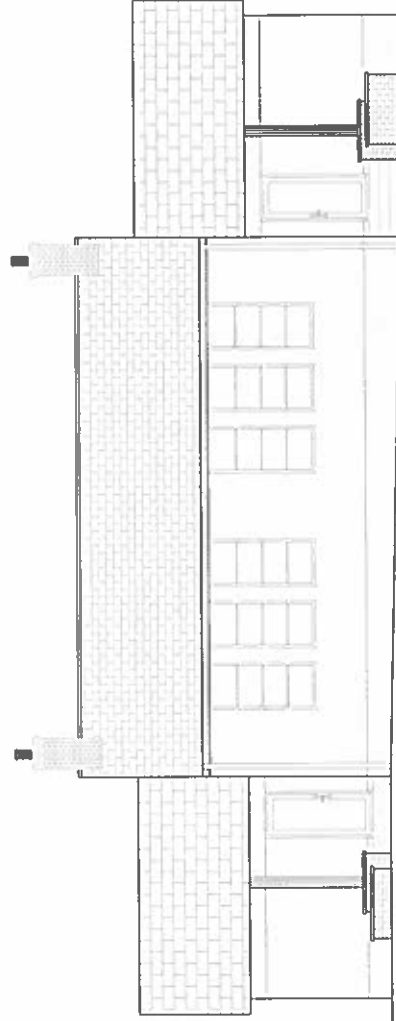
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Details specification of development proposed



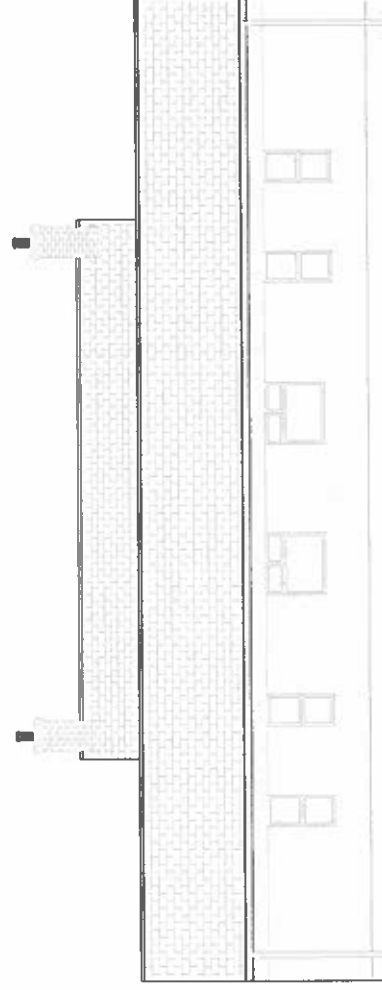


A 02.02.24 DA ISSUE AMENDMENT GK BY	Project : Proposed Change of use	Sheet Title : Plans	Address : The Old Schoolhouse Aughoo Ballyfamon BOYLE F52 TC91
	Date : 02/02/24	Sheet no : 01	Applicant :





EXISTING
SIDE ELEVATION-1



EXISTING
SIDE ELEVATION-2

[illegible]

SCALE 1:100@A3

Sheet Title :
Existing Elevations

Address : The Old Schoolhouse Aughoo Ballyfarnon BOYLE F52 TC91	Applicant :
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Legend

- Freehold
- Leasehold
- Subleasehold
- 'S' Register

(See Section 61.1 (1) of Registration of Title Act 1964 and Rule 204 & 275 Land Registration Rules 1972 - 2010)

Buildings (shaded in all maps)

Right of Way / Watercourse

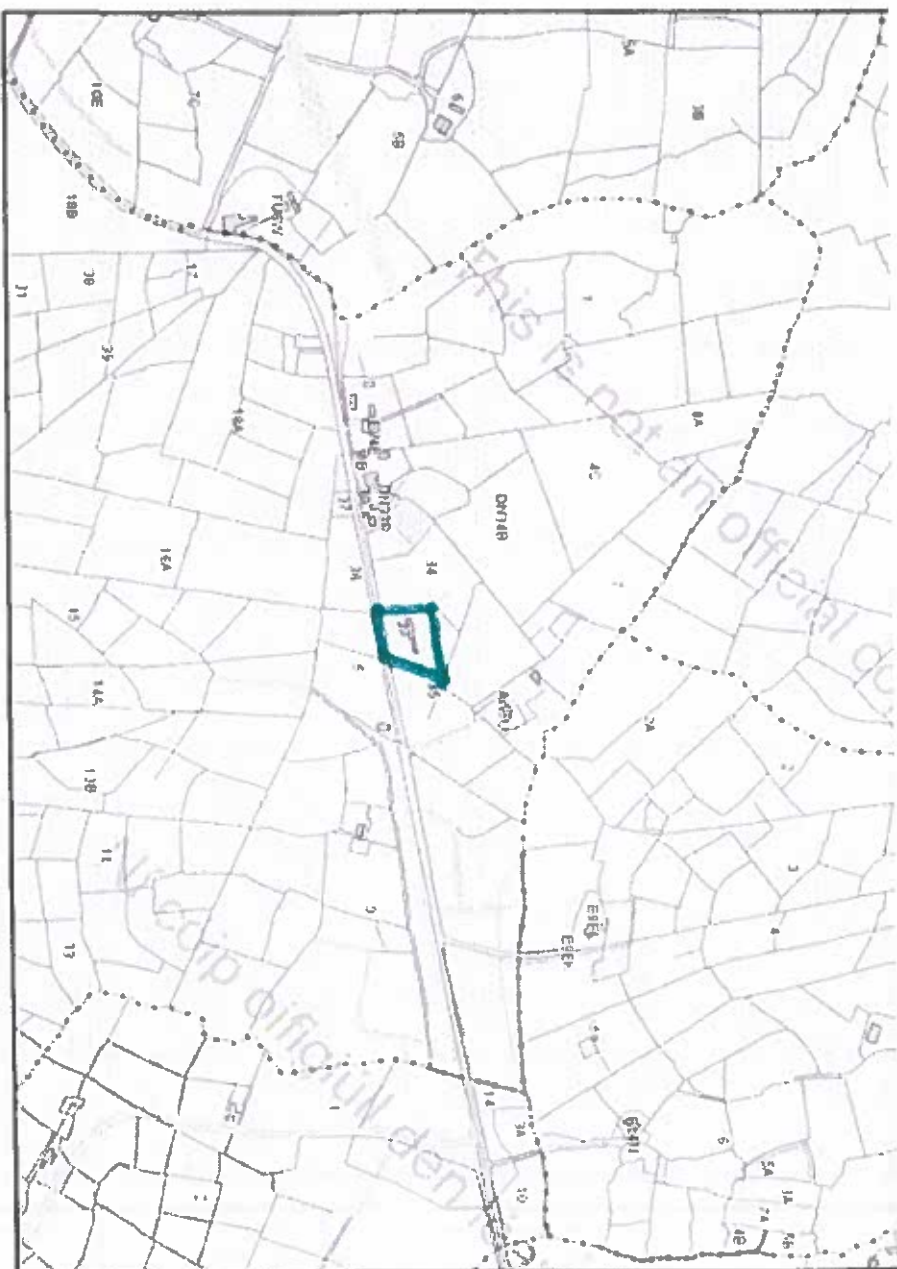
- Turbary
- Easement
- Well
- Pylon
- Septic Tank
- Sewer Pipe

A full list of features and their symbology can be found at www.landregistry.ie

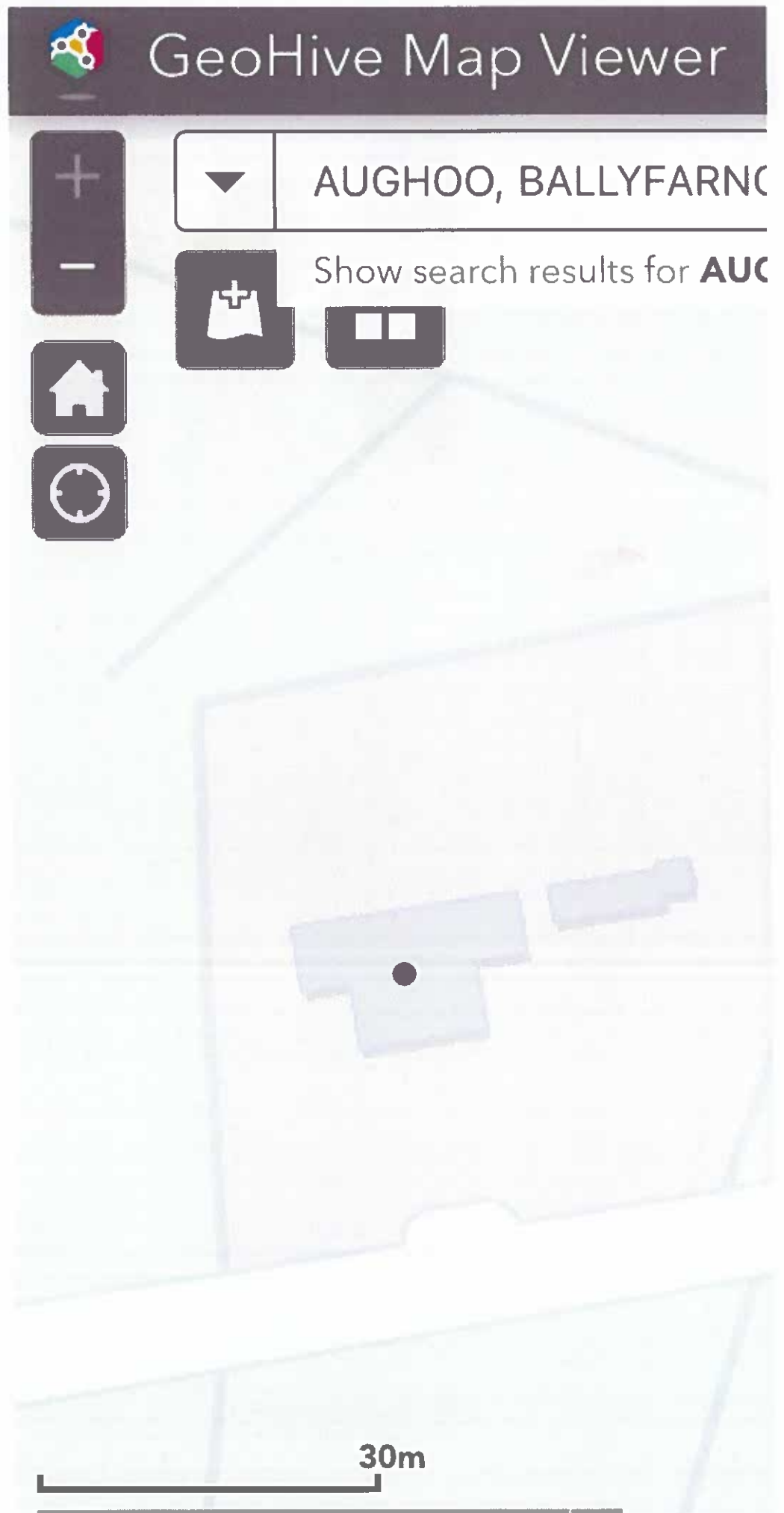
The registry operates a non-conclusive boundary system. The registry does not identify precise boundaries between neighbouring lands in a register nor its identification by reference to a register map is conclusive as to the boundaries of estates.

(see Section 85 of the Registration of Title Act, 1964) As inserted by Section 62 of the Registration of Deeds and Title Act 2006.

Creation Date: 02 May 2023 14:38:17

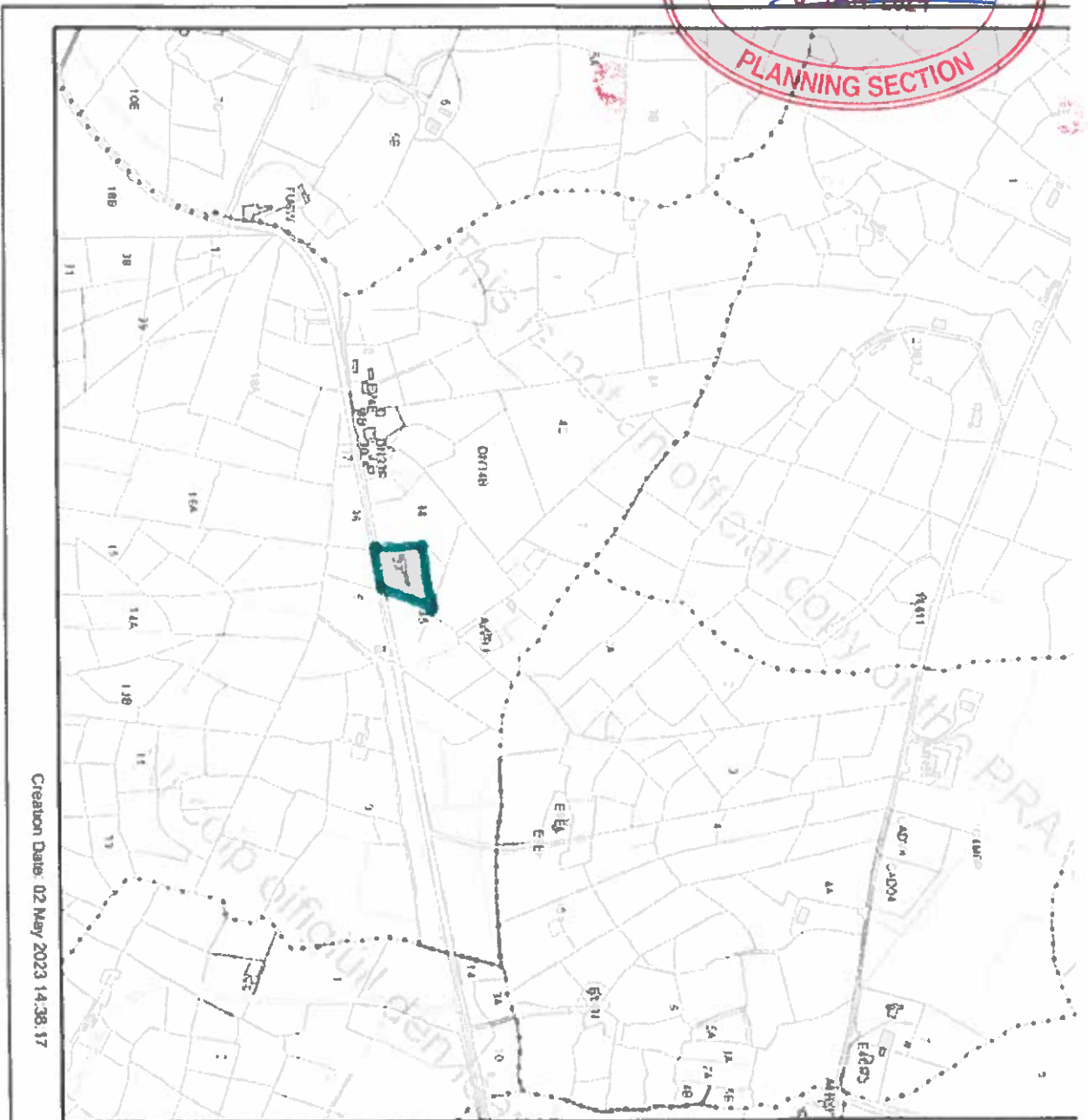
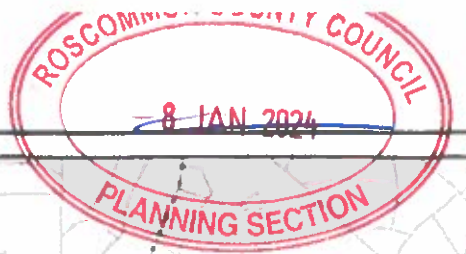


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Creation Date: 02 May 2023 14:38:17

Clárúcháin Maoinne

Official Property Registration Map

This map should be read in conjunction with the folio

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale accuracy is limited to that of the original OSI Map Scale.

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

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(Land parcels not depicted)

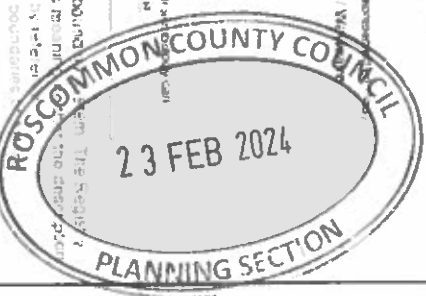
- Freehold
- Leasehold
- Subleasehold
- S' Register

(See Section 8.1.1 of Memorandum of Understanding and Article 2.4.4.2.5 of the Planning Rules 1977 - 2010)

Burdens (see also on map)

- Right of Way / Way
- Pipeline
- Well
- Pillar
- Stock Tank
- Scale Pill

A full list of burdens and their details can be found at www.pra.ie



The Registry operates a non-chargeable online service. The Registry's Map Viewer provides notional boundaries. The Registry's Map Viewer is a registered trademark of the Registry. The Registry's Map Viewer is a registered trademark of the Registry. The Registry's Map Viewer is a registered trademark of the Registry. (see Section 8.5 of the Registration of Title Act 1964) As inserted by Section 6C of the Registration of Deeds and Title Act 2006





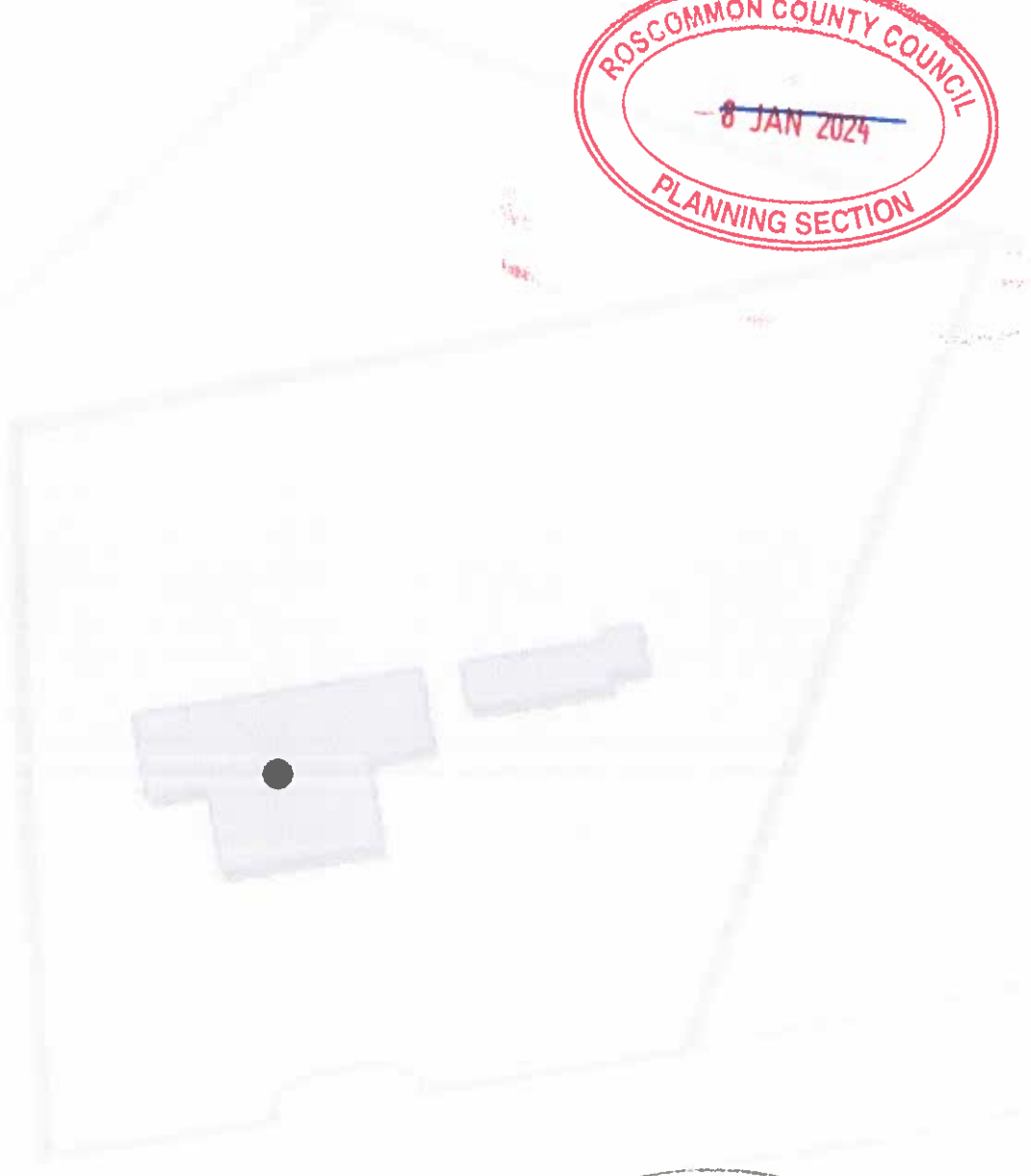
GeoHive Map Viewer



AUGHOO, BALLYFARNON, X



Show search results for **AUGHO...**



30m

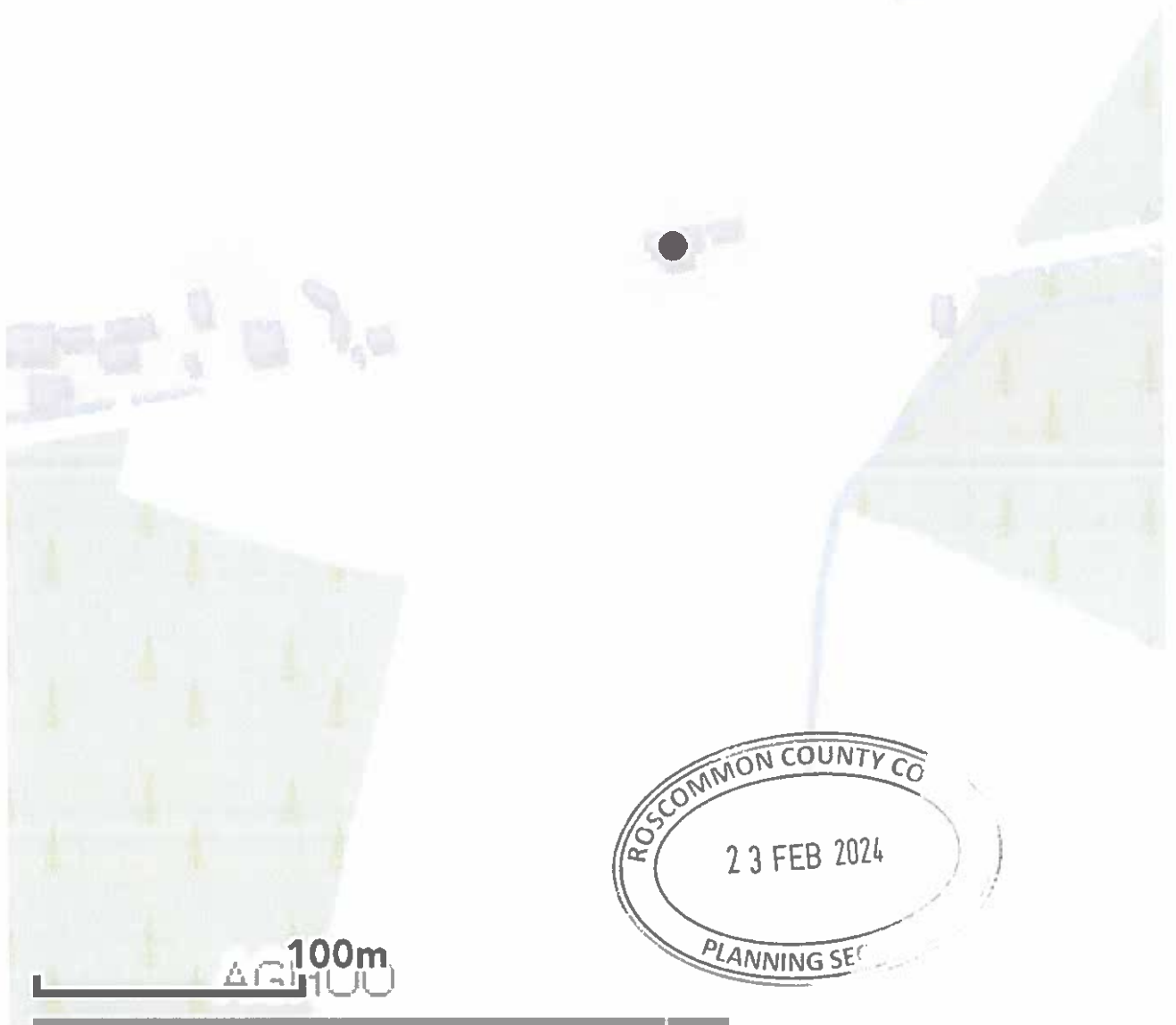




▼ AUGHOO, BALLYFARNON, X 🔍



Show search results for **AUGHO...**



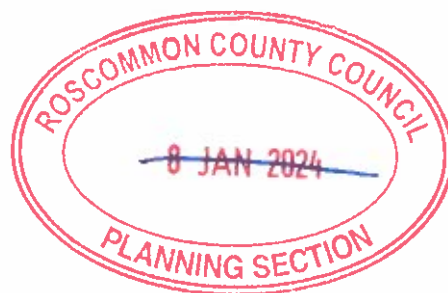
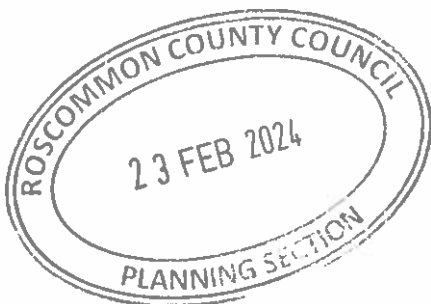


Google
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[Sent from Yahoo Mail for iPhone](#)

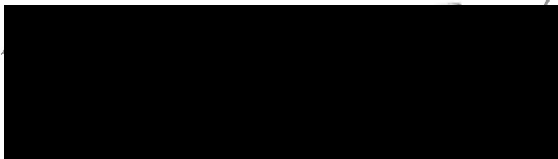




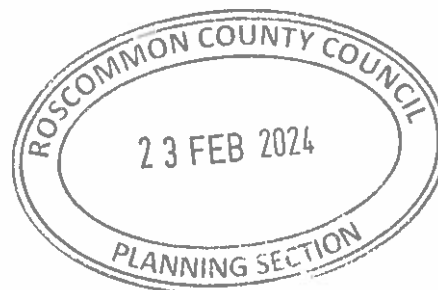
To whom it may concern

I wish to give Naomi Slye of [REDACTED] permission to apply for planning on Aghoo NS, Boyle, Co. Roscommon (Folio RN25848).

Yours faithfully



4-5/23



Sharon Kelly

From: Naomi Slye [REDACTED]
Sent: Thursday 4 May 2023 16:14
To: Customer Service; Planning Department
Subject: Aghoo National School

Categories: Blue Category



Dear Caroline,

I am assuming you have all the info you need now to proceed with pre planning meeting, again I'm looking for exemption for planning to change ex commercial status to residential.

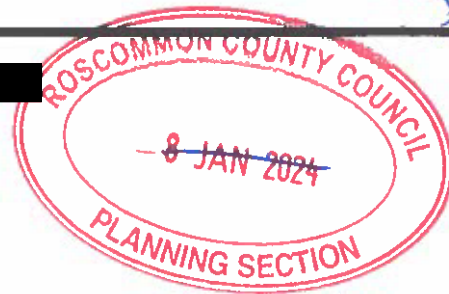
I have posted a couple more photos below as not sure if received already.
All other information you requested has now been sent including permission letter, map of premises amongst other documentation.

My sincere thanks for all your help in this,
Naomi



Sharon Kelly

From: Naomi Slye [REDACTED]
Sent: Monday 8 January 2024 11:03
To: Planning Department
Subject: Exempted Development



Good morning,

I would like to resubmit application for planning exemption, please find necessary document ion plus could you advise as to how I can pay the €80 fee.

Many thanks,
Naomi Slye

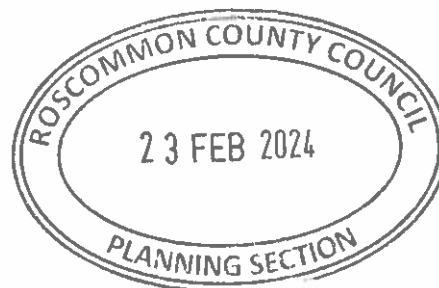
Good evening,

I am looking for an exempted development cert for disused schoolhouse that I'm hoping to turn into residential home for myself [REDACTED]. I won't be changing anything externally and internally it will be similar, just taking away one of the toilets and making into a bedroom. I have attached the form and additional information for your perusal.

Please let me know if the information given is adequate, and if not you may suggest what more I can submit.

Many thanks,
Naomi Slye

[REDACTED]



Carmel Curley

From: Carmel Curley
Sent: Thursday 1 February 2024 14:47
To: [REDACTED]
Subject: Exempted Development

Dear Naomi,

I refer to your Declaration of Exempted Development Application submitted to our office on 8th January 2024 and subsequent communication on the 18th January 2024 in relation to same.

Please note that we require the following to deem your application as valid:

- Site Location map to a scale of 1:2500 clearly identifying the location
- Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- Detailed specification of development proposed

On receipt of the above outlined, your request will be considered further. **Please note that at present your application is deemed invalid.**

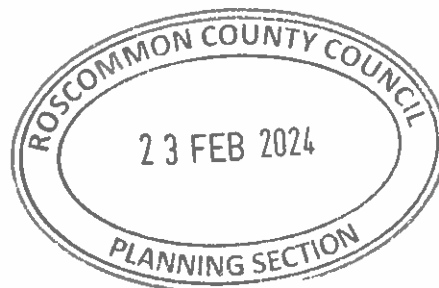
Should you require any additional information, please do not hesitate to contact me.

Regards,

Carmel Curley, Assistant Staff Officer,
Planning Department, Roscommon County Council,
Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98
☎: (090) 6637100

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

MAP LOCATION



Carmel Curley

From: Naomi Slye [REDACTED]
Sent: Thursday 22 February 2024 08:03
To: Carmel Curley
Subject: Planning permission exemption
Attachments: A.pdf

Good morning Carmel,

Please see attached drawings as requested, again please note that I just want to change status from commercial to residential. No physical changes being made.

Thanks,
Naomi

