

ROSCOMMON COUNTY COUNCIL

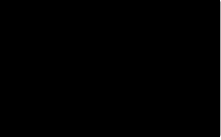
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Shane Supple,



Reference Number: DED 679
Application Received: 12th March 2024
Name of Applicants: Shane Supple
Agent: Martin Dowd, Rathcroghan Design.

WHEREAS a question has arisen as to whether the construction of a slatted shed and manure pit at Sheegorey Td, Garrow, 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 6 and Class 8 of Part 3 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:

- (a) The works are development.
- (b) The construction of a slatted shed and manure pit as described in this case 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.

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 slatted shed and manure pit at Sheegorey Td, Garrow, Boyle, Co. Roscommon., 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:

Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 10th April 2024

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

Reference Number: DED 679

Re: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to construct a slatted house and manure pit under the Planning & Development Act (Exempt Development) Regulations 2018 at Sheegorey TD, Garrow, Boyle, Co. Roscommon, F52 D827.

Applicants: Shane Supple

Date: 10th April 2024 (Inspection 5th April 2024)

WHEREAS a question has arisen as to whether to construct a slatted house and manure pit at Sheegorey TD, Garrow, 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 6 of Part 3 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 townland of Sheegorey, Garrow, Boyle, County Roscommon and appears to be in agricultural use. The site is accessed via an existing agricultural entrance off L-1036 Local Primary Road.

The proposed development consists of the construction of:

- (a) A three bay single sided slatted shed structure with associated underground effluent storage facility, external feed passage and calving pens. The area of this structure is stated in documents lodged as 197.4m² and its overall height is stated as 7.276m. As per the submitted details, the proposed roofing material is cladded sheeting.
- (b) A separate monopitch manure pit structure stated as being 54m² in area and 6.852m in overall height. As per the submitted details, the proposed roofing material is cladded sheeting.
- (c) A storm water storage tank, ancillary concrete aprons and an internal access road served by an existing agricultural entrance.

The stated proposed use is agricultural. The structures are proposed to a building line stated as 26.7m from the public road edge.

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 are within the likely zone of influence of the proposed development.

Appropriate Assessment

The closest European sites to the site of the proposed development are Lough Arrow SPA (Site Code: 004050) and Lough Arrow SAC (Site Code 001673) which are located circa 2.9km to the north and Bricklieve Mountains and Keshcorrigan SAC (Site Code 001656) which is located circa 4km to the northwest.

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. The need for further Appropriate Assessment can therefore, be excluded.

Planning History

As per the Roscommon County Council's Planning Registry, no recent planning history has been traced relating 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". 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 proposed slatted shed and manure pit constitutes development, as defined in Section 3 of the said Act.

The proposed Slatted shed (197m2 stated):

The construction of a proposed 3 bay single slatted shed with associated underground effluent storage facility, external feed passage and calving pen appears to come within the scope of Class 6 of Part 3 of Article 6 - *Exempted Development Rural* of the Regulations.

PART 3 - Article 6 - Exempted Development - Rural

Column 1 - Description of Development

Agricultural Structures

CLASS 6

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

Column 2 - Conditions and Limitations

1. No such structure shall be used for any purpose other than the purpose of agriculture.
2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.
5. No such structure within 100 metres of any public road shall exceed 8 metres in height.
6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Assessment:

The proposed development is a roofed structure intended for the housing of livestock, is stated as having floorspace of 197.4m² and therefore appears to be within the criteria for consideration as exempted development under Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

With regard to the compliance with the conditions and limitations of Class 6 of Part 3 of Schedule 2 (Exempted Development - Rural) the following assessment sets out how these apply to the current proposal:

1. As per the submitted details the proposed use of the structure is agriculture.
2. The gross floor space of the structure together with any other such structures situated within 100 metres will not exceed 300 square metres gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. Onus on applicant to comply with this.
4. The structure will not be situated within 10 metres of any public road.
5. The proposed structure does not exceed 8 metres in height.
6. The structure will not be situated within 100 metres of any house (other than a house on the opposite side of the public road which the applicant has stated in documents provided is the applicants family home).
7. Painted sheet cladding is proposed.

The proposed Manure Pit (Stated 54.9m²):

The construction of a proposed manure pit appears to come within the scope of Class 8 of Part 3 of Article 6 - Exempted Development Rural of the Regulations.

PART 3 - Article 6 - Exempted Development - Rural

Column 1 - Description of Development

Agricultural Structures

CLASS 8

Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.

Column 2 - Conditions and Limitations

1. No such structure shall be used for any purpose other than the purpose of agriculture.
2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.
5. No such structure within 100 metres of any public road shall exceed 8 metres in height.
6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Assessment:

The proposed development is a roofed structure intended for the storage of agricultural FYM and therefore appears to be within the criteria for consideration as exempted development under Class 8 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

With regard to the compliance with the conditions and limitations of Class 8 of Part 3 of Schedule 2 (Exempted Development - Rural) the following assessment sets out how these apply to the current proposal:

1. As per the submitted details the proposed use of the structure is agriculture.

2. The gross floor space of the structure together with any other such structures situated within 100 metres will not exceed 300 square metres gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. Onus on applicant to comply with this.
4. The structure will not be situated within 10 metres of any public road.
5. The proposed structure does not exceed 8 metres in height.
6. The structure will not be situated within 100 metres of any house (other than a house on the opposite side of the public road which the applicant has stated in documents provided is the applicants family home).
7. Painted sheet cladding is proposed.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 6 and Class 8 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended, the construction of a slatted shed and manure pit as described 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.

I am satisfied that an Environmental Impact Assessment Report or Natura Impact Statement 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 a NIS is required.

Recommendation

WHEREAS a question has arisen as to whether to construct a slatted shed and manure pit at Sheegorey TD, Garrow, 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 6 and Class 8 of Part 3 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 I have concluded that

- a) The works are development.
- b) The construction of a slatted shed and manure pit as described in this case 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:

Senior Executive Planner

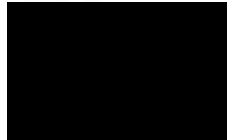
Date: 10th April 2024



Comhairle Contae
Ros Comáin
Roscommon
County Council



Shane Supple,



Date: 12th March 2024
Planning Reference: DED 679

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: Permission to construct a slatted house and manure pit under the Planning & Development Act (Exempt Development) Regulations 2018 at Sheegorey Td, Garrow, Boyle, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application received on the 12th March 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. **L01/0/227543** dated 12th March 2024, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 679**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner,
Planning Department.

cc via email: Martin Dowd,
Rathcroghan Designs,
Ballyconboy,
Ballinagare,
Castlerea,
Co. Roscommon.

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

12/03/2024 13 02 58

Receipt No. : 1.01/0/227543

SHANE SUPPLE
C/O MARTIN DOWD
RATHCROGHAN DESIGNS
BALLINCONBOY
BALLINGARE

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED 679	

Total	80 00 EUR
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Tendered :	
Credit/Debit Card	80 00
7707	

Change :	0 00
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Issued By : Louis Carroll
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council



Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the

Planning & Development Act 2000 (as amended), regarding Exempted Development

Name of Applicant(s)	SHANE SUPPLE
Name of Agent	MARTIN DOWD % RATHCROGHAN DESIGNS
Nature of Proposed Works	Construct Slatted House and Manure Pit.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Down SHEEGOREY TD, GARROU Boyle FS2 D827 Co. Roscommon
Floor Area: a) Existing Structure b) Proposed Structure	a) <u> </u> b) <u>Slatted Shed</u> 197.4m ² <u>Manure Pit</u> 54.9m ²
Height above ground level:	<u>Slatted Shed</u> 7.3m <u>Manure Pit</u> 6.85
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	Prepainted Sheeting.

Roscommon County Council

Application for a Declaration under Section 5 of the



Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Nap plaster
Is proposed works located at front/rear/side of existing house.	N/A
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	AGRICULTURAL
Proposed use of land or structure	AGRICULTURAL
Distance of proposed building line from edge of roadway	26.7m
Does the proposed development involve the provision of a piped water supply	YES - EXISTING
Does the proposed development involve the provision of sanitary facilities	N/A

Planning & Development Act 2000 (as amended), regarding Exempted Development

Signature: Martin O'M (AGENT)

Date: 11/3/24

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

Rathcroghan Designs

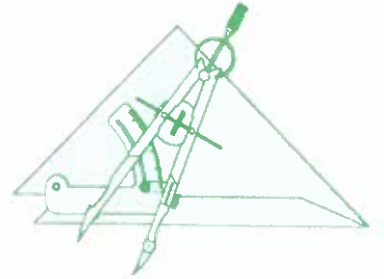
BALLYCONBOY, BALLINAGARE, CASTLEREA, CO. ROSCOMMON

Planning and Building Consultants

Associate Member of The Society Chartered Surveyors Ireland

MOBILE : 086 2328484 TEL/FAX : 071 9639983

Email – rathcroghandesigns@gmail.com



Planning Authority,
Roscommon County Council,
Aras an Chontae
Roscommon.

11/03/2024



Exempted Development

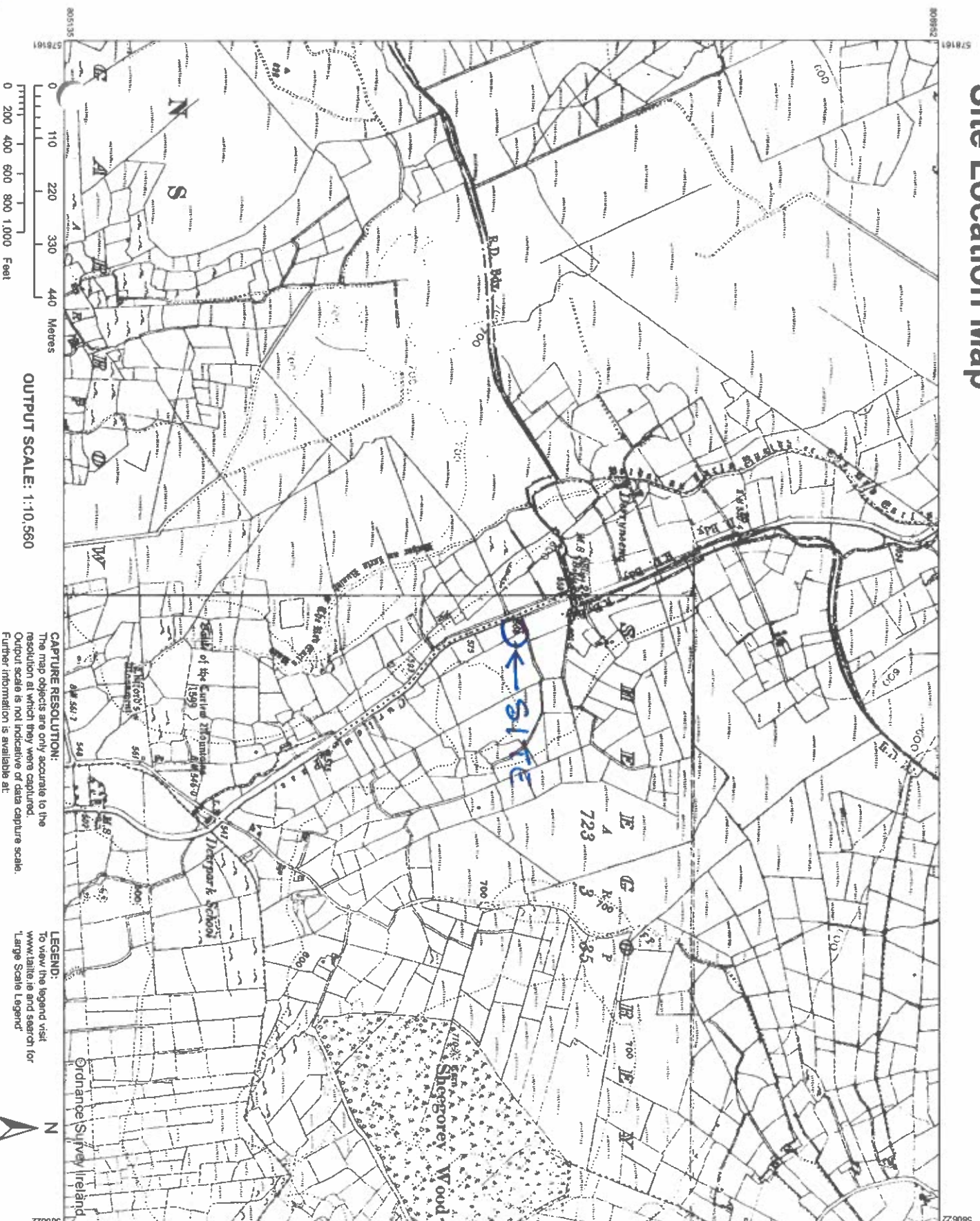
Dear Sir or Madam,

Please find enclosed Application for Exempted development for my client, Mr Shane Suppe. Please call me and I can make payment of fees with card details.

Yours Sincerely

Martin Dowd Assoc SCSi
Bsc (Construction Management)

Site Location Map



**Taille
Éireann**

**CENTRE
COORDINATES:**
ITM 579392.806044

PUBLISHED: 11/03/2024
ORDER NO.: 50388092_1

MAP SERIES: 6 inch Raster
MAP SHEETS: RN003
RN005
RN006
RN008
SO045

COMPILED AND PUBLISHED BY:
Taille Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

www.taille.ie

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**Prepared By: Martin Dowd Rathcroghan Designs,
Ballinagare, Castlereagh, Co. Roscommon**



ITM 579392,806044

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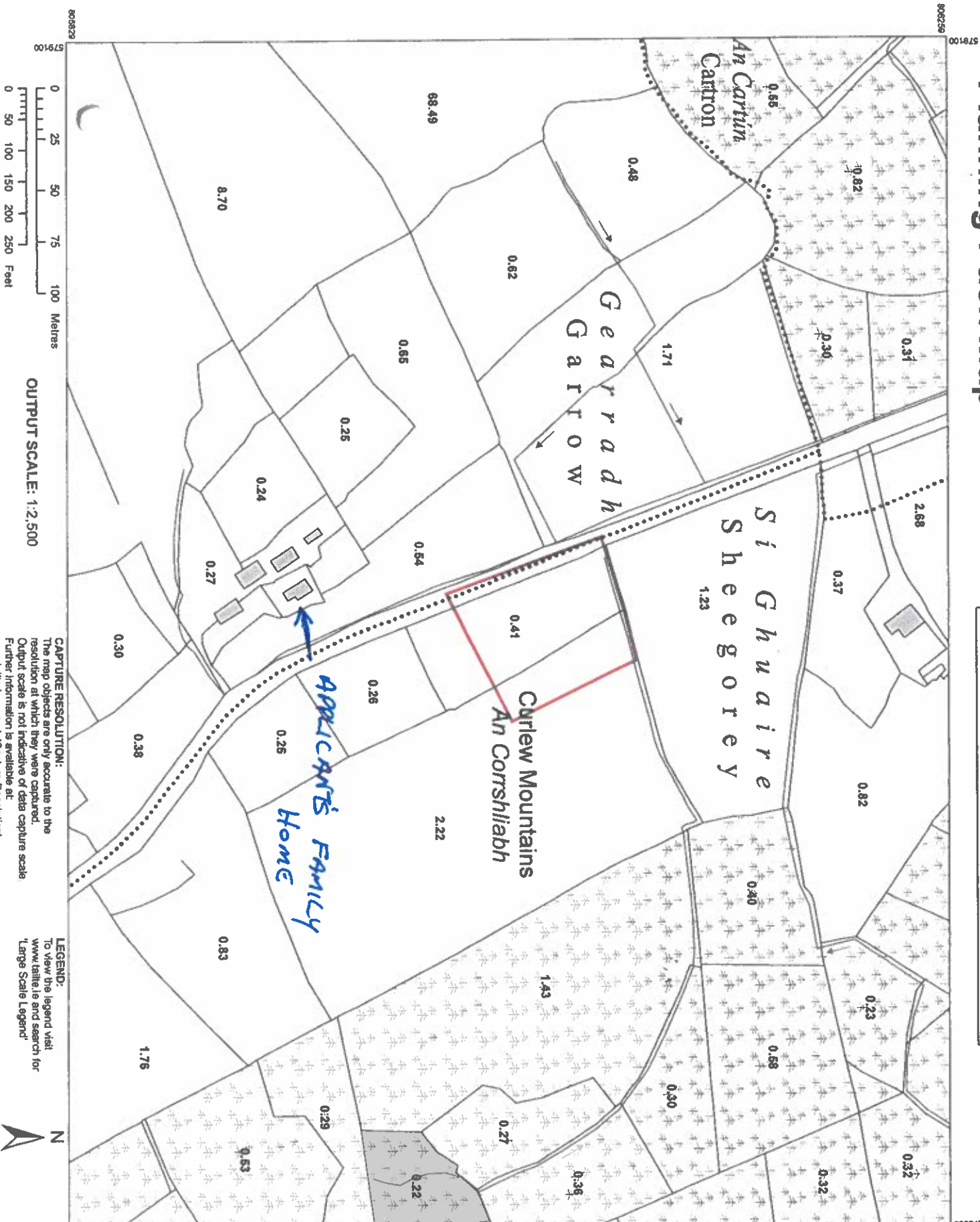
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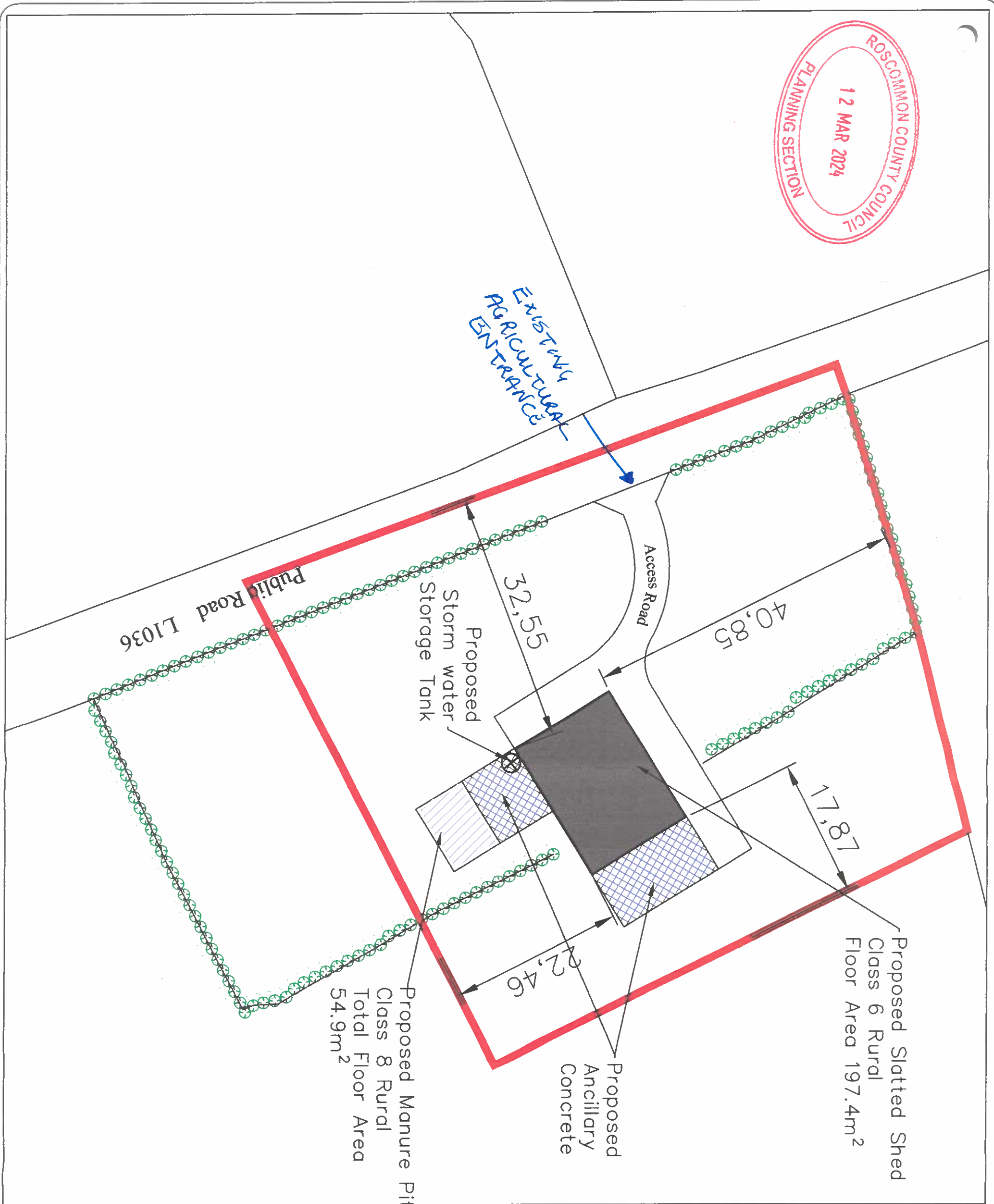
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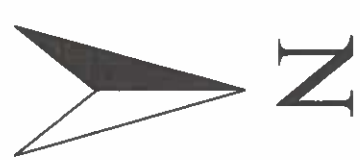
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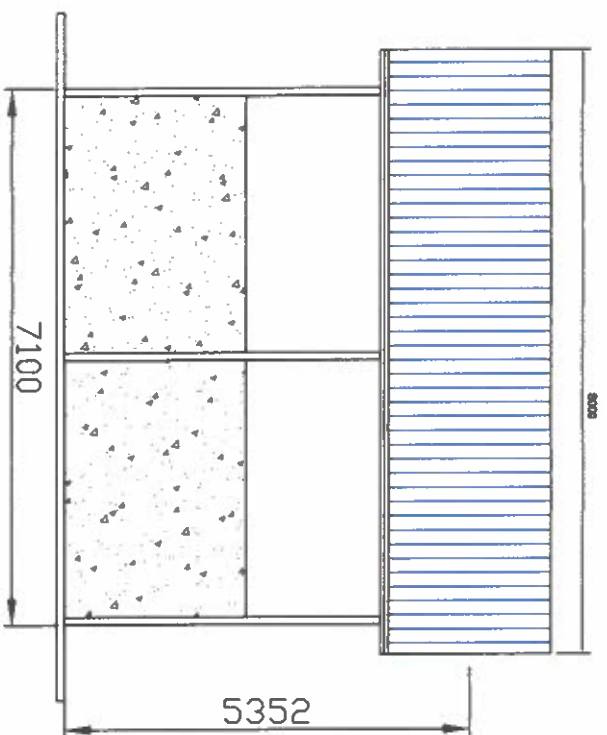
RATHCROGHAN DESIGN
Ballyconboy, Ballinagare, Castlereagh, Co. Roscommon
Ph: 086 2328484
E-mail: rathcroghandesigns@gmail.com

Client:
Shane Supple

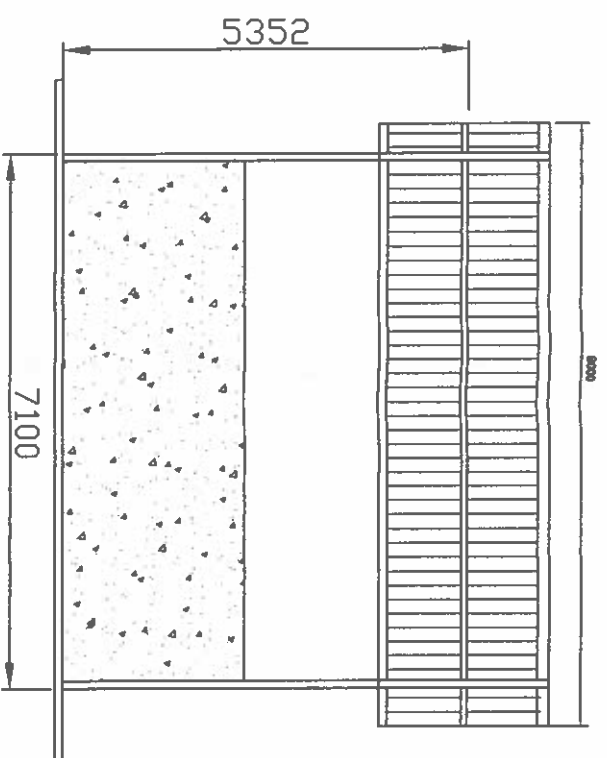
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Date: 16-12-2023		



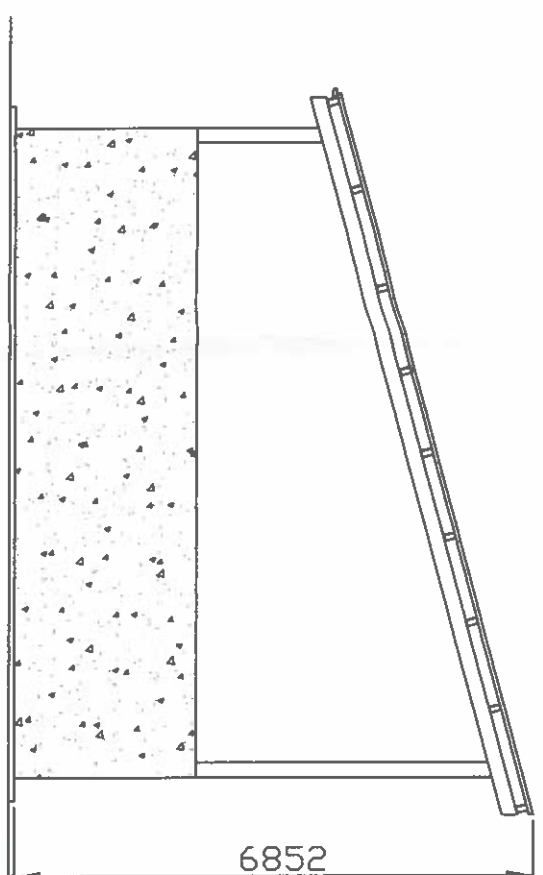
Site Area 0.502Ha



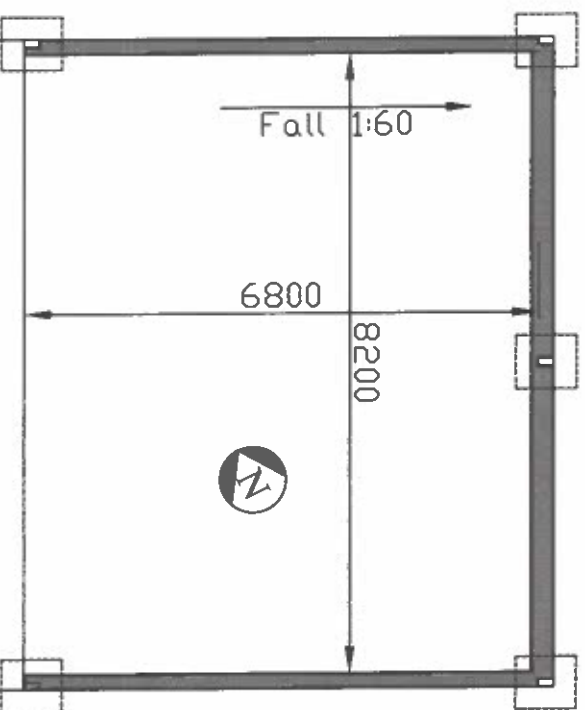
SOUTH WEST ELEVATION



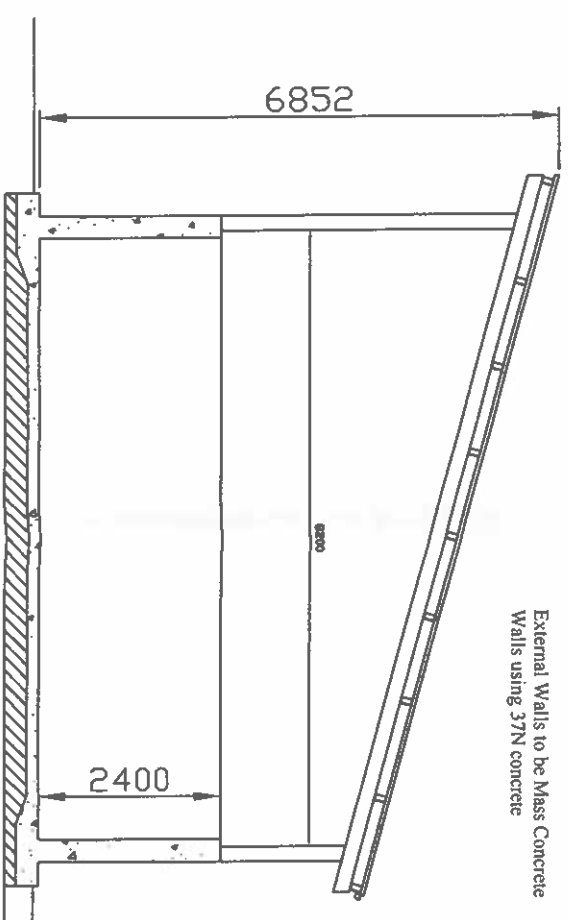
NORTH EAST ELEVATION



SOUTH EAST ELEVATION



FLOOR PLAN



SECTIONAL ELEVATION

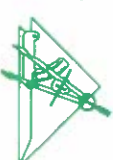
Roof Material to be Pre-painted Sheet
on 150 x 75 Purlins secured to IPE 200 Rafters
carried by IPE 200 Stanchions

External Walls to be Mass Concrete
Walls using 37N concrete

Reinforced Concrete Floor
Constructed to Dept of
Agriculture Specifications

RATHCROGHAN DESIGN

Ballycanoy, Ballymore, Castlereagh, Co. Roscommon
Ph: 086 8326164 E-mail: rathcroghan@rathcroghan.com



Client

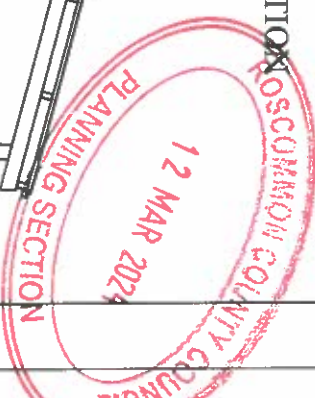
Shane Supple

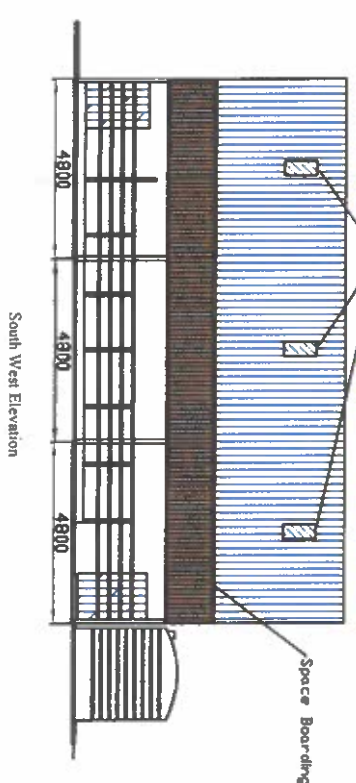
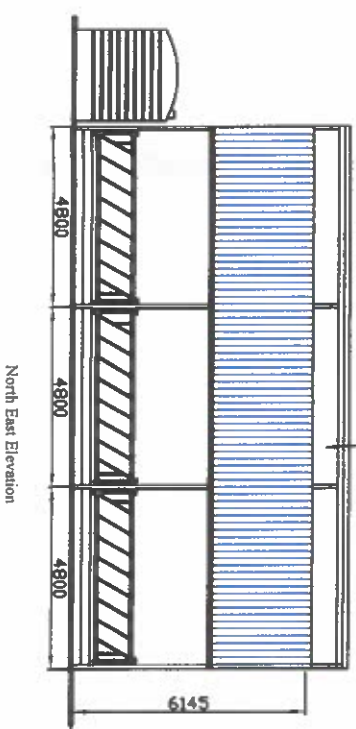
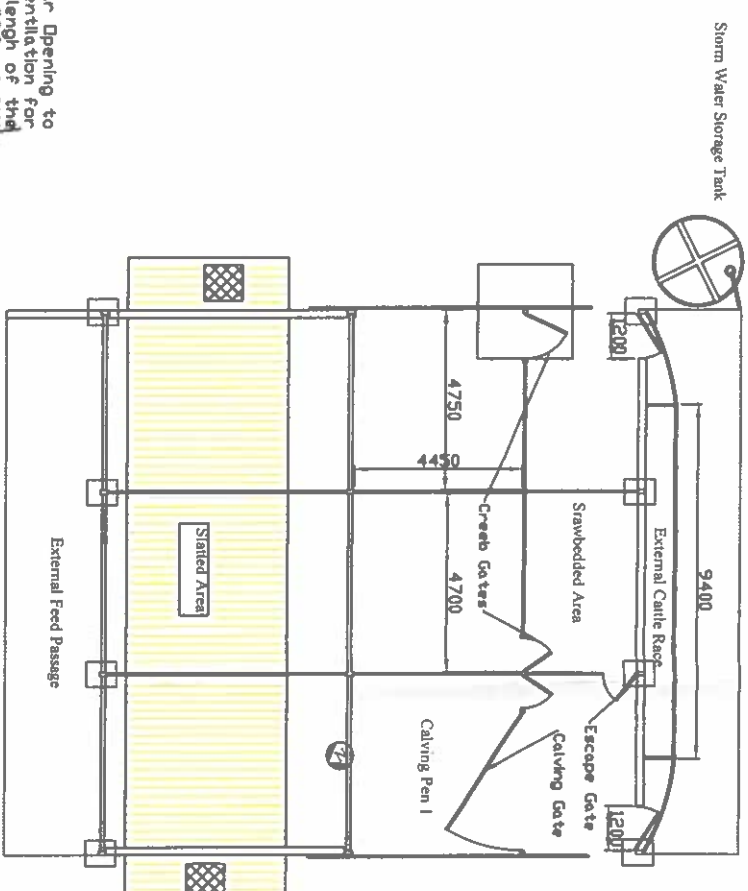
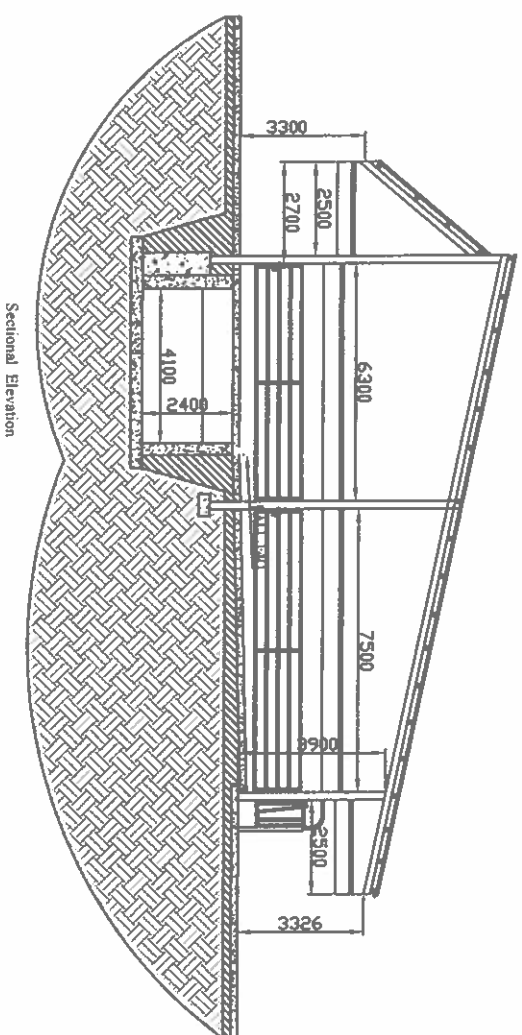
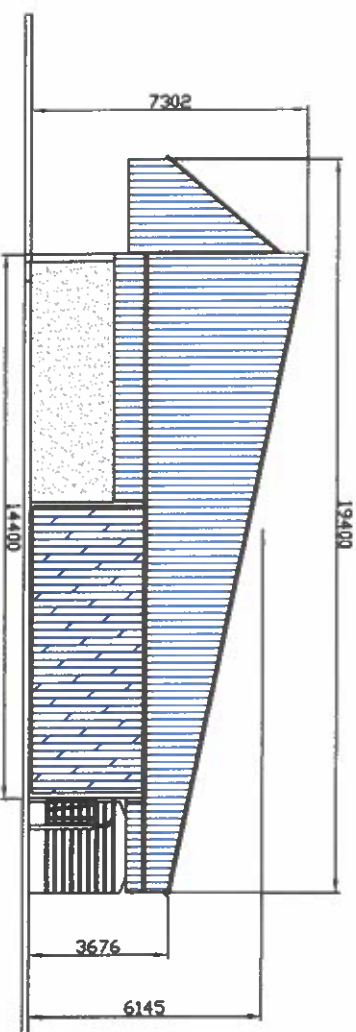
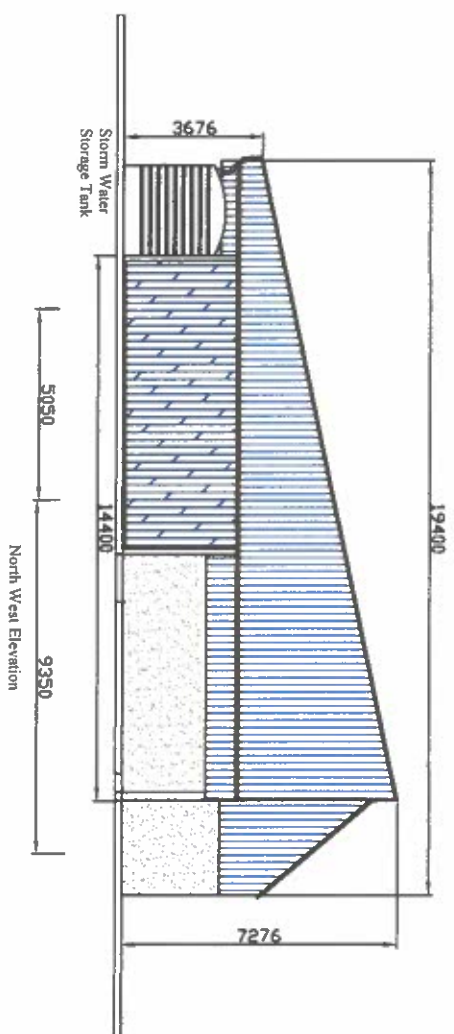
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Date: 24-01-2024		

No. Revision

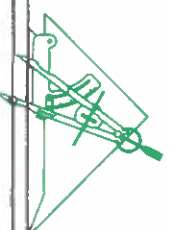
Date





RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castleroa, Co. Roscommon
Ph: 086 2328484 E-mail: martin.dowd@eircom.net



Client

Shane Supple

Title

Slatted Shed

Scale: 1:200 UNLESS NOTED

Drawn: MARTIN DOWD

Date: 08-01-2024

Sheet

1 OF 1

Dwg No.

24-104