

**ROSCOMMON COUNTY COUNCIL**

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

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

**NOTIFICATION OF DECISION**

John Slevin  
JP Oaktree Ltd,

Reference Number: DED 686

Application Received: 27<sup>th</sup> March 2024

Name of Applicants: JP Oaktree Ltd (John Slevin)

Agent: JA Gorman Consulting Engineers

**WHEREAS** a question has arisen as to whether to internally change room layouts (Planning Reference PD/15/393 at Pairc Cluain Ghamhna Housing, Cloongowna, Athlone, 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) 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.
- (d) The planning history of the site.

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

- (a) The works are development.
- (b) The works do not fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 (as amended) and as such, do not constitute exempted development.
- (c) Article 6(1) does not apply, with no provision for the proposed works detailed in the classes specified in column 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).
- (d) 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 internally change room layouts (Planning Reference PD/15/393 at Pairc Cluain Ghamhna Housing, Cloongowna, Athlone, Co. Roscommon** is development that is **not exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

igned on behalf of the Council:



Alan O'Connell,  
Senior Executive Planner,  
Planning.

Date: 23<sup>rd</sup> August 2024

CC: JA Gorman Consulting Engineers,  
Unit 1 Block B, Forest Park,  
Mullingar,  
Co. Westmeath.

**ADVICE NOTE**

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

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

<b>Reference Number:</b>	DED 686
<b>Re:</b>	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development.
<b>Name of Applicant:</b>	JP Oak tree Ltd. / John Slevin
<b>Location of Development:</b>	Pairc Cluain Ghamhna Housing, Cloongowna, Athlone, Co. Roscommon
<b>Site Visit:</b>	14/08/2024

**WHEREAS** a question has arisen as to whether the following works; *"Permission to internally change room layouts (Planning Reference PD/15/393"* under the Planning & Development Act (Exempted Development) Regulations 2018 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) 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.
- (d) The planning history of the site

**Site Location & Description of Development & Nature of Proposed Development**

**Site Location:**

The subject site is situated in a rural area to the south-east extent of the county, in the townland of Cloongowna, near Bealnamulla; the site is located just outside the boundary of the Monksland Bellanamullia LAP 2016-2022. The estate is accessed off the L-75603-0, which runs perpendicular to the R-362.

**Development Description:**

As per the Site Layout Plan, the dwellings for which this section 5 referral relates, being 'Phase 3' of the stage works, are currently under construction and access to the site can be gained via the existing residential roadway. Temporary hoarding precludes public/residential access to the site. As regard to architectural detail, there are two distinct property types that form part of the development, these include:

- **House 'Type C':** Presents with a pitched roof with regent-style tile and associated fascia and soffit board. This two storey semi-detached structure comprises a projecting pitched gable fronted elevation that features limestone cladding.
- **House 'Type C1':** Presents with a pitched roof with regent-style tile and associated fascia and soffit board. This two-storey semi-detached structure comprises a projecting flat-roof elevation that features limestone cladding.

**Nature of Proposed Works:**

The applicant states that, as advised by their Property Agent, there is a preference for three bedroom houses - *as opposed to four bedroom houses* - for properties in the area. On foot of this information, the applicant made a submission for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development, for the following proposed works:

1. Works proposed to 'Type C' 4-bed semi: *"change to internal layout first floor to 3 bedrooms. Change 9 no. to 3 bedroom (Type Ca) and keep 4 no. as 4 bedrooms (Type C).*

2. Works proposed to 'Type C1' 4-bed semi: change to internal layout first floor to 3 bedrooms. Change 14 no. to 3 bedroom (Type C1a) and keep 4 no. as 4 bedrooms.

The applicant notes that the proposed works will be internal only and as such, will not materially affect the external appearance of the structures.

#### Geographic Information Systems [GIS]

##### European Sites:

As per a review of Roscommon County Council's Geographic Information Systems, the subject site is located in proximity to a European Site.

- Appropriate Assessment

The closest designated sites include; "Lough Ree" *Special Protection Area* (SPA) (Site Code: 004064) and *Special Area of Conservation* (SAC) (Site Code: 000440) which is located circa 2.6km north-east of the subject site. Further the site is also in proximity to the "Middle Shannon Callows SPA (Site Code: 004096) and SPA (Site Code: 000216).

Having regard to the separation distances between the site and the closest Natura 2000 site, given 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, therefore, can be excluded.

##### Architectural / Archaeological Heritage

As per a review of Roscommon County Council's Geographic Information Systems, there are no architectural and/or archaeological heritage sites/structures in proximity to the subject site or property thereon.

- Assessment of Architectural & Archaeological Heritage

The property is not a protected structure; further, the closest structure listed by the National Monuments Service includes a 'Standing Stone' (SMR Number RO052-025) located 0.4km west of the site.

#### Planning History

As per Roscommon County Council's Planning Registry, a planning history assessment of the subject site and property thereon yielded the following records:

- PD/15/376 [Incomplete Application]
- PD/15/381 [Incomplete Application]
- PD/15/393 [Permission, Conditional]

#### Relevant statutory provisions

##### Planning and Development Acts 2000 (as amended)

##### Section 2 (1)

In this Act, "works" include 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)**

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)**

Outlines that the Minister may, by regulations, provide for any class of development to be exempted development for the purpose of this Act. 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 1 and 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)**

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

- (a) If the carrying out of such work would-
  - (i) Contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.
  - (viiB) 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.
  - (viii) Consist of or comprise the extension, alteration, repair or renewal of an unauthorized structure or a structure the use of which is in an unauthorised use.

<b>Planning Assessment</b>
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Hereunder the statutory provisions pertinent to this section 5 referral have been set out, they are as follows;

#### **Is or is not ‘Works’:**

In accordance with the Planning and Development Act, 2000, section 2(1) “works” include “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 works constitute “works”, as defined in section 2 of the said Act.

#### **Is or is not ‘Development’:**

In accordance with the Planning and Development Act, 2000, section 3(1) “development” means, “except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land”. It is considered that said works constitute development, as defined in section 3 of the said Act.

These works have been 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*”. Within the context of Section 4(1)(h), the following matters have been taken into consideration:

#### **Assessment of Proposed Works:**

A desktop review of the live planning file PD/15/393 and of the materials submitted on foot of an application for exemption under Section 5 of the Planning & Development Act 2000 was undertaken; the following observations were made:

- The applicant seeks to revise the internal first-floor layouts to the ‘Type C’ and ‘Type C1’ dwellings, which form part of ‘Phase 3’ development works, currently under construction, at the ‘*Pairc Cluain Ghamhna*’ estate in Bealnamulla, Athlone, Co. Roscommon.
- The works will necessitate the reconfiguration of the first-floor floorplans, to reduce bedroom numbers from 4, to 3, in each of the as stated [Type C and Type C1] dwelling-units.
- The applicant has advised that the proposed works will not materially affect the external appearance of the 23 dwelling-units, for which Planning Permission has already been secured (PD/15/393).
- With no modifications to the fenestration or alterations to the access arrangements, a review of the existing and proposed floorplans has confirmed that the proposed works will not materially affect or alter the external appearance of the relevant dwelling-units.
- As per Planning File ‘PD/15/393’, the development description is for the following:
  - The Construction of a Residential Development consisting of 70 number Dwellings with associated Roads, Footpaths, Public Lighting, Playground, Landscaping, garden sheds, fencing, boundary walls, Electrical Sub Station, Pump house and compound etc. and all associated Site Works and Services including New Entrance on to Existing Estate Road. The Proposed Dwellings are to consist of the following, Dwelling Type A - (20 No. Units) - 2 Storey Semi-Detached Dwellings containing 3 no. bedrooms Dwelling Type B - (20 No. Units) - 2 Blocks of 4 Units and 4 Blocks of 3 Units, 2 Storey Terrace Dwellings containing 2 no. bedrooms Dwelling Type C - (30 No. Units) - 2 Storey Semi-Detached Dwellings containing 4 no. bedrooms; AND (as proposed through the submission of significant further information): The provision of a single storey crèche facility (129.72).
- Planning permission for the above was granted subject to 24 conditions; of particular relevance to this section 5 referral is the following (*enumerated as per the Schedule of Conditions imposed by the Planning Authority to the grant of planning for PD/15/393*):
  1. The development shall be carried out strictly in accordance with plans and documents submitted on 17<sup>th</sup> December, 2015, and as amended by the details submitted on 7<sup>th</sup> April 2016, 10<sup>th</sup> May 2016, and 14<sup>th</sup> June 2016 (...).
- As stated, it is considered that said proposed works constitute “works”, as defined in section 2 of the Planning & Development Act 2000, and that the said works constitute development, as defined in section 3 of the said Act. The application for exemption under 5 of the Planning & Development Act (2000) as amended, concerns a live Planning File comprising of three phases of work, for which the first and second phases have been completed.

#### **Site Visit:**

A site visit conducted on the 14<sup>th</sup> of August 2024 confirmed that the third phase (phase 3) of the works is currently under construction; the following observations were made:

- A. 12 properties are substantially complete, including dwelling no.’s 70 & 69; 68 & 67; 60 & 59; 58 & 57; 56 & 55; 54 & 53, respectively.
- B. 4 properties are complete up to first floor level, including dwelling no.’s 52, 51, 50 and 49, respectively.
- C. 4 properties were at raft level, including dwelling no.’s 62, 61, 48 and 47 respectively.

- D. 2 properties were at ground works commencement, including dwelling no.'s 46 and 45.
  - E. 4 properties had works yet to commence, including dwelling no.'s 44, 43, 42 and 41 respectively.
- The section 5 referral pertains to dwelling house no.'s 41 – 61, 67 & 68, comprising 23 dwellings of the 26 dwellings under construction in this phase of works.

#### **Is or is not Exempted Development:**

This assessment evaluates whether the proposed revisions to the interior layout of 23 residential units—specifically, the reduction in the number of bedrooms from four to three— at Pairc Cluain Ghamhna Housing, Cloongowna, Athlone, Co. Roscommon, constitute exempted development under Section 4(1)(h) of the Planning and Development Act 2000.

The key issue is whether the proposed changes—specifically, the reduction of bedroom numbers from four to three in each of the units referred — fall within the scope of "maintenance, improvement, or other alteration" as defined under Section 4(1)(h). The proposed changes do not affect the external appearance of the structure. Since the works are limited to the interior, there is a prima facie argument that these alterations could be considered exempted development under Section 4(1)(h). Ordinarily, such development if it were to occur outside of a planning permission, could be classified as exempted development pursuant to the provisions of Section 4(1)(h). However, there is no provision in the Planning & Development Act 2000 (as amended) or Planning & Development Regulations 2001 (as amended) which specifically exempts development where such development is carried out and incorporates slight deviations or otherwise from that permitted as part of a planning application, as held in the Inspectors Report for An Bord Pleanála Case Reference ABP-316325-23.

#### **Relevant Case Law:**

In *Horne v Freeney* [1982] IEHC 20, the High Court addressed a case involving internal alterations undertaken during the construction of an amusement arcade. The court held that planning permission is indivisible, meaning that the development must be completed entirely in accordance with its granted permission. Mr. Justice Murphy emphasized that it was not permissible to undertake alterations during construction on the basis that such variations would have been exempt once the building was completed. The judgment clarified that for any development to avail of the exempted development rights under Section 4(1)(h), it must first be completed fully in accordance with its permission. Accordingly, any exemptions under Section 4(1)(h) would only apply to a development that is fully completed in line with its original permission.

#### **Assessment Concerning Restrictions on Exemption:**

The restrictions provided in Article 9 of the Planning and Development Regulations 2001, (as amended) relate exclusively to Article 6 of the Planning & Development Regulations, 2001 (as amended) which refers to classes of development specified in Part 1, Schedule 2 of the Planning & Development Regulations, 2001 (as amended) which are not applicable in this case.

#### **Conclusion:**

Having regard to the foregoing and in light of the legislative context, relevant case law, and the specific conditions of the Grant of Permission, it appears that the proposed internal alterations—namely, the reduction of bedrooms from four to three—do not qualify as exempted development under Section 4(1)(h) of the Planning and Development Act 2000 and Article 6 of the Planning and Development Regulations 2001 (as amended) does not apply in this case.

### Recommendation

**WHEREAS** a question has arisen as to whether a proposed development; comprising the “*Permission to internally change room layouts (Planning Reference PD/15/393)*” under the Planning & Development Act (Exempted Development) Regulations 2018, at the site located in “*Pairc Cluain Ghamhna Housing, Cloongowna, Athlone, 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) 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.
- (d) The planning history of the site

### AND WHEREAS I have concluded that

- The works outlined above are development.
- The works do not fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 (as amended) and as such, do not constitute exempted development.
- Article 6(1) does not apply, with no provision for the proposed works detailed in the classes specified in column 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).
- 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 comprising “*Permission to internally change room layouts*” under the Planning & Development Act (Exempted Development) Regulations 2018, at the site located in *Pairc Cluain Ghamhna Housing, Cloongowna, Athlone, Co. Roscommon*, does not constitute exempted and that the applicant be advised of same.

Signed:



Blaithín Kinsella

Assistant Planner

Date: 20 August 2024

Signed:



Alan O'Connell

Senior Executive Planner

Date: 20 August 2024





Dwellings: 70 & 69



Crèche: Foundations



Dwellings: 68 & 67



On entry to site



Dwellings: 62 & 61 [Raft]



Dwellings: 60 & 59



Dwellings: 58 & 57



Dwellings: 56 & 55



Site Curtilage



Dwellings: 54 & 53



Site Curtilage



Dwellings: 52 & 51; 50 & 49





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County Boundary

1:10,000  
0 0.07 0.15 0.3 mi  
0 0.13 0.25 0.5 km  
© Tailte Éireann, @Roscommon County Council



Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



John Slevin  
JP Oaktree Ltd,



**Date:** 9<sup>th</sup> April 2024

**Planning Reference:** DED 686

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

**Development:** Permission to internally change room layouts (Planning Reference PD/15/393 & PD/20/2013) under the Planning & Development Act (Exempt Development) Regulations 2018 at Pairc Cluain Ghamhna, Bealnamulla, Athlone, Co. Roscommon.

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A Chara,

I wish to acknowledge receipt of your application received on the 27<sup>th</sup> 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. **L01/0/227958** dated 8<sup>th</sup> April 2024, receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 686**  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell  
Senior Executive Planner,  
Planning Department.

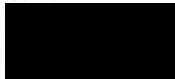
Roscommon County Council  
Aras an Chontae  
Roscommon  
09088 37100

\*\*\*\*\*

08/04/2024 15:01:50

Receipt No L01/0/227858

J. P. OAKTRE  
PARK



PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 888	

Total : 80.00 EUR

Tendered :  
Credit/Debit Card 80.00  
8905

Change : 0.00

Issued By : Bernadine Duignan  
From : Central Cash Office

**Carmel Curley**

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**From:** Mervyn Walsh  
**Sent:** Wednesday 27 March 2024 15:20  
**To:** Carmel Curley  
**Subject:** FW: PL15/393 Paric Cluain Ghamhna Internal Changes - Planning Exemption Application  
**Attachments:** 04 C4499-A001 Type C Ca.pdf; 05 C4499-A002 Type C1 C1a.pdf; 06 Agents Letter.pdf; 00 4499-LT14 Planning 3 Bedroom.pdf; 01 Application for Planning Exemption.pdf; 02 Site Location.pdf; 03 C4499-C001 Site Plan.pdf

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**From:** [REDACTED]  
**Sent:** Wednesday 27 March 2024 15:11  
**To:** Planning Department <Planning@roscommoncoco.ie>  
**Cc:** jpoaktreeltd@gmail.com  
**Subject:** PL15/393 Paric Cluain Ghamhna Internal Changes - Planning Exemption Application

Dear Madam,

Please find attached our request for planning exemption for only Internal changes to Type C & C1 first floor rooms to change from 4 bedroom to 3 bedroom, based on guidance from our property agent that buyers demand is for 3 bedroom houses.

**Cormac Foskin**

Chartered Engineer

**J.A. Gorman Consulting Engineers Ltd**

Unit 1,  
Block B,  
Forest Park,  
Mullingar,  
Co. Westmeath.

Tel: 044-9347338  
Fax: 044-9347400  
E-mail: [cormac@jagorman.ie](mailto:cormac@jagorman.ie)  
Web: [www.jagorman.ie](http://www.jagorman.ie)

**PROPERTY  
PARTNERS**  

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**MOORE LARKIN**

27 Pearse Street, Athlone, Co Westmeath N37 DK50

T: 0906 435250

E: moorelarkin@propertypartners.ie

www.propertypartners.ie

Our Ref: 368

27<sup>th</sup> March 2024

Mr. Cormac Foskin  
J.A. Gorman Consulting Engineers Ltd  
Unit 1,  
Block B,  
Forest Park,  
Mullingar,  
Co. Westmeath.

**Re: Pairc Cluain Ghamhna, Bealnamulla, Athlone, Co. Roscommon**

Dear Mr. Foskin,

Further to our recent meeting I wish to advise you that it is our experience presently, that the demand from prospective house buyers for new homes at Pairc Cluain Ghamhna, Bealnamulla, Athlone, Co. Roscommon is for 3 bedroom semi-detached houses.

If I may be of any further assistance in this matter please do not hesitate to contact me.

Yours sincerely,



**Ollie Moore**  
**Property Partners Moore Larkin**

These particulars are issued by Larkin Moore Property Services Ltd trading as Property Partners Moore Larkin on the understanding that any negotiations respecting the property mentioned are conducted through the Company. Every care is taken in preparing the particulars, but the firm do not hold themselves responsible for any inaccuracy in the particulars and terms of the property referred to, or for any expense that may be incurred in visiting same should it prove unsuitable or to have been let, sold or withdrawn.

**ipav**

VAT NO: IE 3735784RH | PSRA 004330

Directors: Oliver Moore, Laura Larkin | Registered in Ireland No 685368 | Registered Office Block B, Monkland Business Park, Monkland, Athlone, Co Roscommon | A private company limited by shares





Comhairle Contae  
Ros Comáin  
Roscommon  
County Council

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

**Application for a Section 5 Declaration**  
**Development / Exempted Development**

**1. Applicant's address/contact details:**

<i>Applicant</i>	<b>JP Oaktree ltd John Slevin</b>
<i>Address</i>	<b>Clarehill Moate Co Westmeath</b>
<i>Telephone No.</i>	<b>044-9356911</b>
<i>E-mail</i>	<b>jpoaktreeltd@gmail.com</b>

**2. Agent's (if any) address:**

<i>Agent</i>	<b>JA Gorman Consulting Engineers</b>
<i>Address</i>	<b>Unit 1 Block B Forest Park Mullingar</b>
<i>Telephone No.</i>	<b>044 9347338</b>
<i>E-mail</i>	<b>cormac@jagorman.ie</b>
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [ <input type="checkbox"/> ]	Agent [ <input checked="" type="checkbox"/> ]

**3. Location of Proposed Development:**

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	<b>Paric Cluain Ghamhna Housing Development Phase 3 Hses nos 41- 62 &amp; 67-70 see drawing P4499-C001</b>
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**4. . Development Details:**

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.

<b>Internal changes to room layouts at first floor in Type C &amp; Type C1 houses to change from 4 bedroom to 3 bedroom dwellings to meet demand.</b>
<b>Planning ref 15/393 &amp; 20/2013 23no total houses proposed changed to 3 bedroom Hse 41 to 61, 67 &amp; 68</b>
<b>Proposed floor area of proposed works/uses: 50 sq.m</b>

**5. Legal Interest of Applicant in the Land or Structure:**

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	A. Owner <input checked="" type="checkbox"/>	B. Occupier
	C. Other	
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>		
<i>If you are not the legal owner, please state the name and address of the owner</i>	Name: Address:	

Signature of Applicant(s) 

Date: 27/03/2024

**Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.**



Planning,  
Roscommon County Council,  
Áras an Chontae,  
Roscommon,  
County Roscommon,  
F42 VR98,

Ref:4499-LT14

27<sup>th</sup> March 2024

**Re: Paric Cluain Ghamhna, Housing Development, Athlone Co Roscommon**  
**Phase 3 Houses 41 to 62 & 67 to 70**

Dear Madam,

Please find enclosed our submission for a planning exemption under section 5 of the Planning and Development Act, for changes to houses in the final phase 3 of this development (15/393).

We have been advised by our Property Agent Moore Larkin that there is a preference for 3 bedrooms, see letter attached. We would like to make internal changes to first floor room layout for 23 houses of the final 26 houses and provide 3 bedroom dwellings. The proposed 3 bedroom houses numbers are no 41 to 61 and 67 and 68, see drawing 4499-C003 Site Plan Phase 3..

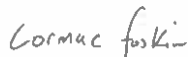
- 1) (Type C) 4 beds semi change to internal layout first floor to 3 bedrooms.  
Change 9no. to 3 bedroom (Type Ca) and keep 4no. as 4 bedrooms (Type C).
- 2) (Type C1) 4 beds semi change to internal layout first floor to 3 bedrooms.  
Change 14no. to 3 bedroom (Type C1a) and keep 4no. as 4 bedrooms.

We note the external elevations do not require changes to achieve the change from 4 bedroom to 3 bedroom.

We include drawings P4499- A001 and A002 indicating proposed first floor internal layout changes noted as Type C1a and Type Ca.

Trusting you find this in order.

Yours sincerely,



Cormac Foskin  
Chartered Engineer  
BEng MIEI  
JA Gorman Consulting Engineers Ltd





Figure 1: House No 63/64 Type C completed Phase 1 & 2

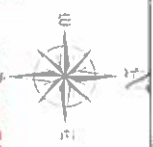


**Figure 2:** House no 65 66 Type C1 4 Bedroom completed Phase 1 & 2

PL 15/393 Phase 1&2 Complete Development

PL 15/393 Phase 3  
Under Construction

CRECHE



- Type C semi
- Type C1 semi
- Type Ca semi
- Type C1a semi
- detached 3 bedroom

**GENERAL NOTES**

ALL LISTS LISTED OUTSIDE AND UNDERGROUND THE BOUNDARY OF THE DEVELOPMENT ARE FOR INFORMATION ONLY AND DO NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED.

CONSTRUCTION OF SEWER AND GROUND SURFACE ROADS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ROAD AND TRAFFIC ACTS, 1988-2006 AND THE ROAD AND TRAFFIC ACTS, 1988-2006 AND THE ROAD AND TRAFFIC ACTS, 1988-2006.

ALL LEVELS RELATIVE TO DRAINAGE OR DATUM SHALL BE INDICATED BY THE DRAWING.

NOT SCALE THE DRAWING. USE FOR INFORMATION ONLY.

THE DRAWING IS TO BE USED IN CONJUNCTION WITH ALL THE INFORMATION PROVIDED AND THE DRAWING IS NOT TO BE USED IN ISOLATION.

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THE DRAWING IS NOT TO BE USED IN ISOLATION AND THE DRAWING IS NOT TO BE USED IN ISOLATION.

**JP OAKTREE LTD**

**Gorman**

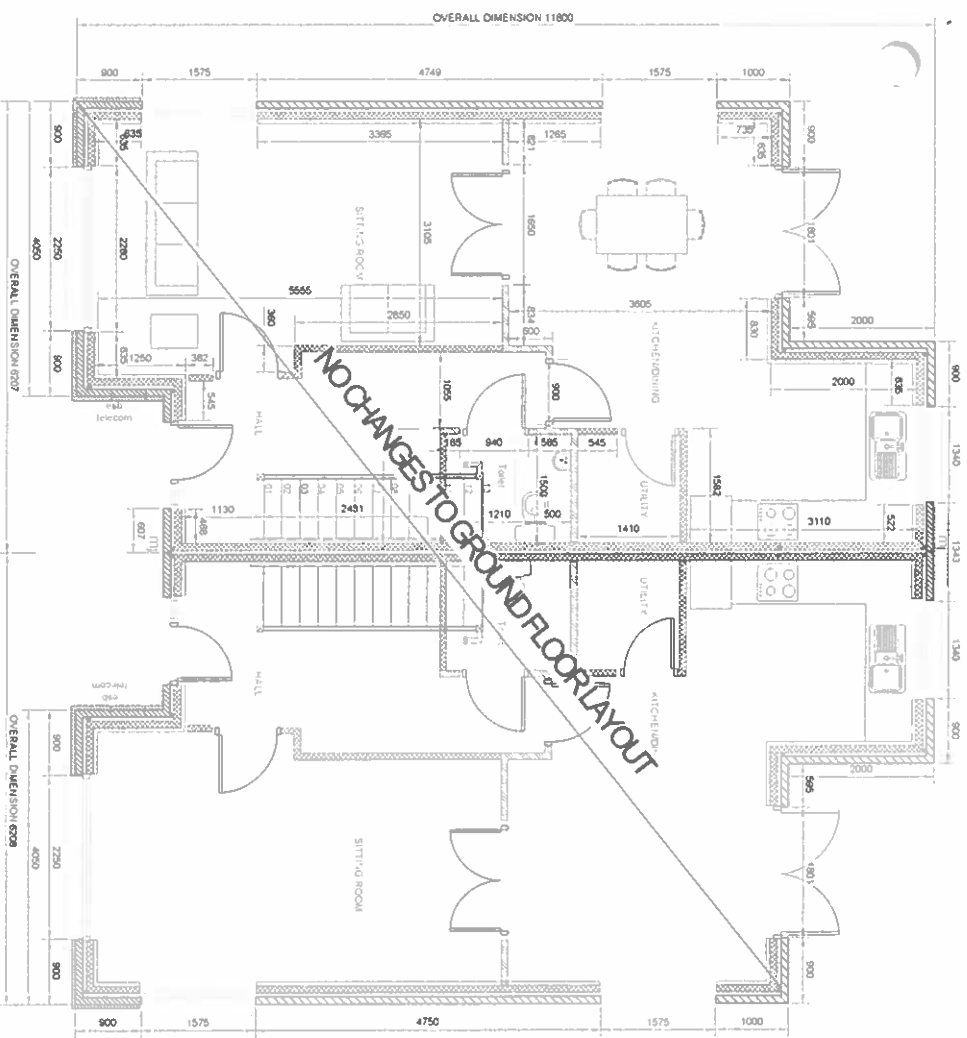
**PAIRC CLUAIN GHAIHNA**

**CLOONGOWNA ATHLONE**

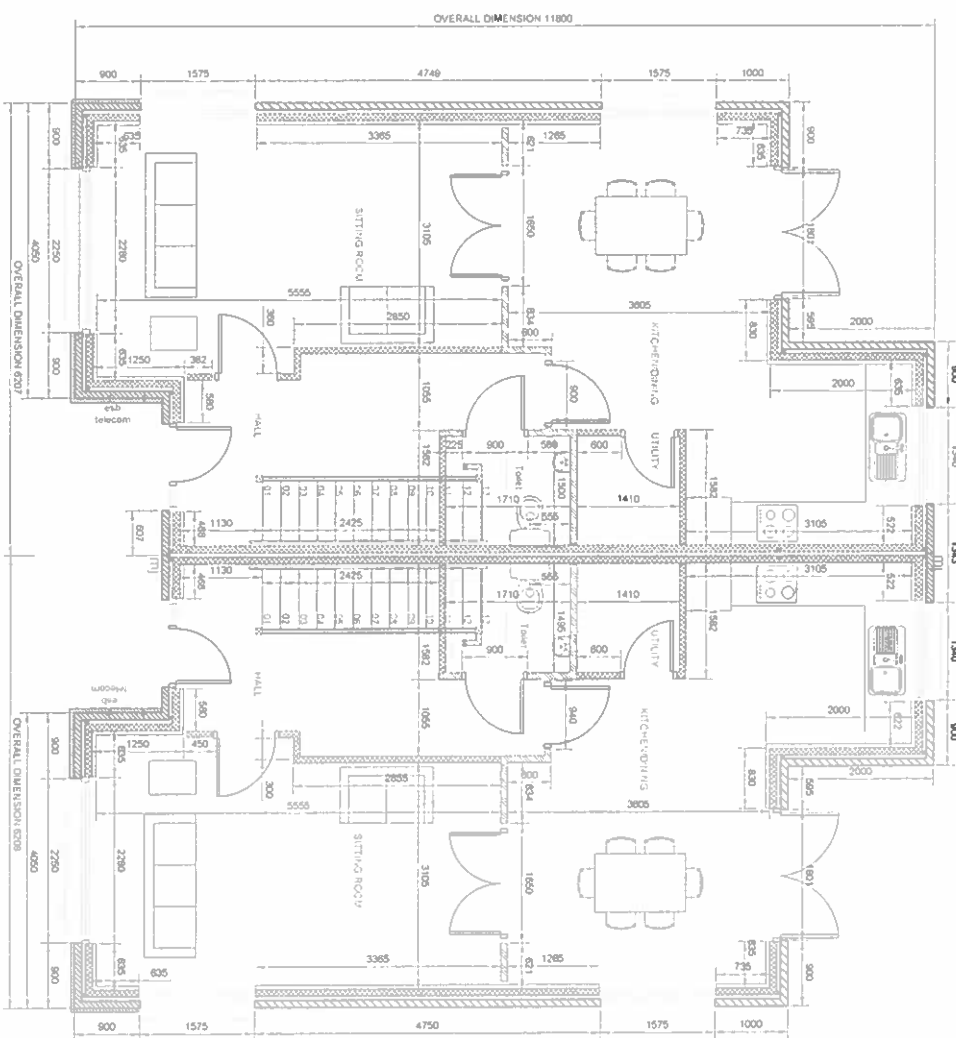
**CO. ROSCOMMON**

**SITE PLAN PHASE 3**

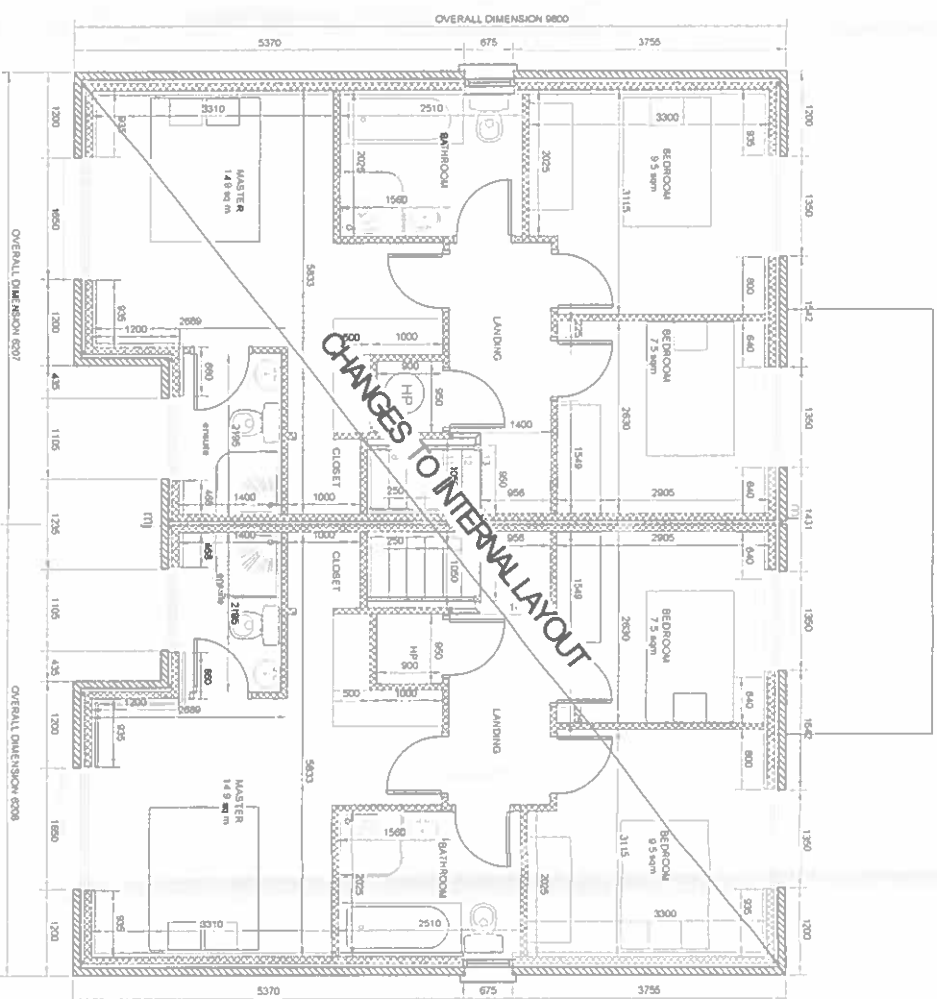
Plot No.	Plot Size	Owner	Design No.
A1	A1.128	C5	C5
C5	4.880	PAIRC CLOON	C5



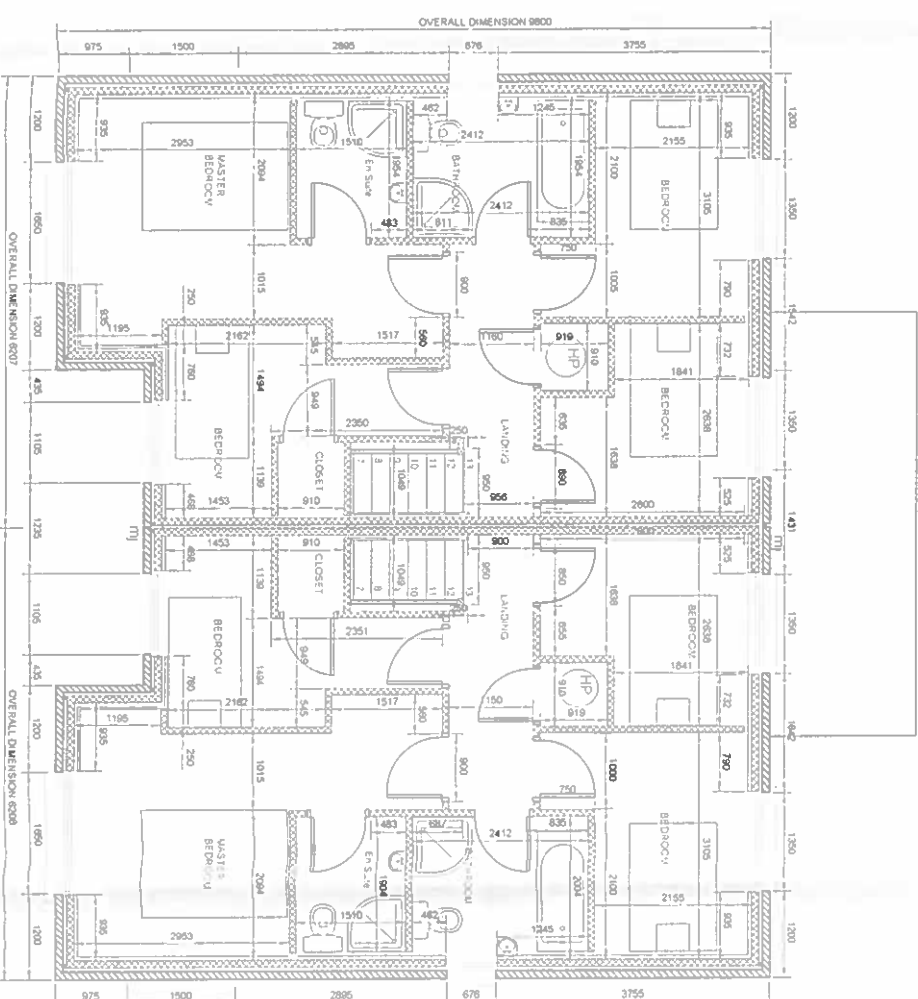
(TYPE Ca) PROPOSED GROUND FLOOR PLAN 3 BEDROOM  
SCALE 1:50



TYPE C EXISTING GROUND FLOOR PLAN 4 BEDROOM  
SCALE 1:50



(TYPE Ca) PROPOSED FIRST FLOOR PLAN 3 BEDROOM  
SCALE 1:50



TYPE C EXISTING FIRST FLOOR PLAN 4 BEDROOM  
SCALE 1:50

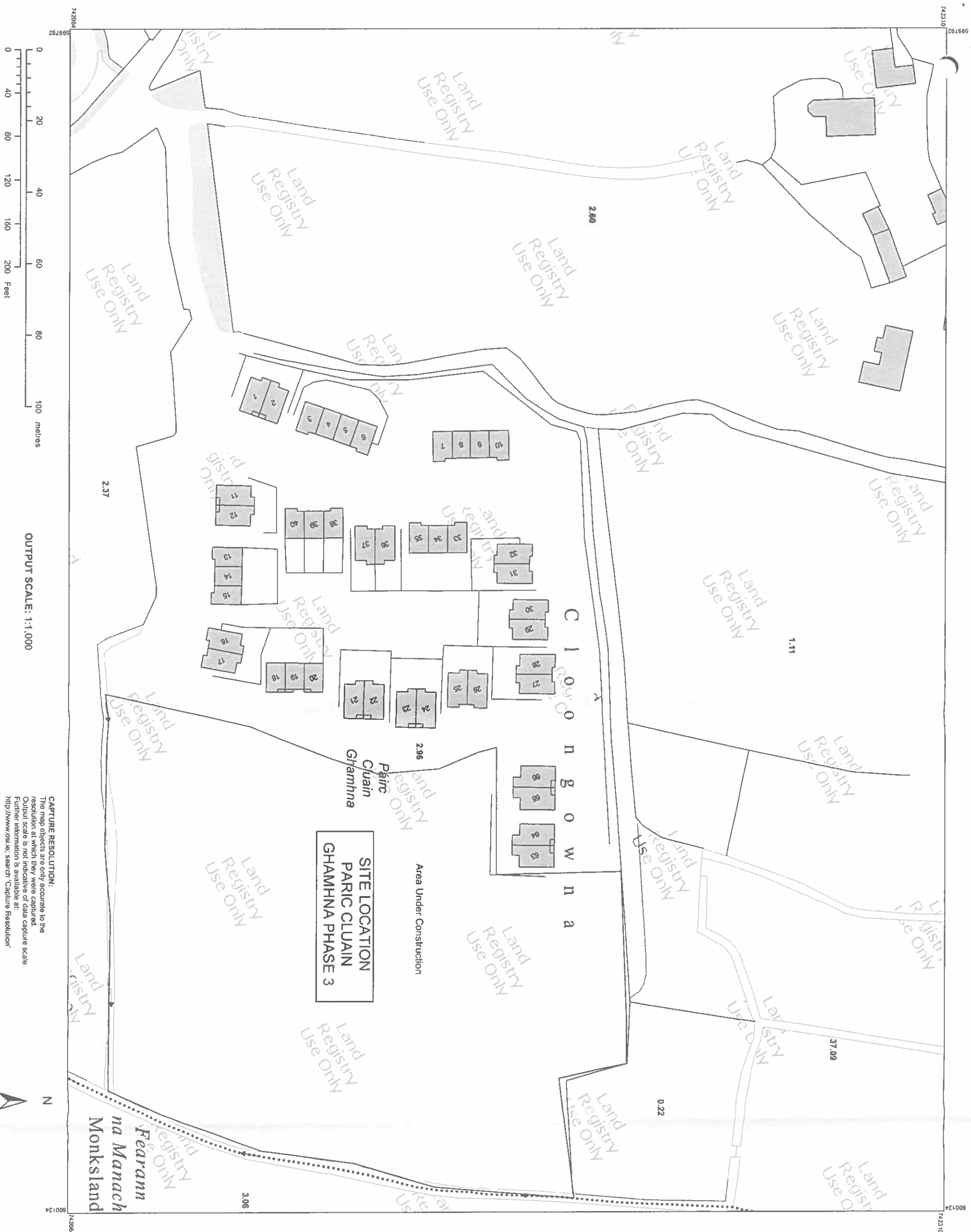
- GENERAL NOTES:**
- WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS
  - DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE
  - ANY DISCREPANCIES FOUND ON THIS DRAWING SHOULD BE IMMEDIATELY REPORTED TO THE ENGINEER
  - ALL WORK SHALL BE IN ACCORDANCE WITH THE RELEVANT ENGINEERS DRAWINGS, SPECIFICATIONS AND CONTRACT DOCUMENTS
  - ALL WORK SHALL BE IN ACCORDANCE WITH THE RELEVANT AND CURRENT HEALTH AND SAFETY LEGISLATION
  - SPECIFICATION OF THE WORKS TO BE TO THE APPROPRIATE IRISH STANDARD OR THE EQUIVALENT BRITISH STANDARD
  - CONSTRUCTION MANUAL FOR TIMBER FRAME

<b>JA Gorman</b> civil engineering project management web: www.jagorman.ie		<b>JP OAKTREE LTD</b> PAIRC CLUAIN GHAMHNA CLOONGOWNA ATHLONE CO. ROSCOMMON	
<b>PROJECT TITLE</b> TYPE C / Ca TIMBER FRAME SEMI DETACHED 3 BED PLAN & SECTIONS G & H-H		<b>PROJECT NO.</b> 04499-0001	
<b>DATE</b> 15/01/2024		<b>SCALE</b> 1:50	
<b>PROJECT NO.</b> 04499-0001		<b>DATE</b> 15/01/2024	





# Land Registry Compliant Map



# Ordnance Survey

**National Mapping Agency**

**CENTRE  
COORDINATES:**  
ITM 599958,742187

**PUBLISHED:** 06/09/2022

**ORDER NO.:** 50289693\_1

MAP SERIES:	MAP SHEETS:
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