

ROSCOMMON COUNTY COUNCIL

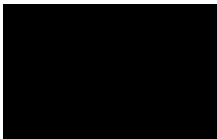
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Patrick Murphy & Fidelma Kelly,



Reference Number: DED 707
Application Received: 15th May 2024
Name of Applicants: Patrick Murphy & Fidelma Kelly
Agent: N/A

WHEREAS a question has arisen as to whether the renovation of an existing dwelling at Rampark House, Rampark, Castlerea, 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 Acts 2000 as amended.
- (d) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The internal 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;
- (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 renovate an existing dwelling at Rampark House, Rampark, Castlerea, 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: 17th June 2024

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

Reference Number:	DED 707
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to renovate existing dwelling.
Name of Applicant:	Patrick Murphy & Fidelma Kelly
Location of Development:	Rampark House, Rampark, Castlerea, Co. Roscommon.
Site Visit:	12/06/2024

WHEREAS a question has arisen as to whether the following works; to renovate existing dwelling_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 & Development Description

The property is detached two-story house in Rampark House, Rampark, Castlerea, Co. Roscommon. The property is access via the R-377 road just outside of Castlerea town but is not in zoned land. The proposed development consists of the renovation of the house which includes repairs to the chimneys (flashings and cappings), new back/patio door and rear window and varies internal works.

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 Corliskea/Trien/Cloonfelliv Bog PNHA (Site Code 002110) which is located circa 4.4km to the south west and Cloonchambers Bog PNHA (Site Code 000600) which is located circa 4.6km to the west 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. The need for further Appropriate Assessment, therefore, be excluded.

Planning History

As per the Roscommon County Council's Planning Registry, no recent planning history found.

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

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,

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 to renovate existing dwelling. 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 deemed 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; to renovate existing dwelling as outlined above at Rampark House, Rampark, Castlerea, 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 internal 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;

- 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 to renovate existing dwelling as outlined above at Rampark House, Rampark, Castlerea, Co. Roscommon, is an exempt development and I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Date: 17th June 2024

Civil Technician



Signed:

Date: 17th June 2024

Senior Executive Planner







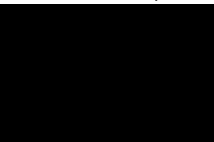




Comhairle Contae
Ros Comáin
Roscommon
County Council



Patrick Murphy,



Date: 15th May 2024
Planning Reference: DED 707

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: Permission to renovate existing dwelling under the Planning & Development Act (Exempt Development) Regulations 2018 at Rampark House, Rampark, Castlerea, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application which was received on the 10th May 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. L01/105683/228563 dated 14th May 2024, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 707**.
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
09066 37100

14/05/2024 11:56:04

Receipt No. : L01/105683/228563
***** REPRINT *****

PATRICK MURPHY

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED707	

Total : 80.00 EUR

Tendered
Credit/Debit Card 80.00
5488

Change : 0.00

Issued By : Louis Carroll
From : Central Cash Office

Sharon Kelly

From: patrick murphy [REDACTED]
Sent: Wednesday 8 May 2024 11:15
To: Planning Department
Cc: fidelma kelly
Subject: Rampark House Castlerea Application for Declaration of Exempted Planning
Attachments: Rampark House cover letter exempted planning declaration 8.05.24.docx; rampark house 1 2500 map.pdf; Rampark House Site plan.pdf; Rampark House Castlerea 2024 declaration-under-section-5-application-form.pdf; RENOVATION WORKS DETAILS RAMPARK HOUSE CASTLEREA CO. ROSCOMMON.pdf



To whom it may concern

As part of the Vacant Homes Property Grant application we have been asked to please provide a Declaration of Exempted Development from Roscommon County Council Planning Department.
We wish to confirm that there is no material alteration or extension to the existing property.

We enclose the following documents:

- Cover Letter
- Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development form.
- Site Location (existing Property)
- Site Layout (existing property)
- Detail Of Renovation Works

In regard to payment I can pay over the phone. My mobile phone number is [REDACTED]
If you need any more information please contact me by email [REDACTED] or on my mobile.

Many Thanks
Patrick Murphy & Fidelma Kelly.



To : Planning Office
Roscommon County Council
Roscommon
Co. Roscommon



Patrick Murphy & Fidelma Kelly
RE : Rampark House, Castlerea, County Roscommon
Application for Exempted Planning to support Vacant property Grant

Date 8.05.24

By Email

To whom it may concern

As part of the Vacant Homes Property Grant application we have been asked to please provide a Declaration of Exempted Development from Roscommon County Council Planning Department. We wish to confirm that there is no material alteration or extension to the existing property.

We enclose the following documents:

- Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development form.
- Site Location (existing Property)
- Site Layout (existing property)
- Detail Of Renovation Works

In regard to payment I can pay over the phone. My mobile phone number is [REDACTED]
If you need any more information please contact me by email [REDACTED] or on my mobile.

Many Thanks

A handwritten signature in blue ink, appearing to read "Pat Murphy".

Patrick Murphy



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)	Patrick Murphy & Fidelma Kelly
Name of Agent	
Nature of Proposed Works	Renovation of existing property
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Rampark House Rampark F45 K634 Castlerea Co. Roscommon
Floor Area: a) Existing Structure b) Proposed Structure	a) circa 200 m2 b) 0m2
Height above ground level:	7.5m
Total area of private open space remaining after completion of this development	200m2
Roofing Material (Slates, Tiles, other) (Specify)	N/A



Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	N/A
Is proposed works located at front/rear/side of existing house.	existing structure only
Has an application been made previously for this site	not that we are aware of
If yes give ref. number (include full details of existing extension, if any)	as above
Existing use of land or structure	House and garden
Proposed use of land or structure	existing structure and garden
Distance of proposed building line from edge of roadway	existing structure
Does the proposed development involve the provision of a piped water supply	N/A
Does the proposed development involve the provision of sanitary facilities	existing to be renovated

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

Signature:

Date:

08.05.24

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

1. Demolitions / Strip-out / Site Clearance (including removal of hazardous materials) includes for the removal of old concrete floors and raised access floors and miscellaneous walls doors bathrooms and old heating system and wiring

2. Substructure works (including works to foundations; rising walls; beds / slabs; damp-proofing; underpinning) includes for the installation of insulated limecrete floors

3. Superstructure works (including works to internal / external walls; chimneys; upper floors; stairs; roof structure; other structural timbers) provisional for repairs

4. Completions (including works associated with external doors and windows; internal doors and associated frames, architraves and ironmongery; balustrades; skirtings; rooflights; fascia's / soffits; rainwater goods)

4a external completions (incl. doors, windows, sills)

supply and installation of new back door patio door and window in kitchen

4b internal completions (incl. doors, frames, architraves, ironmongery) refurbish existing iron mongery and new ensuite

4c skirtings refurbishment and replacement where required

4d fascia's, soffits, rainwater goods provisional repairs and repaint soffit

4e roof completions (incl. flashings, fascia's, soffits, gutters, downpipes) additional downpipes and rainwater modifications

5. Finishes (including finishes to external / internal walls; ceiling finishes; tiling / waterproof finishes to wet areas; roof finishes) Internal lime render miscellaneous work

5a tiling / waterproof finishes to wet areas

5b painting and decorating internal only

5c roof finishes proofing provisional repairs

6. Services (including plumbing; heating; ventilation; power; lighting; telecommunications; smoke / CO2 detection)

Rewire house

Electrical fixtures and fittings

New boiler/ Heat Pump

pipng and fitting and installation

radiators

recirc ventilation

7. Fittings (including kitchen units; sanitary / bathroom fittings)

7a kitchen units

7b sanitary ware / bathroom fittings

8. External Works (necessary external / site works carried out within the curtilage of the site)

Restoning driveway gravel top up

French drain installation



Carmel Curley

From: patrick murphy [REDACTED]
Sent: Friday 10 May 2024 17:02
To: Carmel Curley
Subject: Re: FW: Rampark House Castlereagh Application for Declaration of Exempted Planning

Hi Carmel,

This an allowance to cover any repairs required to the flashings and cappings of chimneys at roof level to prevent water ingress.

I hope this answers your question.

If you need to discuss further please feel free to call me on [REDACTED].

Thanks

Pat Murphy

On Fri 10 May 2024 at 10:10, Carmel Curley <CCurley@roscommoncoco.ie> wrote:

Dear Patrick,

I refer to your email dated 8th May 2024 in relation to a Declaration of Exempted Development Application. Before your application can be accepted can you please elaborate on point number 3 of the detailed specification

"Superstructure works (including works to internal/external walls; chimney; upper floors; stairs; roof structure; other structural timber)"

On receipt of same your application will be considered further.

We await to hear from you.

Regards,

Carmel



Carmel Curley, Assistant Staff Officer,

Planning Department, Roscommon County Council,



Clárúchán, Luacháil,
Suirbhéireacht
Registration, Valuation,
Surveying

Official Tailte Éireann Registration Map

This map should be read in conjunction with the folio.

Tailte Éireann (TÉ) Registration mapping is based on TÉ Surveying mapping. Where TÉ Registration maps are printed at a scale that is larger than the TÉ Surveying scale, accuracy is limited to that of the TÉ Surveying map scale.

For details of the terms of use and limitations of scale, accuracy and other conditions relating to T  Registration maps, see www.taiite.ie.

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Freehold

Leasehold

SubLeasehold

'S' Realster

(see Section 8(b)(II) of Registration of Filing
Act 1964 and Rule 224 & 225 and
Registration Rules 1972 - 2010)

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

9MA 0

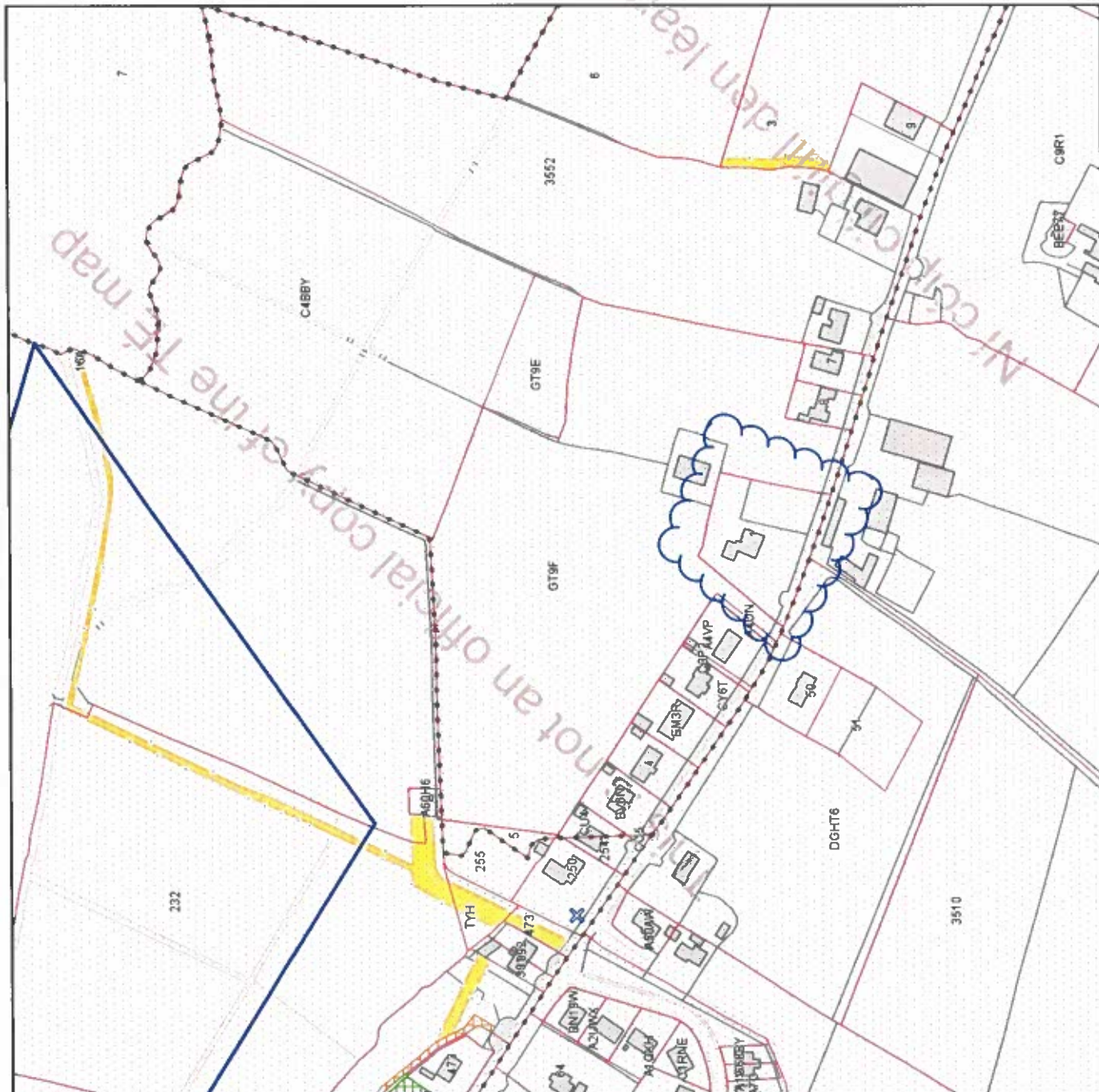
Septic

Soak Plt

A full list of burdens and their symbology can be found at: www.landdirect.ie

Taillie Éireann Registration operates a non-conclusive boundary system. The **TÉ** Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a **TÉ** Registration map is conclusive as to the boundaries or extent.

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



8 MAY 2024

Carmel Curley

From: Carmel Curley
Sent: Monday 13 May 2024 12:01
To: patrick murphy
Subject: RE: FW: Rampark House Castlerea Application for Declaration of Exempted Planning

Hi Patrick,

Many thanks for sending on the below email.

Your application has been assigned a Reference Number DED707 – please call the cash desk on 090-66-37108 in order to pay the €80 fee. I will then issue you with an acknowledgement letter and the receipt.

Regards,

Carmel

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



From: patrick murphy [REDACTED]
Sent: Friday 10 May 2024 17:02
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Dear Patrick,

Carmel Curley

From: Carmel Curley
Sent: Friday 10 May 2024 10:10
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Subject: FW: Rampark House Castlereagh Application for Declaration of Exempted Planning
Attachments: RENOVATION WORKS DETAILS RAMPARK HOUSE CASTLEREA CO.
ROSCOMMON.pdf

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Carmel

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



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Sent: Wednesday 8 May 2024 11:15
To: Planning Department <Planning@roscommoncoco.ie>
Cc: fidelma kelly [REDACTED]
Subject: Rampark House Castlereagh Application for Declaration of Exempted Planning

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In regard to payment I can pay over the phone. My mobile phone number is [REDACTED]
If you need any more information please contact me by email [REDACTED] or on my mobile.

Many Thanks

Patrick Murphy & Fidelma Kelly.

Please note that I may be sending this email outside your working hours and I do not expect a response or action outside your own working hours