

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Michael Reilly & Anne Lennon,

Reference Number: DED 713
Application Received: 24th May 2024
Name of Applicants: Michael Reilly & Anne Lennon
Agent: MMKDA Consulting Engineers

WHEREAS a question has arisen as to whether the refurbishment of an existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area 2. Replacing solid fuel heating system with Air to Water 3. Constructing a new garage 4. Demolishing existing sheds at Ardkeen, Drum, 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) Class 1, 3, 6, 50 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (Exempt Development – General), 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 proposed extension to rear of a dwelling house as described in this case is an exempted development.
- (c) The proposed garage to rear/side of a dwelling house as described in this case is an exempted development.
- (d) The proposed demolition of existing sheds as described in this case is an exempted development.
- (e) The proposed new pathways around the house, replace kerbing and gravel driveway as described in this case is an exempted development.
- (f) All other 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;
- (g) 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 refurbish an existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area 2. Replacing solid fuel heating system with Air to Water 3. Constructing a new garage 4. Demolishing existing sheds at Ardkeenán, Drum, 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: 24th July 2024

cc agent via email: **MMKDA Consulting Engineers**
info@mmkda.com

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.

Carmel Curley

From: Carmel Curley
Sent: Thursday 25 July 2024 12:07
To: Michael Reilly
Cc: info@mmkda.com
Subject: RE: Planning Reference DED713
Attachments: DED713 - Notification of Decision.pdf

Dear Michael,

I wish to acknowledgement receipt of the Further Information response dated 22nd July 2024.

Please note that your application is now finalised. Please see attached Notification of Decision. A hard copy will follow today.

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: Michael Reilly [REDACTED]
Sent: Monday 22 July 2024 09:21
To: Carmel Curley <CCurley@roscommoncoco.ie>
Cc: MMKDA <info@mmkda.com>
Subject: Planning Reference DED713

Dear Mr. O'Connell & Ms. Curley,

I acknowledge receipt of your letter dated 25 June last, apologies for the delay in responding due to holidays.

With regard to the questions you raised in your letter, please find below my responses which I hope is to your satisfaction.

1. *State if it is proposed to relocate the site entrance as part of this application as it is only currently shown on the site layout and not listed in works.*

It is proposed to keep the existing site entrance. No relocation of site entrance is proposed. See drawing 4065_G-2_RevB Site Layout for reference.

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

Reference Number:	DED 713
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding exempted development to refurbish existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area. 2. Replacing solid fuel heating system with air to water 3. Constructing a new garage 4. Demolishing existing sheds.
Name of Applicant:	Michael Reilly & Anne Lennon
Location of Development:	Ardkennan, Drum, Co. Roscommon
Site Visit:	18/06/2024

WHEREAS a question has arisen as to whether the following works; to refurbish existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area. 2. Replacing solid fuel heating system with air to water 3. Constructing a new garage 4. Demolishing existing sheds 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) Class 1, 3, 6, 50 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (Exempt Development – General), 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 subject site is located in Ardkennan, Drum, Co. Roscommon and is accessed off the L-2026 road. The site contains a bungalow dwelling house with 2 no sheds in the rear garden. No existing extensions to the house only a small attached shed to the rear of the dwelling. The proposed works include the following:

- Replacing roof tiles with slates
- Replace windows and doors
- Replace existing solid fuel heating system with air to water heating
- Demolition of attached shed and 2 separate sheds in rear garden
- Construct an extension to the rear of the dwelling
- Construct a garage to the side/rear of the existing dwelling
- Landscaping works including reseeding of lawn, kerbs, gravel driveway and new paths.
- Varies internal works
- Indicated on site layout plan to relocate the site entrance

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

Appropriate Assessment

The closest European sites to the site of the development are Castlesampson Esker PNHA/SAC (Site Code 001625) which is located circa 3.1km to the northwest and Carrickynaghtan Bog NHA (Site Codes 001623) which is located circa 5.2km to the 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. The need for further Appropriate Assessment, 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.

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,

Class 1 of Part 1 of Schedule 2: Exempted development - General

Description of Development	Conditions and Limitations
<p><i>Development within the curtilage of a house</i></p> <p>CLASS 1</p> <p>The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.</p>	<p>1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.</p> <p>2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.</p> <p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p> <p>4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house. (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.</p>

	<p>(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.</p> <p>5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.</p> <p>6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces. (b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces. 388 (c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden.</p>
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Class 3 of Part 1 of Schedule 2: Exempted development - General

Description of Development	Conditions and Limitations
<p>CLASS 3</p> <p>The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.</p>	<p>1. No such structure shall be constructed, erected or placed forward of the front wall of a house.</p> <p>2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.</p> <p>3. The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres.</p> <p>4. The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.</p> <p>5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.</p> <p>6. The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.</p>

Class 6 of Part 1 of Schedule 2: Exempted development – General

Description of Development	Conditions and Limitations
<p>CLASS 6</p> <p>(a) The construction of any path, drain or pond or the carrying out of any landscaping works within the curtilage of a house.</p> <p>(b) Any works within the curtilage of a house for—</p> <p>(i) the provision to the rear of the house of a hard surface for use for any purpose incidental to the enjoyment of the house as such, or,</p> <p>(ii) the provision of a hard surface in the area of the garden forward of the front building line of the house, or in the area of the garden to the side of the side building line of the house, for purposes incidental to the enjoyment of the house as such.</p>	<p>The level of the ground shall not be altered by more than 1 metre above or below the level of the adjoining ground.</p> <p>Provided that the area of the hard surface is less than 25 square metres or less than 50% of the area of the garden forward of the front building line of the house, or 50% of the area of the garden to the side of the side building line of the house, as the case may be, whichever is the smaller,</p> <p>or</p> <p>if the area of the hard surface is 25 square metres or greater or comprises more than 50% of the area of the garden forward of the front building line of the house, or 50% of the area of the garden to the side of the side building line of the house, as the case may be, it shall be constructed using permeable materials or otherwise allow for rainwater to soak into the ground.</p>

Class 50 of Part 1 of Schedule 2: Exempted development – General

Description of Development	Conditions and Limitations
<p>CLASS 50</p> <p>(a) The demolition of a building, or buildings, within the curtilage of—</p> <p>(i) a house,</p> <p>(ii) an industrial building,</p> <p>(iii) a business premises, or</p> <p>(iv) a farmyard complex.</p> <p>(b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.</p>	<p>1. No such building or buildings shall abut on another building in separate ownership.</p> <p>2. The cumulative floor area of any such building, or buildings, shall not exceed:</p> <p>(a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and</p> <p>(b) in all other cases, 100 square metres.</p> <p>3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.</p>

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 proposed development of an extension to each side of an existing extension to the rear of a dwelling house which, it is stated as having floor space of 37.6m².

With regard to the compliance with the conditions and limitations of Class 1 of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

1. a. Proposed work is stated as 37.6m².
b. House is detached, therefore N/A.
c. Proposed work is only on ground floor level.
2. House has not had a previous extension therefore N/A.
3. Proposed work is only on ground floor level.
4. a. Rear wall does not exceed this height.
b. Rear wall does not exceed this height.
c. Roof height of extension is not higher than the existing house.
5. Extension does not reduce the open space to less than 25m²
6. a. Window is greater than 1m from the boundary it faces.
b. Proposed work is only on ground floor level.
c. Proposed work is only on ground floor level.
7. Roof is not flat and therefore can not be used as such.

Having reviewed the existing works in the context of the Conditions and Limitations associated with Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the extension to rear of a dwelling house as described in this case is considered an exempted development.

The proposed development of a garage to the side/rear of a dwelling house which, it is stated as having floor space of 24.6m².

With regard to the compliance with the conditions and limitations of Class 3 of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

1. Proposed work is to the side/rear of the house.
2. Proposed area is stated at 24.6m².
3. Proposed work does not reduce the open space to less than 25m²
4. Stated on the proposed garage drawing that finishes to the walls and roof are to match existing house.
5. Proposed garage drawing indicates a height of 3.852m.
6. Proposed garage is for domestic use.

Having reviewed the existing works in the context of the Conditions and Limitations associated with Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the garage to the side/rear of the dwelling house as described in this case is considered an exempted development.

The proposed development of new pathways around the house, replace kerbing and gravel driveway, having reviewed the proposed works and the information provided in the context of the Conditions and Limitations associated with Class 6 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the new pathways around the house, replace kerbing and gravel driveway as described in this case is considered an exempted development.

The proposed development of the demolishing of the existing sheds, it is stated as having floor space of 30.27m².

With regard to the compliance with the conditions and limitations of Class 50 of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

1. Buildings are both stand-alone structures.
2. Area of both sheds are stated at 30.27m².

Having reviewed the existing works in the context of the Conditions and Limitations associated with Class 50 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the demolition of the existing sheds as described in this case is considered an exempted development.

The proposal of renovation of the house including the re-roofing, replacing of windows and doors and internal works are 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; to refurbish existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area. 2. Replacing solid fuel heating system with air to water 3. Constructing a new garage 4. Demolishing existing sheds in Ardkennan, Drum, 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) Class 1, 3, 6, 50 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (Exempt Development – General), 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.

The planning history of the site

AND WHEREAS I have concluded that

- The works outlined above are development.
- The proposed extension to rear of a dwelling house as described in this case is an exempted development.
- The proposed garage to rear/side of a dwelling house as described in this case is an exempted development.
- The proposed demolition of existing sheds as described in this case is an exempted development.
- The proposed new pathways around the house, replace kerbing and gravel driveway as described in this case is an exempted development.
- All other 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 refurbish existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area. 2. Replacing solid fuel heating system with air to water 3. Constructing a new garage 4. Demolishing existing sheds in Ardkennan, Drum, Co. Roscommon is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 

Date: 23rd July 2024

Civil Technician

Signed: 

Date: 23rd July 2024

Senior Executive Planner

Carmel Curley

From: Michael Reilly [REDACTED]
Sent: Monday 22 July 2024 09:21
To: Carmel Curley
Cc: MMKDA
Subject: Planning Reference DED713
Attachments: 4065.30_G-2_RevB Site Layout.pdf; 4065.30_T-21_RevA Garage Plan & Elevations.pdf; 4065.30_T-27 ACO Drain Channel & Soakaway.pdf

Categories: Section 5 - DED

Dear Mr. O'Connell & Ms. Curley,

I acknowledge receipt of your letter dated 25 June last, apologies for the delay in responding due to holidays.

With regard to the questions you raised in your letter, please find below my responses which I hope is to your satisfaction.

- 1. State if it is proposed to relocate the site entrance as part of this application as it is only currently shown on the site layout and not listed in works.*

It is proposed to keep the existing site entrance. No relocation of site entrance is proposed. See drawing 4065_G-2_RevB Site Layout for reference.

- 2. Please provide scaled plans and elevations of the proposed garage on which state the external finishes.*

See drawing 4065_T-21_RevA Garage Plan & Elevations for reference.

- 3. Please provide information in relation to the proposed material for the replacement of the gravel driveway and how is it proposed to drain the proposed paths/driveway.*

It is proposed to keep gravel for the driveway. Proposed paths/driveway will be drained via gullies into the proposed soak pit. ACO drain channel is proposed at the site entrance. Soakaways will be designed and constructed in accordance with BRE 365 Soakaway Design.

See drawing 4065_G-2_RevB Site Layout for reference.

I trust all is in order however should you require any further assistance please do not hesitate to contact me.

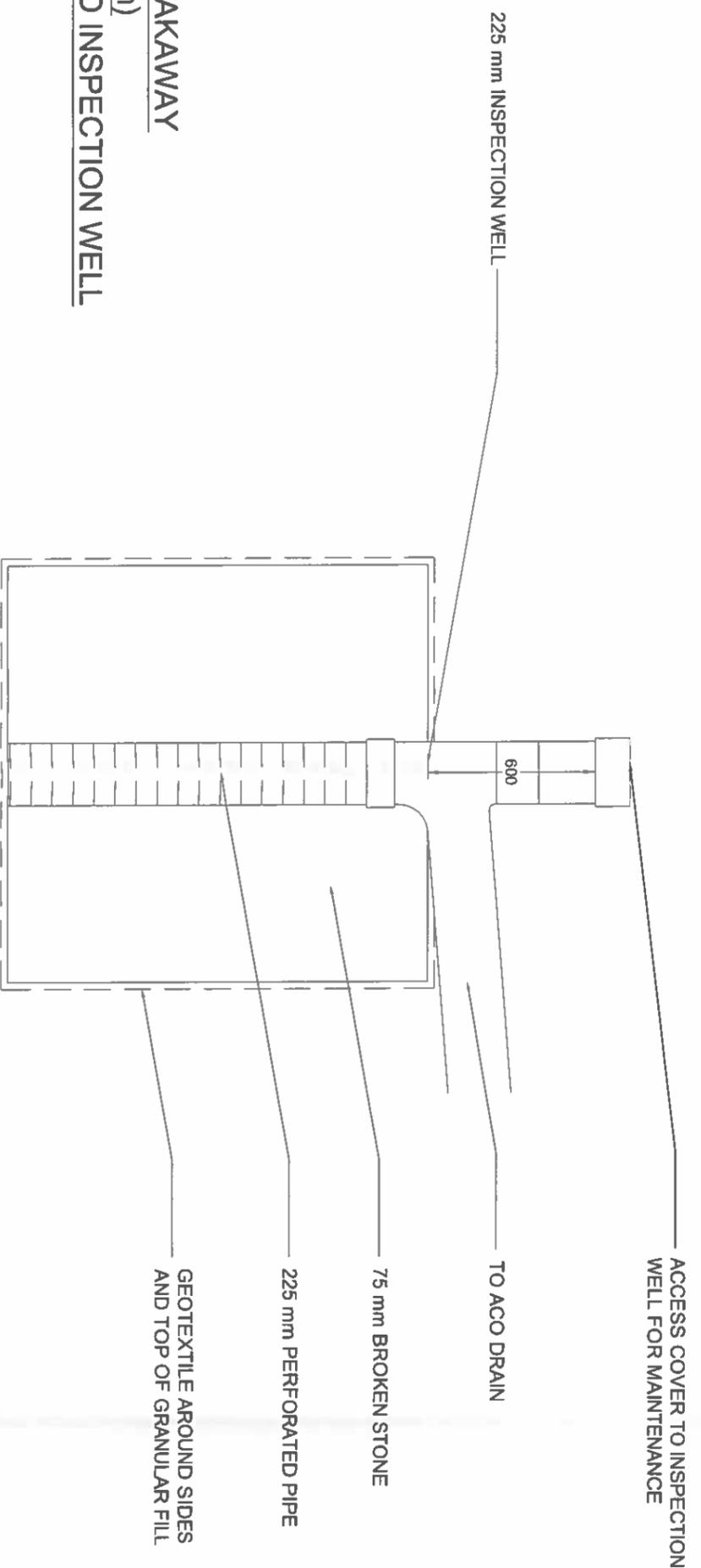
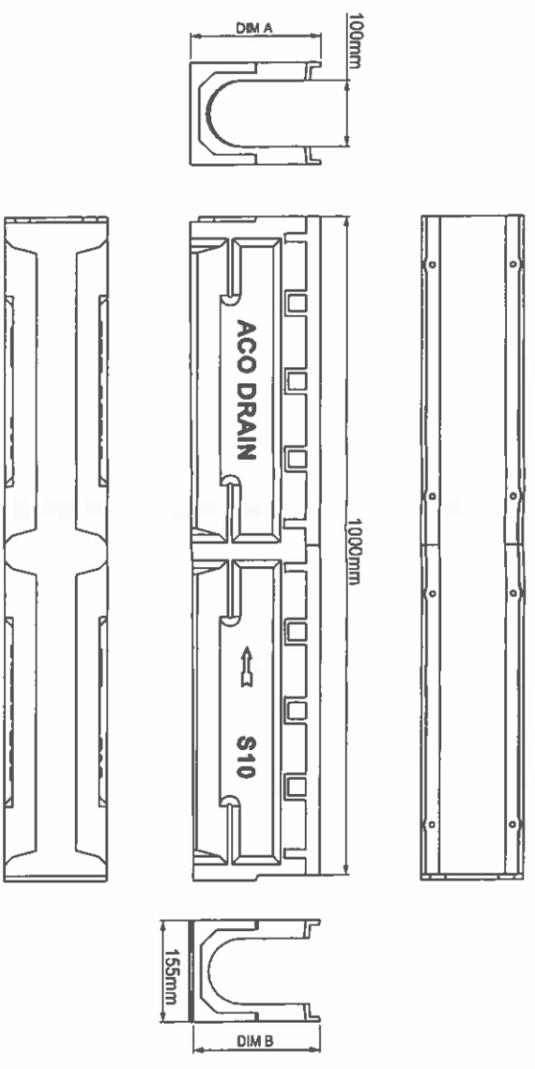
Yours sincerely,

Michael Reilly.



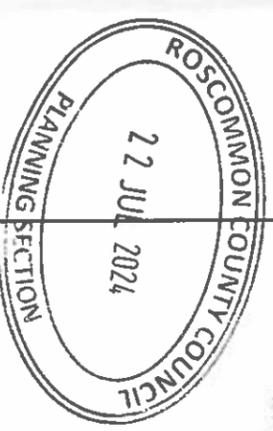
This drawing and any design herein is the copyright of MMKDA and must not be reproduced without their written consent.

STRONG HEEL GUARD ACO DRAIN
 (IN ACCORDANCE WITH PRODUCT
 S-9 0279) OR SIMILAR APPROVED
 SCALE - 1:10



SMALL, FILLED SOAKAWAY
 (1.5m X 1.5m X 1.5m)
 WITH PERFORATED INSPECTION WELL
 SCALE - 1:20

NOTE: WILL BE DESIGNED PRIOR TO CONSTRUCTION
 ALL IN ACCORDANCE WITH BRE DIGEST 365 SOAKAWAY DESIGN



<p>MMKDA No. 7 Main Street, Ardara Co. Wick, Ireland E: info@mmkda.com W: www.mmkda.com T: +353(0)1 8433311 F: +353(0)1 8433310</p>	
<p>PROJECT PROPOSED EXTENSION @ ARDKENAN, DRUM, ATHLONE, CO. ROSCOMMON</p>	
<p>CLIENT MICHAEL REILLY - MURRAYS</p>	
<p>DATE 19/07/2024</p>	<p>SCALE AS SHOWN @ A3</p>
<p>PROJECT NO. 4065-30</p>	
<p>DATE 27</p>	

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NO.	1	19/07/24	NOTES RE RUPRCS 4065-30
DATE	19/07/24	DATE	19/07/24

MKKDA
 CONSULTING ENGINEERS

No. 7 Main Street, Athlone
 Co. Wicklow, IRELAND
 T: +353(0) 8430381 F: +353(0) 8430380

PROJECT
**PROPOSED EXTENSION @
 ARDKEENAN, DRUM, ATHLONE,
 CO ROSCOMMON**

CLIENT
MICHAEL REILLY - MURRAYS

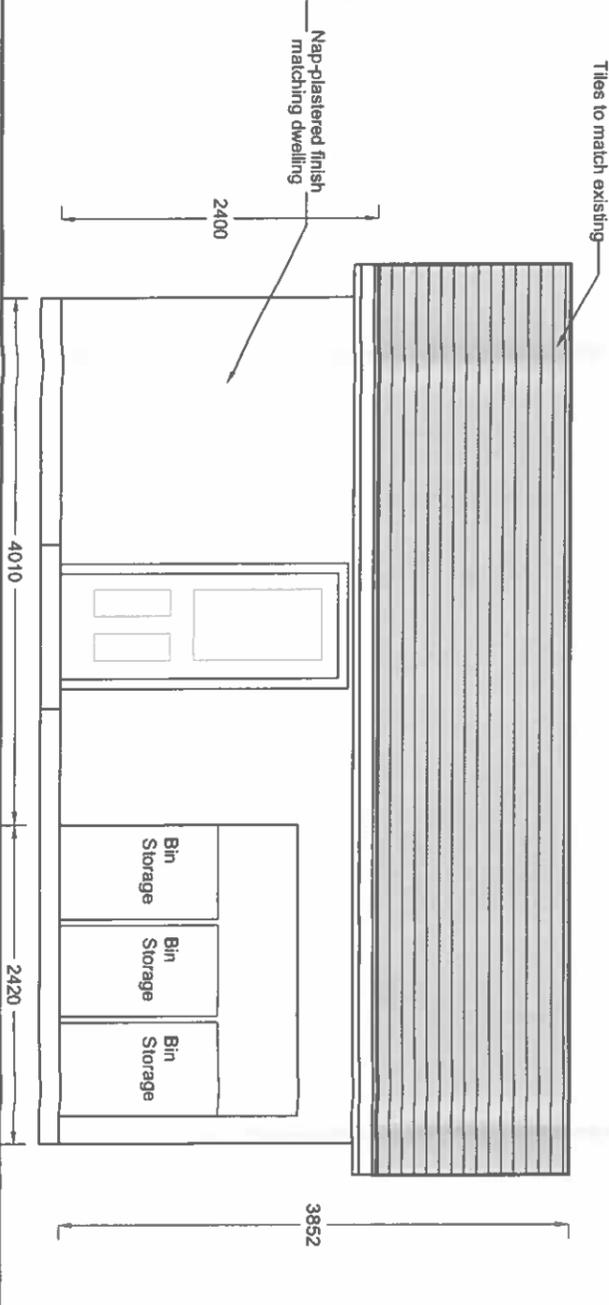
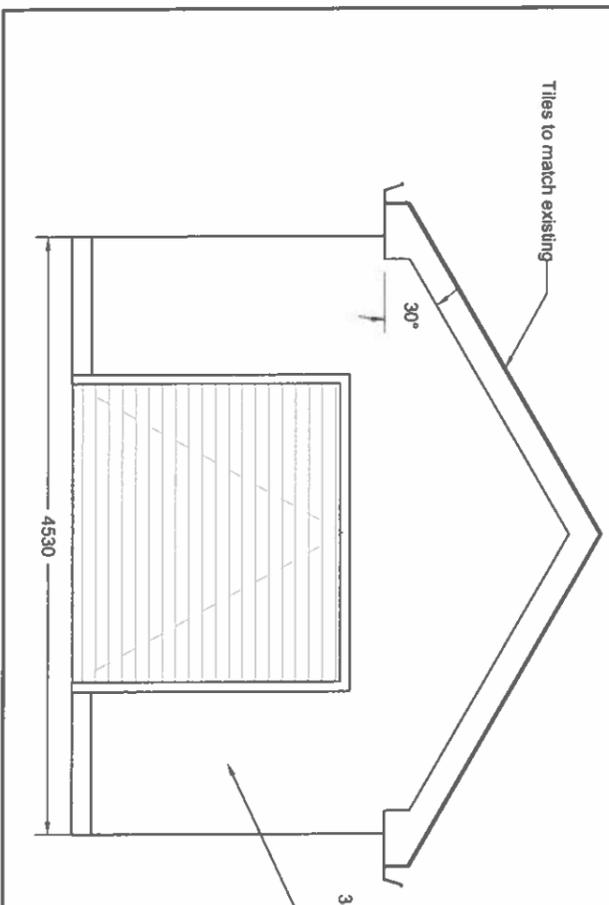
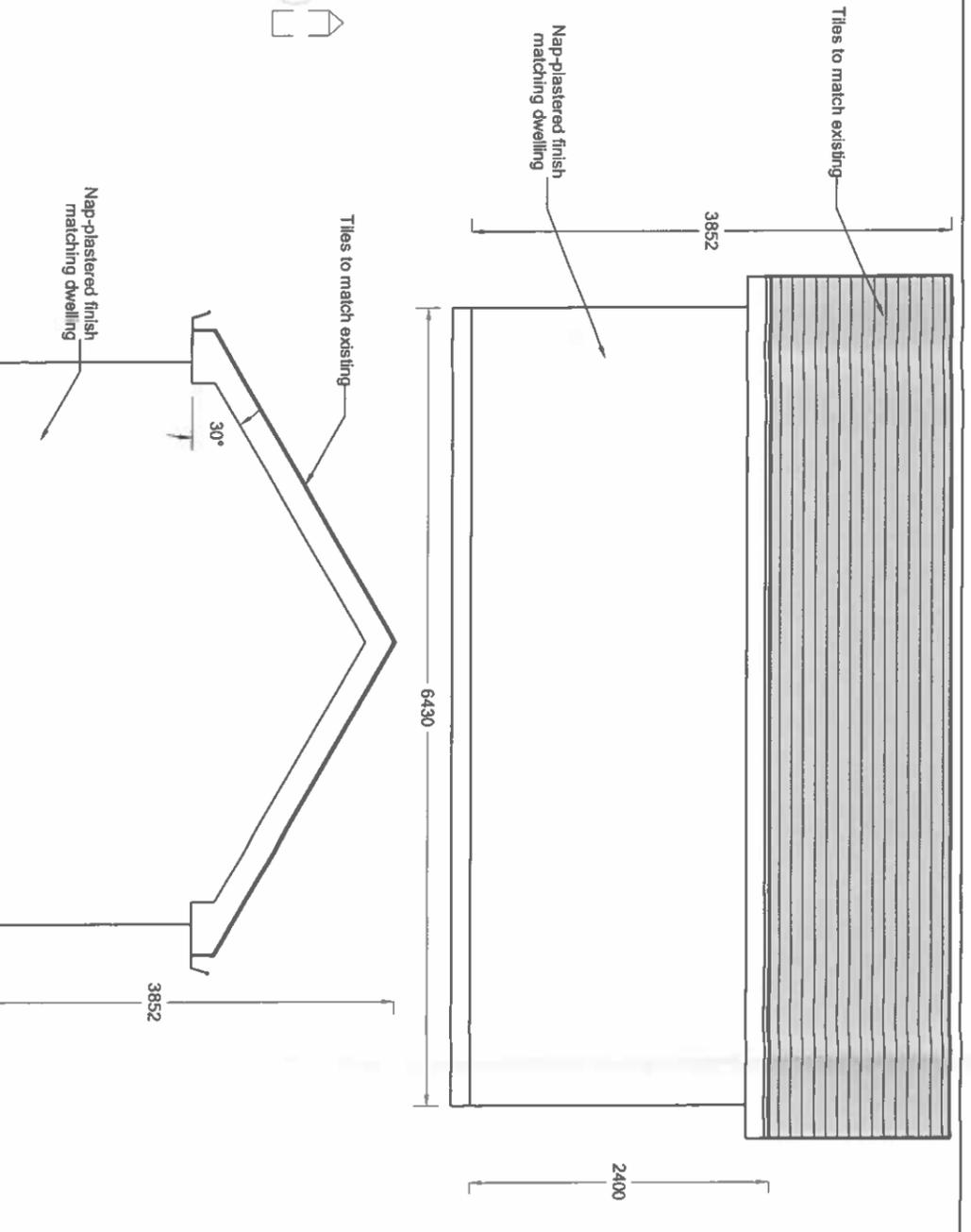
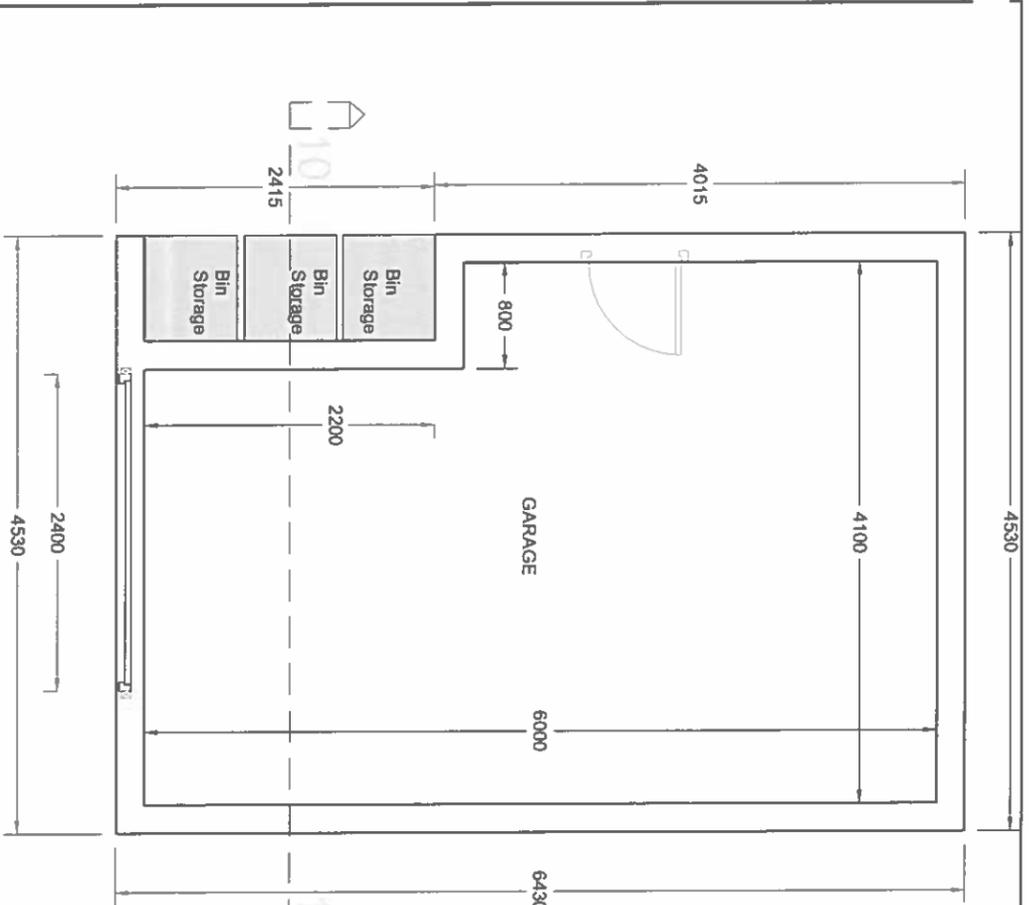
DESIGNER
 TENDER
 K.H. J.M.C.G. J.M.C.G.

DATE
 19/07/2024

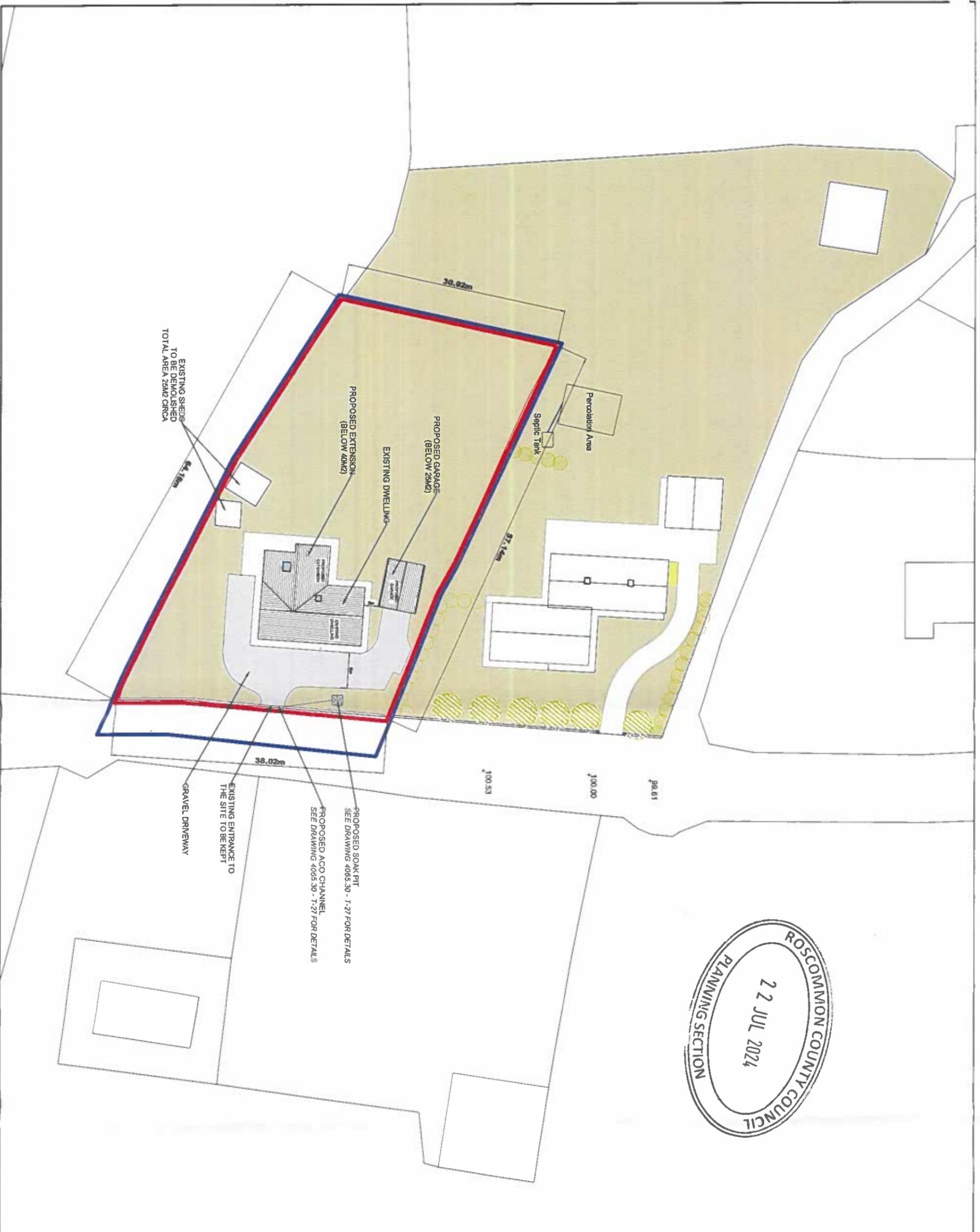
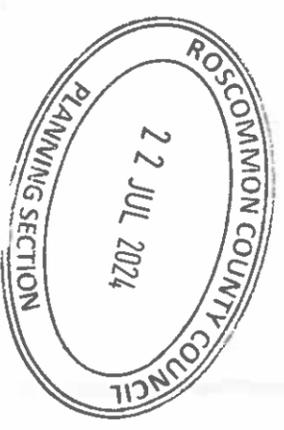
SCALE
 1:50 @ A3

TITLE
GARAGE FLOOR PLAN & ELEVATIONS

Drawing No.	4065-30	Scale	T	Page	21	Rev.	A
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- LEGEND:
- SITE OWNERSHIP
 - SITE AREA



NO.	DATE	REVISIONS
1	19/07/24	DRAWING DATE, DIRECTOR SOURCE MAPS
2	22/07/24	REVISED
3		ISSUES

MMKDA
 No. 7 Main Street, Athlone
 Co. Wicklow, Ireland
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 T: +353(0)87001111 F: +353(0)87001111

**PROPOSED EXTENSION @
 ARDKEENAN, DRUM, ATHLONE,
 CO ROSCOMMON**

MICHAEL REILLY - MURRAYS

DESIGNER: K.H. J.M.C.G. J.M.C.G.
 SCALE: 1:500 @ A3
 DATE: 19/07/2024

SITE LAYOUT

4065-30 G 2 B



Comhairle Contae
Ros Comáin
Roscommon
County Council



Michael Reilly & Anne Lennon,



Date: 25th June 2024
Ref: DED 713

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

Development: WHEREAS a question has arisen as to whether the refurbishment of an existing dwelling house with works including 1) Enlarging and reconfiguring kitchen and dining area 2) Replacing solid fuel heating system with Air to Water 3) Constructing a new garage 4) Demolishing existing sheds at Ardkeena, Drum Co, Roscommon., is or is not development and is or is not exempted development.

A Chara,

Further to your application received on the 24th May 2024 and in order for the Planning Authority to determine as to whether the refurbishment of an existing dwelling at Ardkeena, Drum, Co. Roscommon is or is not development or is or is not exempted development, you are requested to submit the following further information:

1. State if it is proposed to relocate the site entrance as part of this application as it is only currently shown on the site layout and not listed in works.
2. Please provide scaled plans and elevations of the proposed garage on which state the external finishes.
3. Please provide information in relation to the proposed material for the replacement of the gravel driveway and how is it proposed to drain the proposed paths/driveway.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 713**.

Note: Replies to this communication must be by way of original documents.

Mise le meas,

Alan O'Connell,
Senior Executive Planner,
Planning.

cc agent via email: **MMKDA Consulting Engineers**
info@mmkda.com

Áras an Chontae, Roscommon, F42 VR98
T 090 6637100 F 090 6625599 E customerservice@roscommoncoco.ie
W roscommon.ie f RoscommonCountyCouncil @roscommoncoco



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

Reference Number:	DED 713
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding exempted development to refurbish existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area. 2. Replacing solid fuel heating system with air to water 3. Constructing a new garage 4. Demolishing existing sheds.
Name of Applicant:	Michael Reilly & Anne Lennon
Location of Development:	Ardkennan, Drum, Co. Roscommon
Site Visit:	18/06/2024

WHEREAS a question has arisen as to whether the following works; to refurbish existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area. 2. Replacing solid fuel heating system with air to water 3. Constructing a new garage 4. Demolishing existing sheds 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) Class 1, 3, 6, 50 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (Exempt Development – General), 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 subject site is located in Ardkennan, Drum, Co. Roscommon and is accessed off the L-2026 road. The site contains a bungalow dwelling house with 2 no sheds in the rear garden. No existing extensions to the house only a small attached shed to the rear of the dwelling. The proposed works include the following:

- Replacing roof tiles with slates
- Replace windows and doors
- Replace existing solid fuel heating system with air to water heating
- Demolition of attached shed and 2 separate sheds in rear garden
- Construct an extension to the rear of the dwelling
- Construct a garage to the side/rear of the existing dwelling
- Landscaping works including reseeding of lawn, kerbs, gravel driveway and new paths.
- Varies internal works
- Indicated on site layout plan to relocate the site entrance

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

Appropriate Assessment

The closest European sites to the site of the development are Castlesampson Esker PNHA/SAC (Site Code 001625) which is located circa 3.1km to the northwest and Carrickynaghtan Bog NHA (Site Codes 001623) which is located circa 5.2km to the 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. The need for further Appropriate Assessment, 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.

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,

Initial Planning Assessment:

It is unclear from the documentation submitted if it is proposed to relocate the entrance as part of this exempted development application as it is only noted on the site layout drawing, the height and finishes to the proposed garage.

Accordingly, a further Information request will be made in this regard.

Recommendation:

Please provide the below information:

- State if it is proposed to relocate the site entrance as part of this application as it is only currently shown on the site layout and not listed in works.
- Please provide scaled plans and elevations of the proposed garage on which state the external finishes.
- Please provide information in relation to the proposed material for the replacement of the gravel driveway and how is it proposed to drain the proposed paths/driveway.



Signed:

Date: 19th June 2024

Civil Technician



Signed:

Date: 19th June 2024

Senior Executive Planner

















Comhairle Contae
Ros Comáin
Roscommon
County Council



Michael Reilly & Anne Lennon,



Date: 28th May 2024
Planning Reference: DED 713

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: Permission to refurbish existing dwelling with works including 1. Enlarging and reconfiguring kitchen and dining area 2. Replacing solid fuel heating system with Air to Water 3. Constructing a new garage 4. Demolishing existing sheds under the Planning & Development Act (Exempt Development) Regulations 2018 at Ardkeen, Drum, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application which was received on the 24th 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. L01/0/228777 dated 27th May 2024, receipt enclosed herewith.

Please note that due to current resourcing issues, the processing of the Declaration of Exempted Developments has been curtailed at present and applicants will experience delays in the processing of same. We are currently reviewing internal work programmes with a view to resuming normal services as soon as possible, however we cannot provide a timeframe at present.

We sincerely apologise for any inconvenience caused.

Note: Please note your Planning Reference No. is **DED 713**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Brian Farragher,
Senior Executive Planner,
Planning Department.

cc agent via email : **MMKDA Consulting Engineers**
info@mmkda.com

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

27/05/2024 12:05 59

Receipt No. : L01/0/228777

MICHAEL REILLY



PLANNING APPLICATION FEES 80 00
GOODS 80 00
VAT Exempt/Non-vatable
DED 713

Total : 80 00 EUR

Tendered :
Credit/Debit Card 80 00
7083

Change : 0 00

Issued By : Bernadine Duignan
From : Central Cash Office

Carmel Curley

From: Carmel Curley
Sent: Wednesday 29 May 2024 14:29
To: info@mmkda.com
Subject: DED713 - Michael Reilly & Anne Lennon
Attachments: DED713 - Ack Letter & Receipt.pdf

A Chara,

Please find attached Acknowledgement & Receipt for DED Application 713 for Michael Reilly & Anne Lennon.

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](#)



DED 713



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)	Michael Reilly & Anne Lennon
Name of Agent	MMKDA Consulting Engineers
Nature of Proposed Works	Enlarge and reconfigure kitchen and dining area whilst at the same time replacing the solid fuel heating system with an Air to Water and making the dwelling more energy efficient, improving it from E2 to an A rating and construction of a Garage.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Ardkennan , Drum, Co. Roscommon. N37 N282
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>89.4 sq.m</u> b) <u>37.6 sq.m Extension</u> <u>24.6 sq.m Garage</u>
Height above ground level:	Ridge Height = 5.4m matching existing roof ridge, Finished Floor Level = 0.2m above ground
Total area of private open space remaining after completion of this development	1792.07 sq.m
Roofing Material (Slates, Tiles, other) (Specify)	Slates

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Plaster with a small portion of stone cladding
Is proposed works located at front/rear/side of existing house.	Rear
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	Vacant Residential dwelling and gardens
Proposed use of land or structure	Rented Residential dwelling and gardens
Distance of proposed building line from edge of roadway	14.87 m
Does the proposed development involve the provision of a piped water supply	No
Does the proposed development involve the provision of sanitary facilities	No

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

Signature:



Date:

17th May '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



Detailed Specification of the development to be undertaken.

It is proposed to improve this 1970's bungalow for modern living, the work will be carried out in accordance with the current building regulations and aspiring to achieving a BER energy rating of an A.

The work to be undertaken includes the following:

- ~~Removal of chimneys~~
- Replace roof tiles with slates
- Re-wire the property as recommended per surveyors report
- Replace windows with triple glaze and external doors with Alu-Clad
- Improve airtightness of the property
- Replace the current solid fuel heating system with Air to Water and underfloor heating.
- Reconfigure the internal layout of the house by re-positioning a number of internal walls
- Enlarge the kitchen and dining area whilst including a utility room and plant room to accommodate Air to Water heating system. This involves the demolition of a section of the rear wall to allow the for the enlargement.
- Replace fitted kitchen
- Replace sanitaryware
- Replace all flooring (Tiles & laminate)
- Include new pathways all around the house, replace kerbing and gravel driveway
- Erect a small garage for the storage water tank, tools etc.
- Rotovate and reseed lawn.
- Demolish all existing sheds just leaving the modernized dwelling and newly constructed garage

Note that Commencement Notice will be submitted to Building Control Authority prior to commencement of works to comply with Building Control Regulations.





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- LEGEND:
- SITE OWNERSHIP
 - SITE AREA



MMKDA
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PROJECT:
**PROPOSED EXTENSION @
 ARDKEENAN, DRUM, ATHLONE,
 CO. ROSCOMMON**

CLIENT:
MICHAEL REILLY - MURRAYS

DESIGNER:
 NAME: GRANT
 SURVEYOR: K.H. J.M.G.
 DATE: 22/05/2024

TITLE:
SITE LAYOUT

SCALE:
1:500 @ A3

DATE:
22/05/2024

PROJECT NO:
4065-30

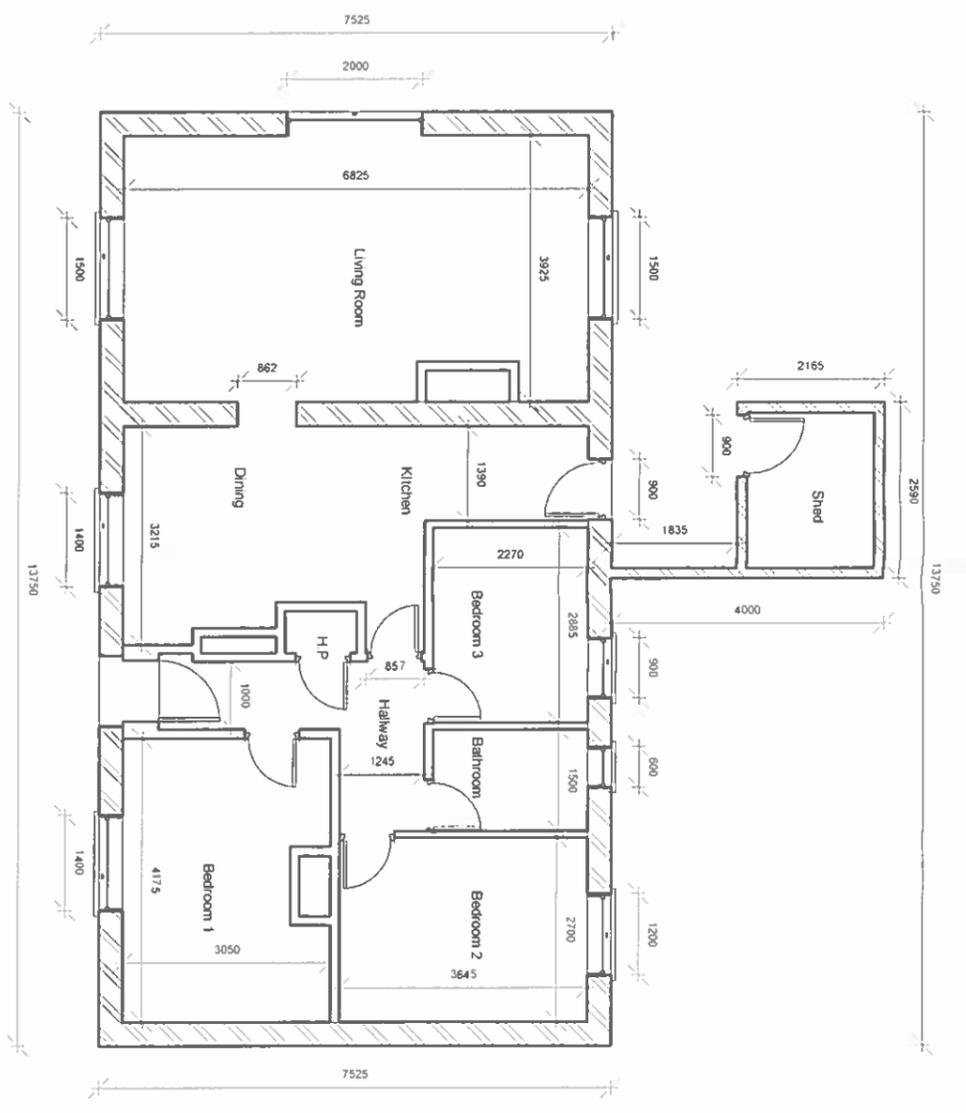
REV. NO.: **G**

REV. DATE: **2**

REV. BY: **A**

1 Existing Ground Floor

1 : 100



2 East Elevation

1 : 100



REV	DATE	DETAILS
A	21.05.24	Chimneys added

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PROJECT
Proposed Extension, Ardkeenran,
Drum, Athlone, Co. Roscommon

CLIENT
Michael Reilly - Murrays

STAGE	DRAWN BY	CHK BY	APP BY
Tender	kh	ds	ds
SCALE (@ A3)	DATE		
1 : 100	21.05.2024		
DRAWING	REV		
Existing Floor Plan & Elevation			
DWG No.	SHEET No.		
4065_30	T-1		

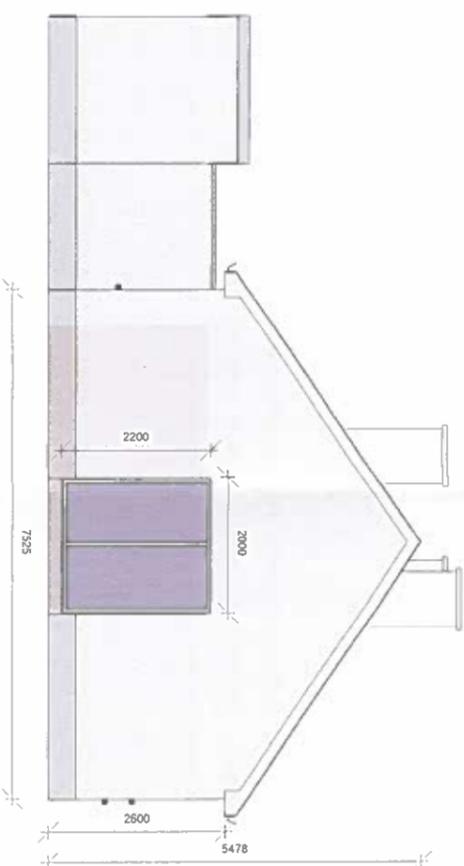
2 West Elevation

1 : 100



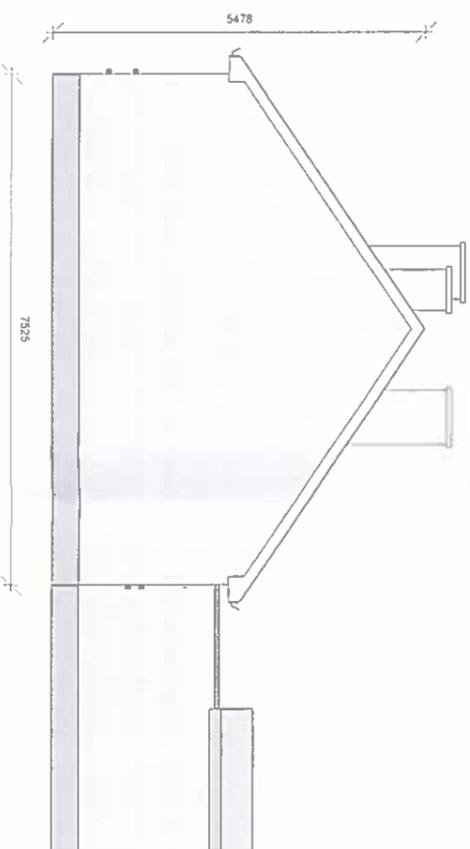
3 South Elevation

1 : 100



4 North Elevation

1 : 100



REV	DATE	DETAILS
A	21.05.24	Chimneys added

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PROJECT

Proposed Extension, Ardkeenah,
Drum, Athlone, Co. Roscommon

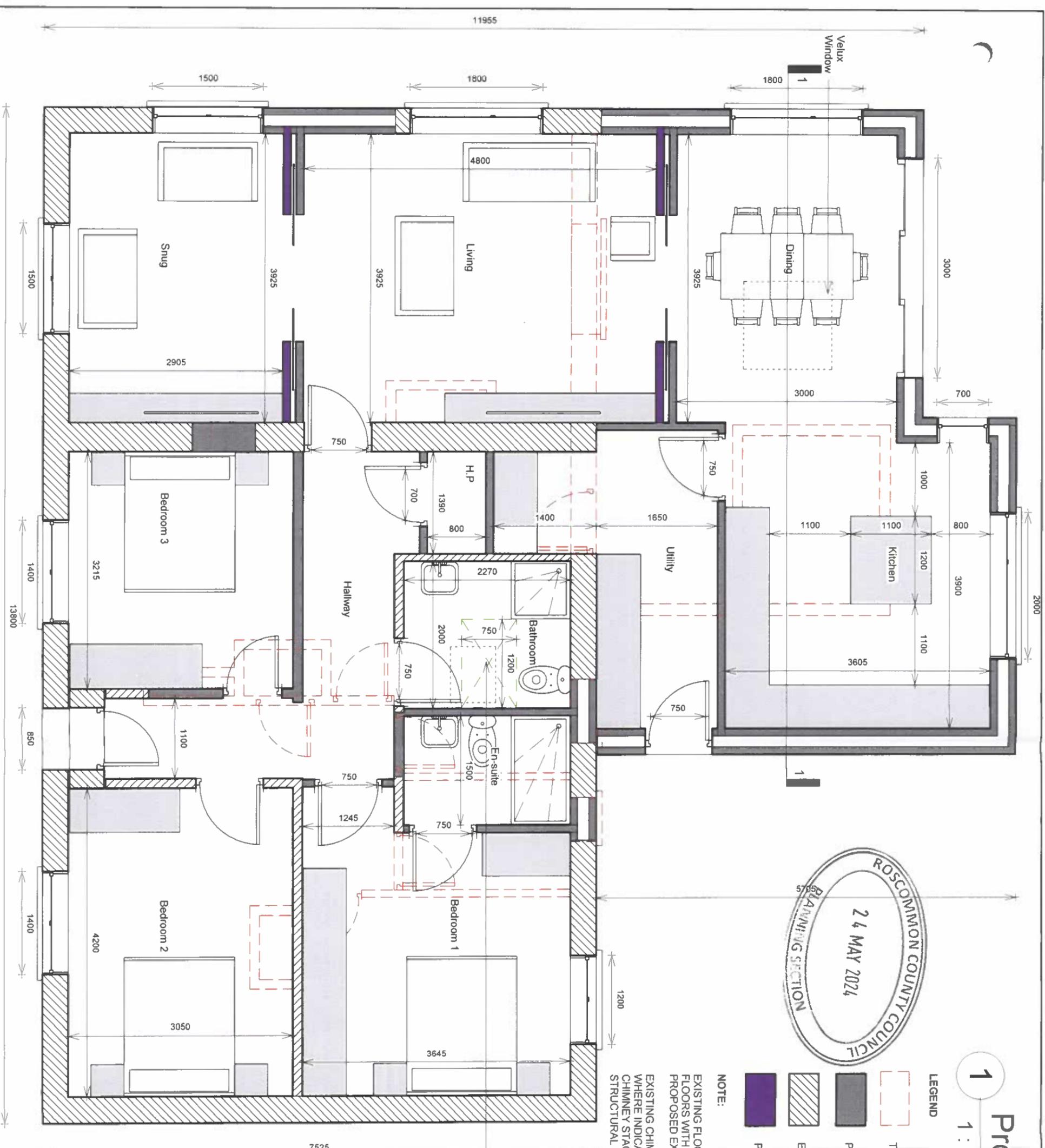
CLIENT

Michael Reilly - Murrays

STAGE DRAWN BY CHK. BY APP. BY
Tender kh ds ds

SCALE (@ A3) DATE
1 : 100 21.05.2024

DRAWING Existing Elevations REV
DWG No. SHEET No. A
4065.30 T-2



1 Proposed Ground Floor

1 : 50

- LEGEND**
- TO BE DEMOLISHED
 - PROPOSED BLOCK WORK WALL
 - EXISTING WALL
 - PROPOSED TIMBER STUD PARTITION

NOTE:
 EXISTING FLOORS TO BE REMOVED AND PROVISION OF NEW FLOORS WITH UNDERFLOOR HEATING FOR BOTH EXISTING AND PROPOSED EXTENSION AREA.
 EXISTING CHIMNEY BREAST TO BE DEMOLISHED INTERNALLY WHERE INDICATED ON DRAWINGS. EXTERNALLY, EXISTING CHIMNEY STACK TO BE RETAINED WHICH WILL REQUIRE STRUCTURAL SUPPORT INTERNALLY.

REV	DATE	DETAILS
A	21.05.24	Chimneys added

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PROJECT
 Proposed Extension, Ardkeenan,
 Drum, Athlone, Co. Roscommon
CLIENT
 Michael Reilly - Murrays

STAGE	DRAWN BY	CHK. BY	APP. BY
Tender	kh	ds	ds
SCALE (@A3)	DATE		
1 : 50	21.05.2024		
DRAWING	Proposed Floor Plan	REV	A
DWG No.	SHEET No.		
4065.30	T-3		

EXISTING ROOF TO BE RE-SLATED

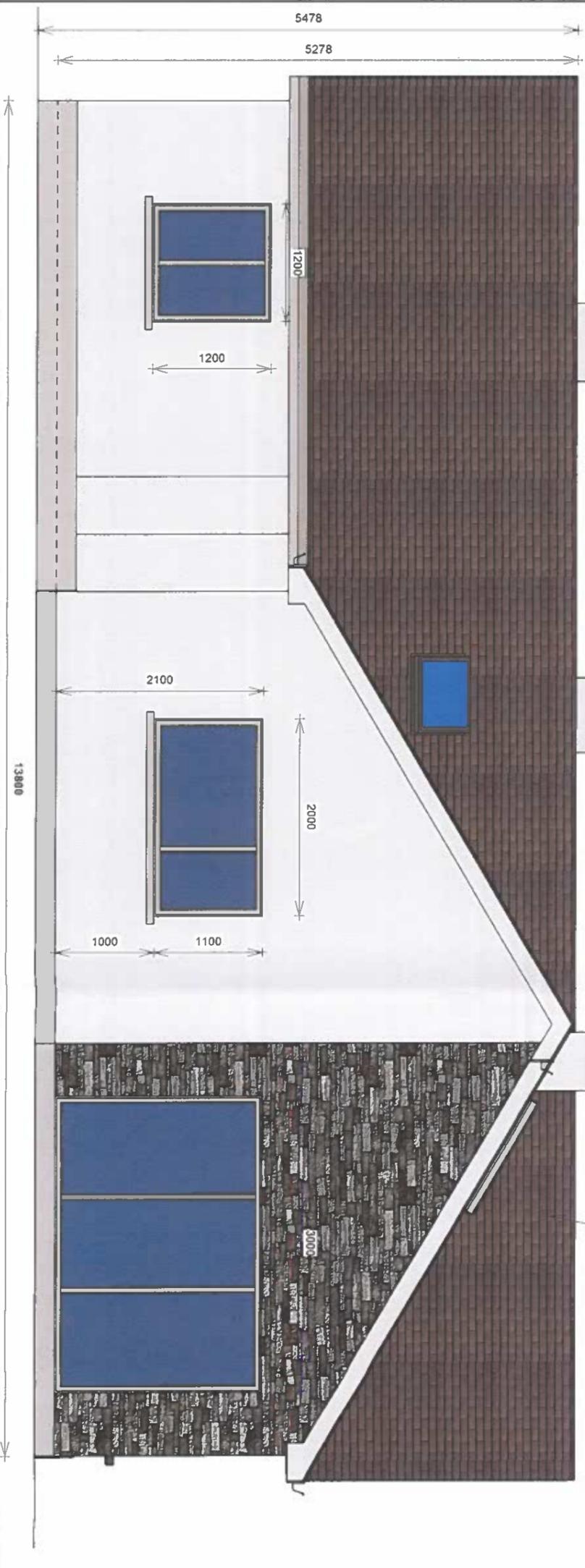


1
East Elevation
1 : 50

NOTE:
EXISTING CHIMNEY BREAST TO BE DEMOLISHED INTERNALLY WHERE INDICATED ON DRAWINGS.
EXTERNALLY, EXISTING CHIMNEY STACK TO BE RETAINED WHICH WILL REQUIRE STRUCTURAL SUPPORT INTERNALLY.



2
West Elevation
1 : 50



EXISTING ROOF TO BE RE-SLATED

REV	DATE	DETAILS	CHINNEYS ADDED
A	21.05.24		

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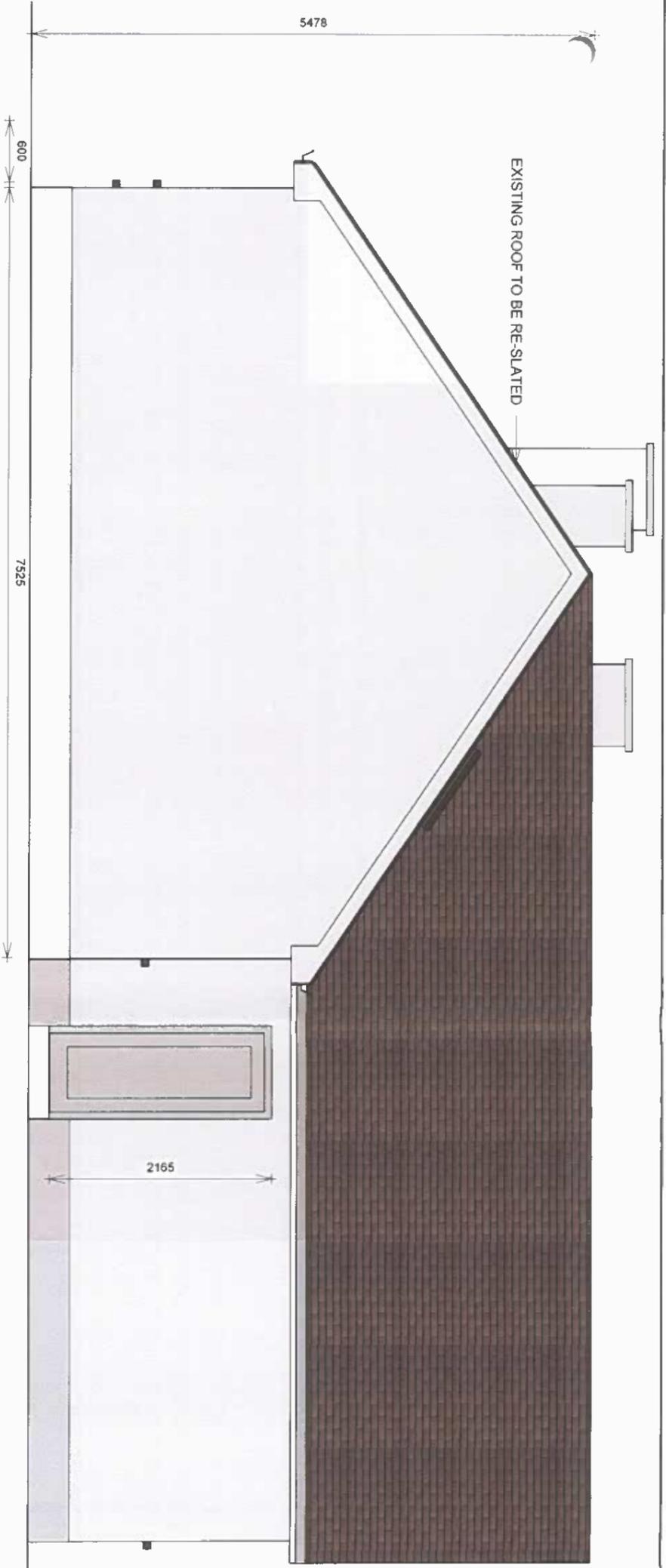
PROJECT
 Proposed Extension, Ardkeenan,
 Drum, Athlone, Co. Roscommon

CLIENT
 Michael Reilly - Murrys

STAGE	DRAWN BY	CHK. BY	APP. BY
Tender	kh	ds	ds

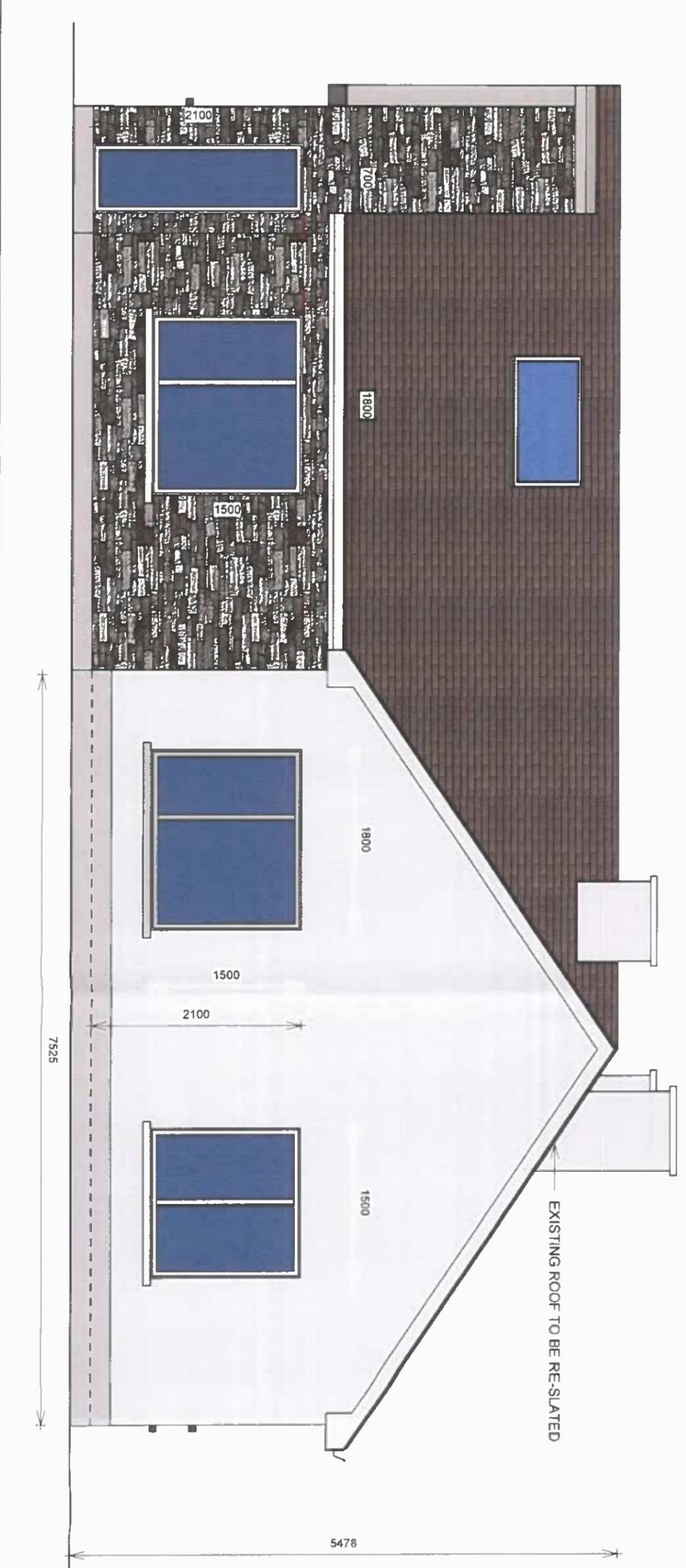
SCALE (@A3) DATE
 1 : 50 21.05.2024

DRAWING	Proposed Elevations	REV
DWG No.	SHEET No.	A
4065.30	T-4	



1
North Elevation
1 : 50

NOTE:
EXISTING CHIMNEY BREAST TO BE DEMOLISHED INTERNALLY WHERE INDICATED ON DRAWINGS.
EXTERNALLY, EXISTING CHIMNEY STACK TO BE RETAINED WHICH WILL REQUIRE STRUCTURAL SUPPORT INTERNALLY.



2
South Elevation
1 : 50

REV	DATE	DETAILS
A	21.05.24	Chimneys added

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 Co. Westmeath, IRELAND
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PROJECT
Proposed Extension, Ardkeenan, Drum, Athlone, Co. Roscommon
 CLIENT
Michael Reilly - Murrays

STAGE	DRAWN BY	CHK. BY	APP. BY
Tender	kh	ds	ds

SCALE (@A3) DATE
 1 : 50 21.05.2024

DWG No.	SHEET No.	REV
4065.30	T-5	A

1 View A
1:1



2 View B
1:1



REV	DATE	DETAILS
A	21.05.24	Chimneys added

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T: +353(0)90 6493368 F: +353(0)90 6493393
MMKDA
Consulting Engineers

PROJECT

Proposed Extension, Ardkeenan,
Drum, Athlone, Co. Roscommon

CLIENT
Michael Reilly - Murrays

STAGE	DRAWN BY	CHK. BY	APP. BY
Tender	kh	ds	ds

SCALE (@A3) DATE
1:1 21.05.2024

DRAWING	Proposed Views	REV
DWG No.	SHEET No.	A
4065.30	T-6	

From: Caroline Mockler
Sent: Monday 27 May 2024 09:14
To: Carmel Curley
Subject: FW: Application for Vacant Property Refurbishment Grant - Ref CCF 273
Attachments: 4065.30_T 1 -T2_Rev.A Existing House.pdf; 4065.30_T3 -T6_Rev.A Proposed Extension.pdf; 4065.30_G-2_RevA Site Layout.pdf

From: Michael Reilly [REDACTED]
Sent: Friday 24 May 2024 11:52
To: Planning Department <Planning@roscommoncoco.ie>
Cc: John McGrath <johnmcg@mmkda.com>; MMKDA <info@mmkda.com>
Subject: Re: Application for Vacant Property Refurbishment Grant - Ref CCF 273



F.A.O. Ms, Carmel Curley.

Dear Ms. Curley,

Further to our telecon of last Monday morning, we have decided to leave the chimneys as is and have re-instated them in the drawings, copies attached of before and after.

I also attach an updated site map to include the sheds to be demolished with dimensions as requested.

I do appreciate that the resources in your department are under pressure with increased work load and especially now as we approach the holiday season, I hope I have furnished all the necessary information as complete as possible to expedite the process.

I would greatly appreciate if you could consider my application as soon as you can as previously stated I have a builder ready to commence and awaiting the green light to start.

Thanking you.

Kind regards,

Michael Reilly
[REDACTED]

----- Original Message -----

From "Michael Reilly" <IMCEAEX-O=FIRST+20ORGANIZATION OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+28FYDIBOHF23SPDLT+29 CN=RECIPIENTS CN=000340013CAFAD2E@sct-15-20-4755-11-msonline-outlook-76d7b.templateTenant>
To "planning@roscommoncoco.ie" <planning@roscommoncoco.ie>

Cc "John McGrath" <johnmcg@mmkda.com>; "MMKDA" <info@mmkda.com>

Date 05/2024 12:13:25

Subject Application for Vacant Property Refurbishment Grant - [REDACTED]

Dear Sirs,

I have applied to Roscommon County Council Vacant Homes Office for the Vacant Homes Refurbishment Grant and a condition is that I furnish the office with a Declaration of Exempted Development.

I hereby apply to your office for such Declaration of Exemption and to assist in issuing such I attach the following information as requested;

1. Completed and signed Section 5 Declaration of Exemption Form
2. Site location Map
3. Site layout plan
4. Bullet point specification of the development proposed along with
5. Dwelling house plans & specifications
6. Garage plans & specifications.
7. The application fee of € 80 will be paid when assigned a reference number.

I would greatly appreciate if you could consider my application as soon as you can as I am fortunate to have a builder ready to commence work once given the green light

Thanking you.

Kind regards,

Michael Reilly

Mobile No. [REDACTED]

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

