

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Susan Vale,



Reference Number: DED 721
Application Received: 6th June 2024
Name of Applicant: Susan Vale
Agent: Rathcroghan Design

WHEREAS a question has arisen as to whether the refurbishment of an existing house at Cloonfad, Roosky, 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 proposed 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 refurbish an existing house at Cloonfad, Roosky, 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: 27th June 2024

cc agent via email: Rathcroghan Design
rathcroghandesigns@gmail.com

Carmel Curley

From: Carmel Curley
Sent: Thursday 27 June 2024 12:56
To: Martin Dowd
Subject: DED721 - Notification of Decision
Attachments: DED721 - Notification of Decision.pdf

Dear Martin,

Please find attached Notification of Decision for DED Application 721 for Susan Vale. A hard copy will issue to the applicant 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



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

Reference Number:	DED 721
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to refurbish existing house.
Name of Applicant:	Susan Vale
Location of Development:	Cloonfad, Roosky, Co. Roscommon
Site Visit:	25/06/2024

WHEREAS a question has arisen as to whether the following works; to refurbish existing house 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 attached single story house with a large garden to the side/rear in Cloonfad, Roosky, Co. Roscommon. The property is access via the L-60759 road. The proposed development consists of the refurbishment of an existing house, which includes replacing roof covering, new windows and doors and 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 Lough Forbes Complex PNHA/SAC (Site Code 001818) and Ballykenny-Fisherstown Bog SPA (Site Code 004101) which is located circa 1.3km to the southeast and Clooneen Bog PNHA/SAC (Site Code 000445/002348) which is located circa 1.1km 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 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 the refurbishment of an existing house. 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 refurbish existing house as outlined above in Cloonfad, Roosky, 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 proposed 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 house as outlined above in Cloonfad, Roosky, Co. Roscommon, is an exempt development and I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Date: 26th June 2024

Civil Technician



Signed:

Date: 26th June 2024

Senior Executive Planner







Carmel Curley

From: Carmel Curley
Sent: Tuesday 11 June 2024 12:23
To: Martin Dowd
Subject: DED721 - Susan Vale
Attachments: DED721 - Ack letter & receipt.pdf

Hi Martin,

Please see attached Acknowledgement Letter & Receipt for DED Application 721 for Susan Vale.

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

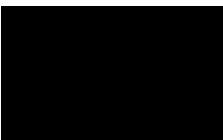




Comhairle Contae
Ros Comáin
Roscommon
County Council



Susan Vale,



Date: 11th June 2024
Planning Reference: DED 721

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: Permission to refurbish existing house under the Planning & Development Act (Exempt Development) Regulations 2018 at Cloonfad, Roosky, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application which was received on the 6th June 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. L01/0/228928 dated 6th June 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 721**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,

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

cc agent via email:

Rathcroghan Designs
rathcroghandesigns@gmail.com

Roscommon County Council
Aras an Chontae
Roscommon
08088 37100

06/06/2024 12:18:57

Receipt No : L01/0/228928

SUSAN VALE
C/O MARTIN DOWD
RATHCROGHAN DESIGNS
BALLYCONBOY
BALLINAGARE
CASTLEREA
CO. ROSCOMMON

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 721	

Total : 80.00 EUR

Tendered :
Credit/Debit Card 8236 80.00

Change : 0.00

Issued By : Bernadine Duignan
From : Central Cash Office

Rathcroghan Designs

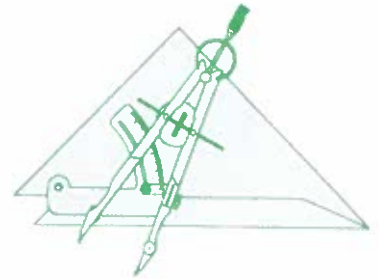
BALLYCONBOY, BALLINAGARE, CASTLEREA, CO. ROSCOMMON

Planning and Building Consultants

Associate Member of The Society Chartered Surveyors Ireland

MOBILE : 086 2328484 TEL/FAX : 071 9639983

Email – rathcroghandesigns@gmail.com



Planning Dept,
Roscommon Co Co
Aras An Chontae
Roscommon

31/05/2024



Exempted Development

Dear Sir or Madam,

Please find enclosed Application for Exempted development for my client Susan Vale, N41 NN80.

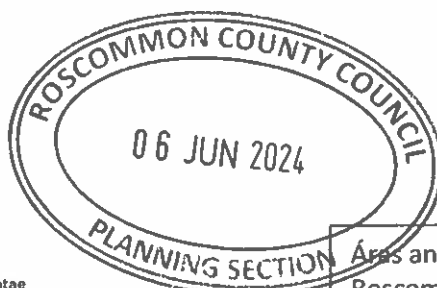
Could I ask that you please call me on 086 2328484, to make payment of fees with card details.

Yours Sincerely

Martin Dowd Assoc SCSi
Bsc (Construction Management)



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)	SUSAN VALE
Name of Agent	MARTIN DOWD
Nature of Proposed Works	REFURBISHMENT OF EXISTING VACANT DWELLING TO INCLUDE INTERNAL FINISHES, NEW WINDOWS AND REPLACE ROOF COVERING.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	CLOONFAD N41NN80 ROOSKY CO. ROSCOMMON
Floor Area: a) Existing Structure b) Proposed Structure	a) 82.7 b) —
Height above ground level:	5.49 mtrs
Total area of private open space remaining after completion of this development	0.29 Hect.
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)	NAP PLASTER
Is proposed works located at front/rear/side of existing house.	N/A
Has an application been made previously for this site	NO
If yes give ref. number (include full details of existing extension, if any)	—
Existing use of land or structure	VACANT DWELLING
Proposed use of land or structure	RESIDENTIAL
Distance of proposed building line from edge of roadway	7.7 mtrs
Does the proposed development involve the provision of a piped water supply	YES - EXISTING
Does the proposed development involve the provision of sanitary facilities	YES - EXISTING

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

Signature: Marlin Dm

Date: 31/5/24

Note: This application must be accompanied by: -

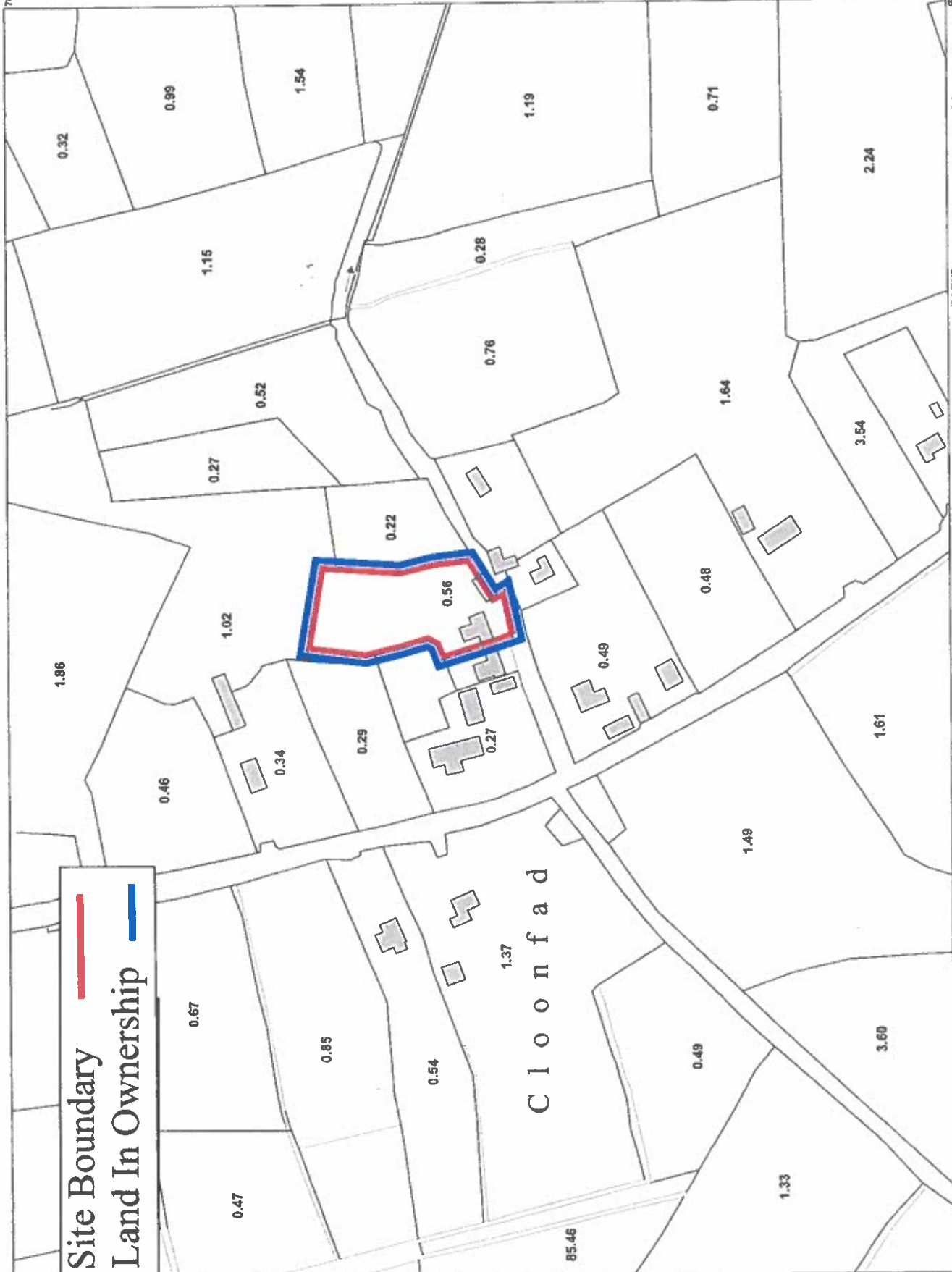
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed

Planning Pack Map

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



Site Boundary
Land In Ownership



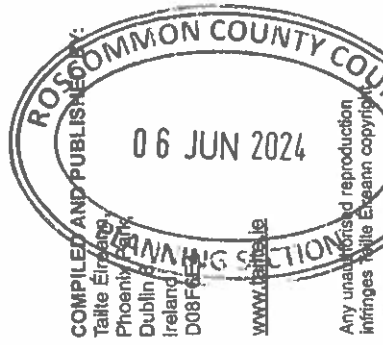
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ITM 605263,782830

PUBLISHED:
30/05/2024

ORDER NO.:
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MAP SERIES:
1:5,000
1:5,000
2:105
2:167

MAP SHEETS:
2:105
2:167



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OUTPUT SCALE: 1:2,500

Site Location Map

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

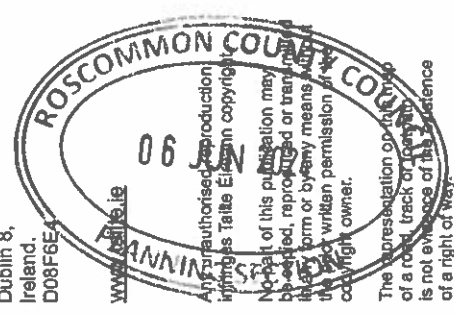


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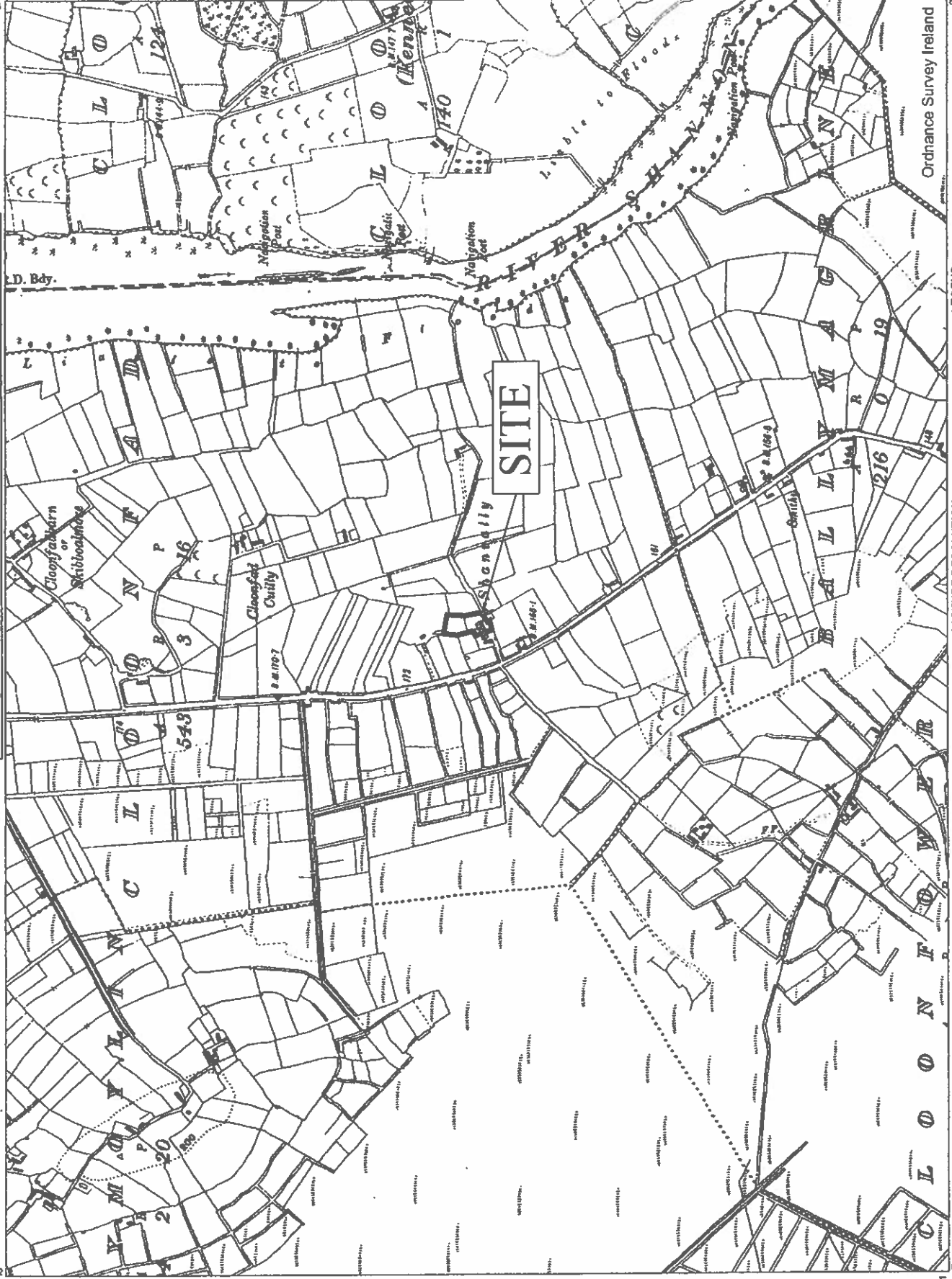
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LM037
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RN024

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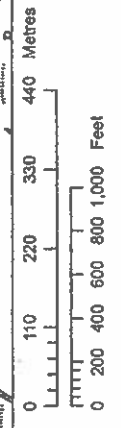
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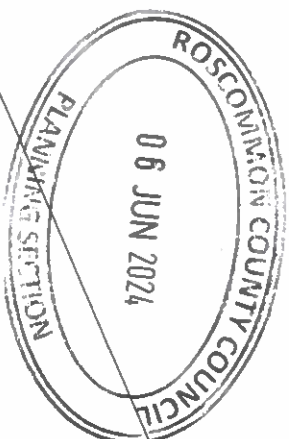


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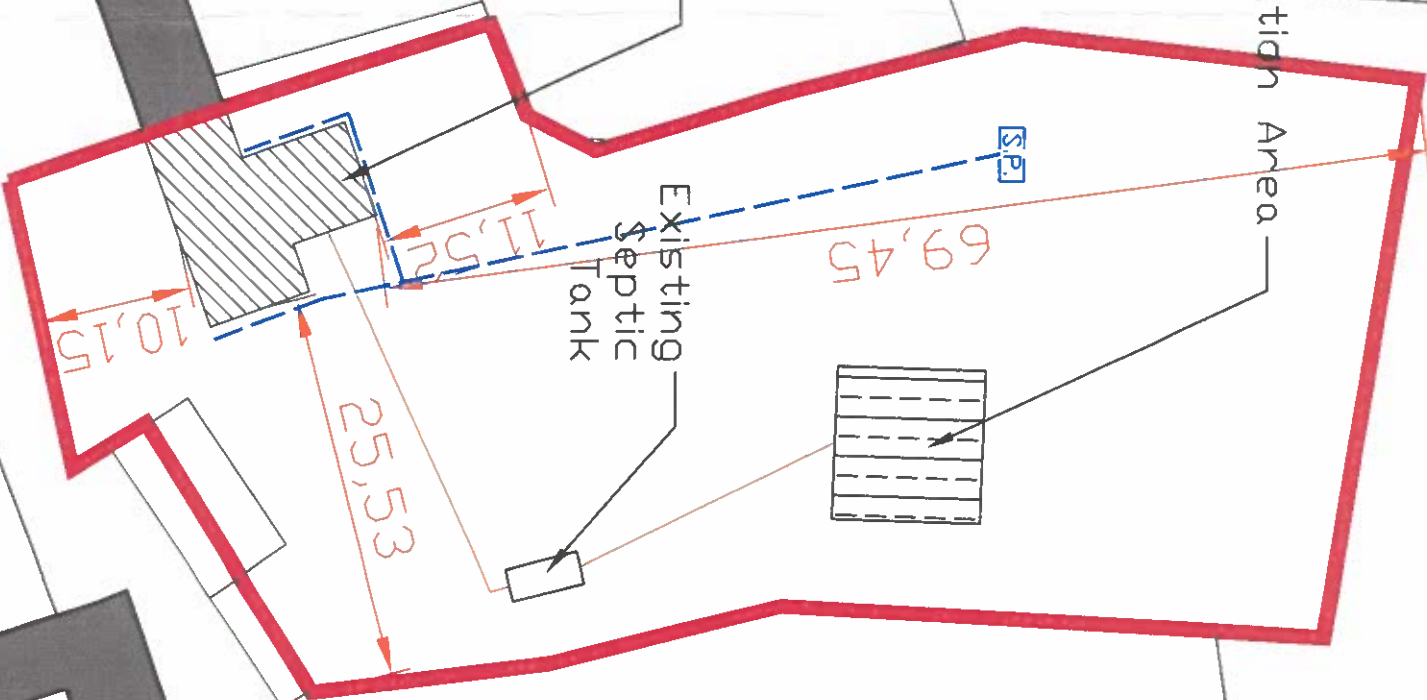
604032



Existing Percolation Area

Existing Vacant Dwelling to be refurbished

Existing Septic Tank



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



Client

Susan Vale

Title

Site Layout

Scale: 1:500 UNLESS NOTED	Sheet	Drwg No 24-128
Drawn: MARTIN DDWD	1 OF 1	Sheet Size A3
Date: 16-04-2024		



Site Area 0.307Ha

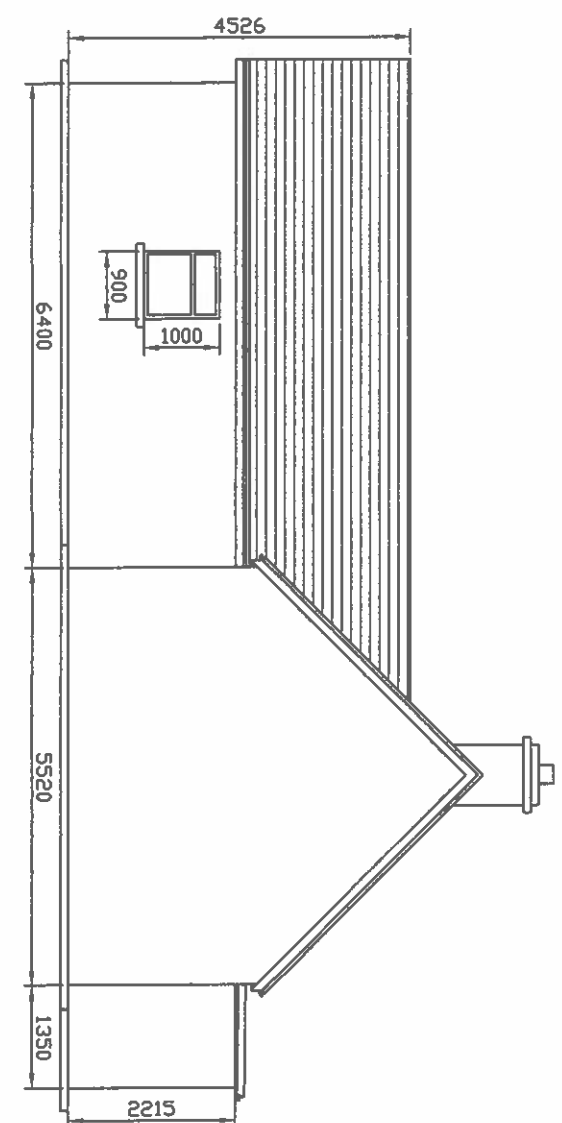
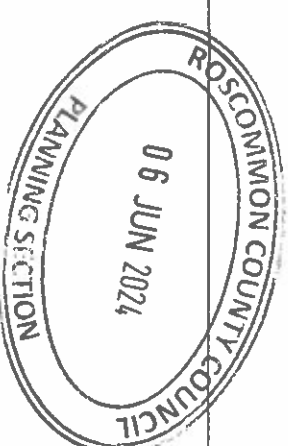
Existing Dwelling to be Refurbished



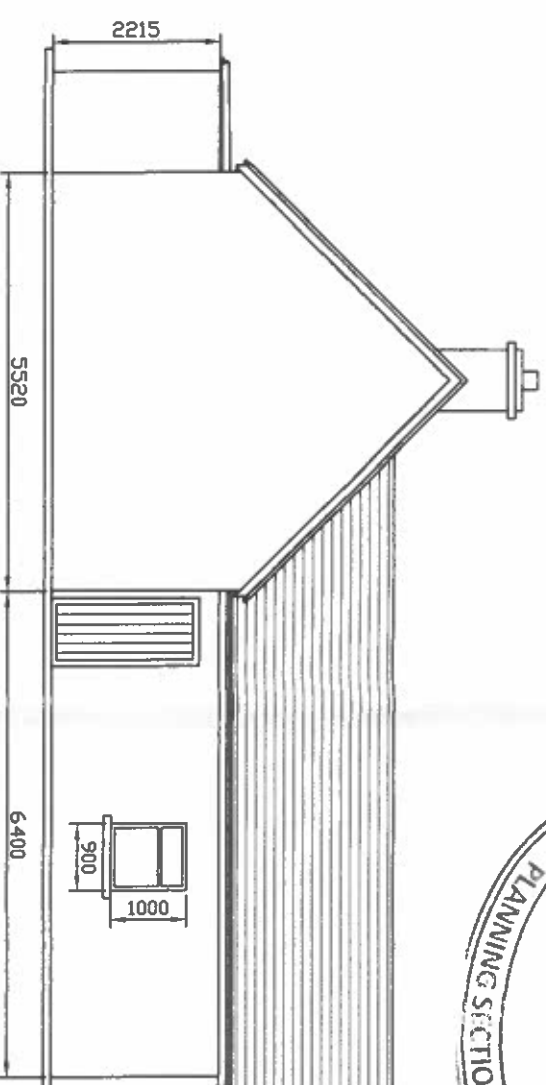
Storm Sewer

Soakpit

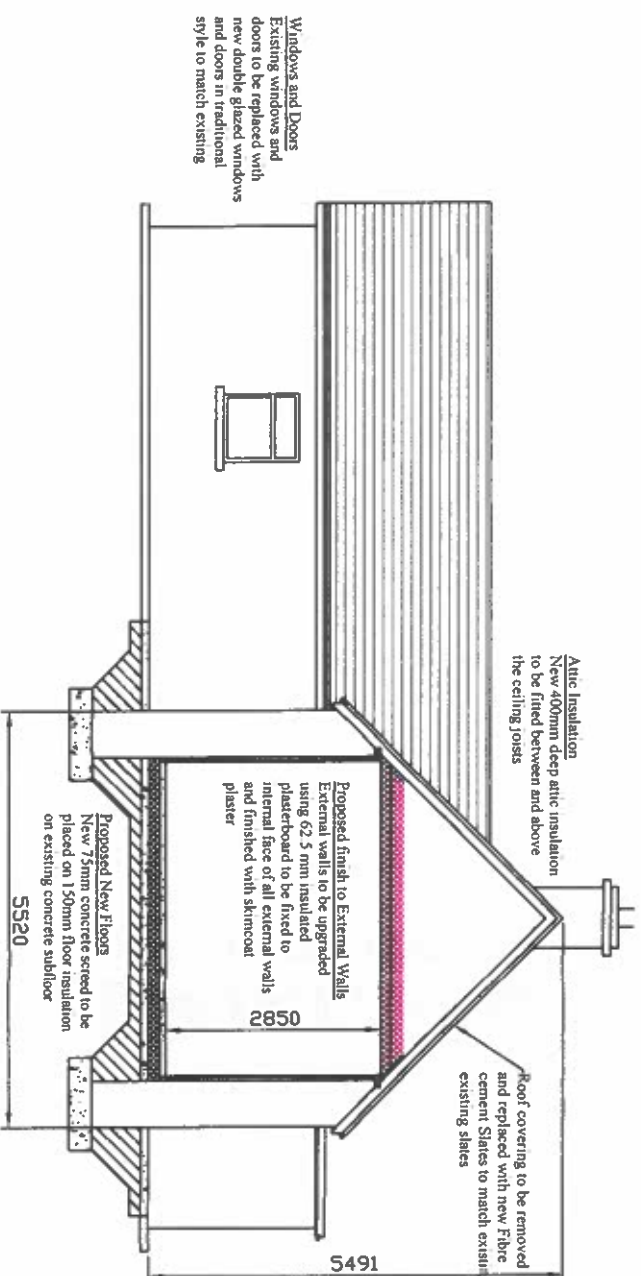




Side Elevation



Side Elevation



Section A-A

Windows and Doors
Existing windows and doors to be replaced with new double glazed windows and doors in traditional style to match existing

Attic Insulation
New 400mm deep attic insulation to be fitted between and above the ceiling joists

Proposed finish to External Walls
External walls to be upgraded using 62.5 mm insulated plasterboard to be fixed to internal face of all external walls and finished with skimcoat plaster

Proposed New Floors
New 75mm concrete screed to be placed on 150mm floor insulation on existing concrete subfloor

Roof covering to be removed and replaced with new Fibre cement slates to match existing

Proposed Works

Internal Floor
75mm screed to be placed on 150mm PIR Insulation on Existing concrete floor slab

Plumbing
Upgrade existing heating and plumbing system including new oil fired boiler

Electrical
Upgrade existing electrical system to include full rewrite of the dwelling

External Doors and windows
Replace existing doors and windows with double glazed timber effect doors and window in traditional style to match existing doors and windows.

Internal Joinery
Existing internal joinery to be removed and replaced with new Red deal doors skirting and architrave

Insulation
62.5 mm insulated plasterboard to be fitted to the inner face of all external walls and finished with 3mm skimcoat plaster.

300mm rockwool insulation or similar to be fitted between and above the ceiling joists in the attic space

Roof Covering
Remove and replace existing slated roof covering with new fibre cement slates to match existing

RATHCROGHAN DESIGN

Ballycandoy, Ballymore, Casteren, Co. Roscommon
Ph: 086 2328464 E-mail: rathcroghan@rathcroghan.com



Client

Susan Vale

Title

Proposed Refurbishment
to existing dwelling

Scale: 1:100 UNLESS NOTED

Drawn: MARTIN BOND

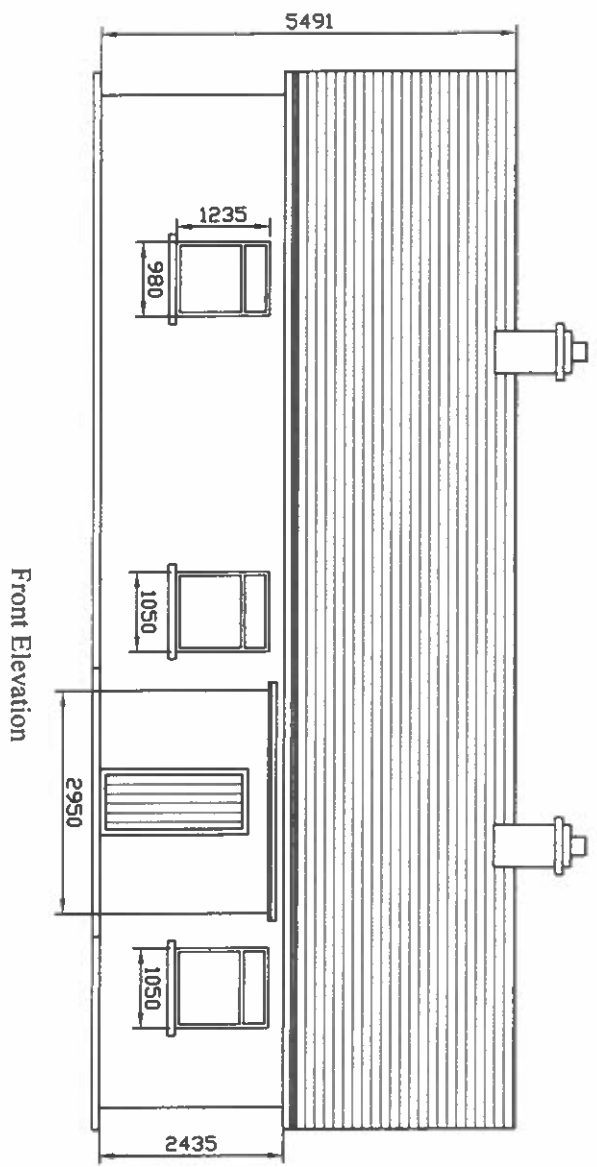
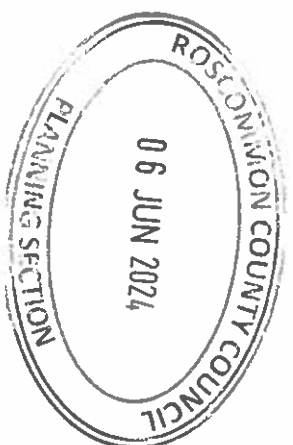
Date: 14-05-2024

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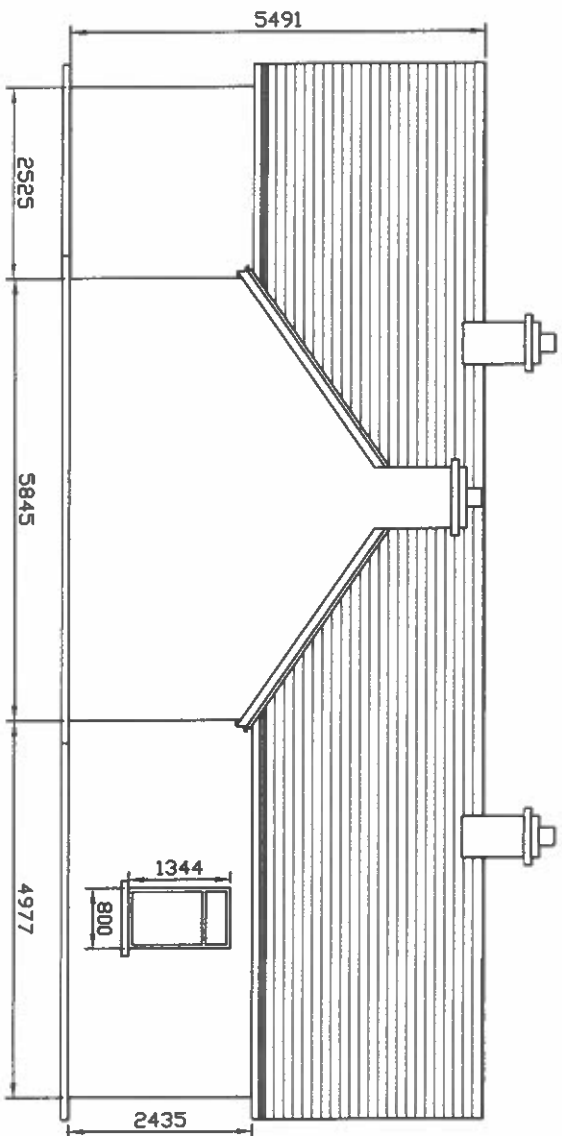
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Dwg. No.

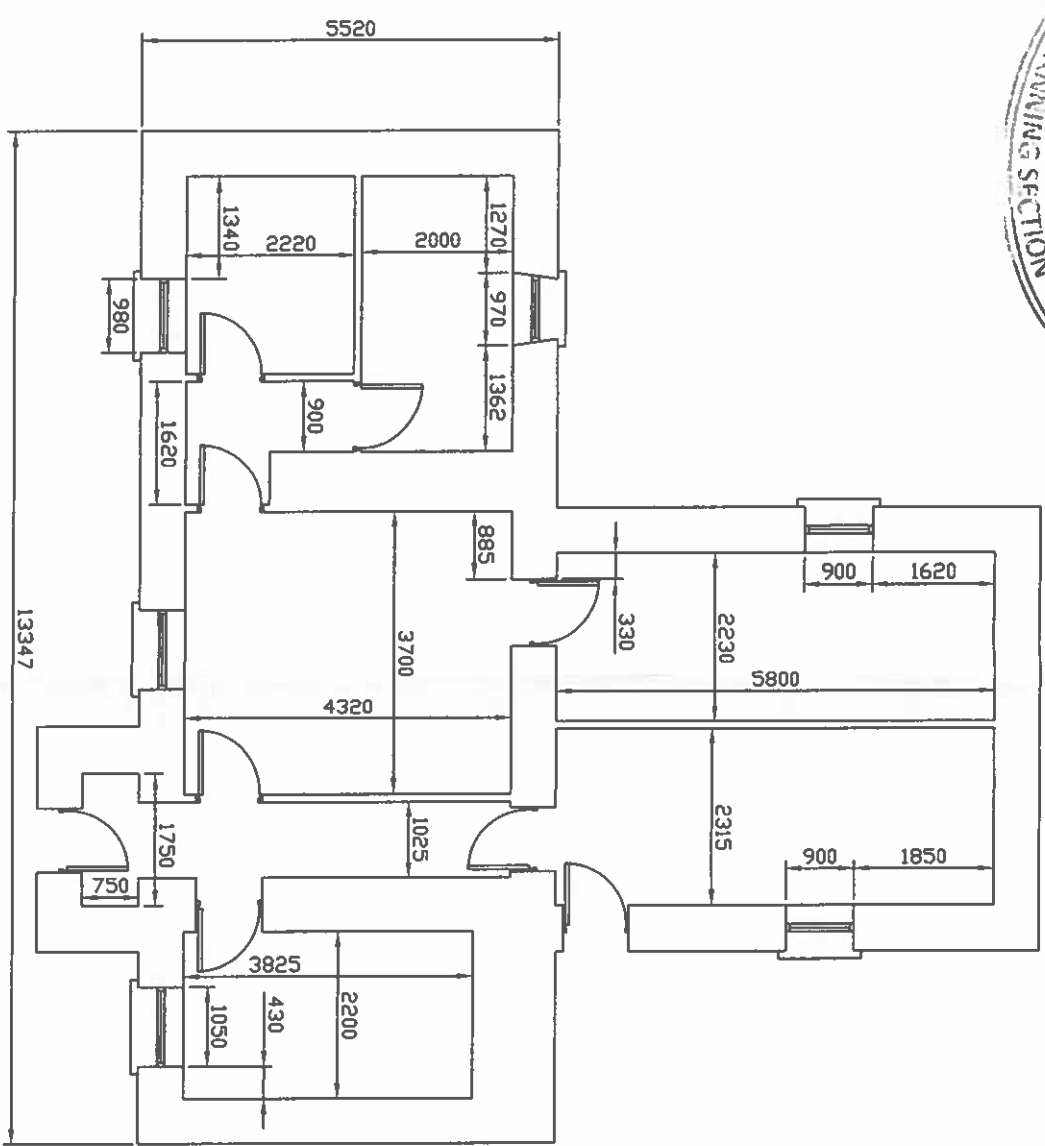
24-273



Front Elevation



Rear Elevation



Floor Plan

