

ROSCOMMON COUNTY COUNCIL

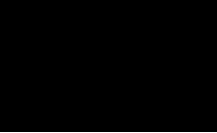
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Oisín Fallon,



Reference Number: DED 744
Application Received: 19th July 2024
Name of Applicants: Oisín Fallon
Agent: James Lohan Consulting Engineers Ltd

WHEREAS a question has arisen as to whether the refurbishment of an existing dwelling house and the construction of a small extension at Corraun, Tarmonbarry, Co. Roscommon, N39 X0F9, is or is not development and is or is not exempted development:

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 – 2011.
- (e) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works are development.
- (b) Stripping back to original walls is exempted development.
- (c) Strip out floors and ceilings is exempted development.
- (d) Install new ceiling joists and internal stud work, plasterboard and skim is exempted development.
- (e) Re-wire the entire property is exempted development.
- (f) Re-plumb the entire property is exempted development.
- (g) Install new UPVC windows (white) and doors is exempted development.
- (h) Re-slate the roof is exempted development.
- (i) Second fix carpentry, paint and decorate internally is exempted development.
- (j) Upgrade plumbing/heating system is exempted development.
- (k) Upgrade electrical systems is exempted development.
- (l) Install new floors is exempted development.
- (m) Construct a 23.5sqm extension to the rear is exempted development.
- (n) 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 house and to construct a small extension at Corraun, Tarmonbarry, Co. Roscommon, N39 X0F9 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: 6th September 2024

cc agent via email: James Lohan Consulting Engineers Ltd
james@jlce.ie

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: Monday 9 September 2024 12:51
To: James Lohan; Camila Zen
Subject: DED744 - Oisin Fallon
Attachments: DED744 - Notification of Decision.pdf

A Chara,

Please see attached Notification of Decision for Oisin Fallon DED744 – please note that a hard copy will issue to the applicant.

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 Acts 2000 (as amended)**

Reference Number: DED 744

Name and Address of Applicant: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development - Permission to refurbish existing derelict house and construct a 23.5sqm extension under the Planning & Development Act (Exempted Development) Regulations 2018 at Corraun, Tarmonbarry, County Roscommon

Applicant: Oisin Fallon

Date: 4th September 2024

WHEREAS a question has arisen as to whether to refurbish an existing derelict house and construct a 23.5sqm extension at Corraun, Tarmonbarry, County Roscommon is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 – 2011
- (e) The planning history of the site

Site Location & Development Description

The existing dwelling house is located in Corraun, Tarmonbarry, County Roscommon and is accessed off the L-1415 Local Primary Road. There are no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS. The subject site is approximately 2.1km from the Ballykenny-Fisherstown Bog SPA (Site Code: 004 101) and the Lough Forbes Complex SAC (Site Code: 001 818). The proposed development consists of refurbishing the existing derelict house and constructing a 23.5sqm extension.

Planning History

As per the Roscommon County Council GIS, there is no recent planning history on the subject 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 refurbishment of the derelict house and construction of a 23.5sqm extension constitutes development, as defined in Section 3 of the said Act.

The proposed 23.5sqm extension to the rear of the existing house has been considered within the scope of Class 1 of Part 1 of Article 6 - *Exempted Development General* of the Regulations.

PART 1 - Article 6 - Exempted Development – General

Development within the curtilage of a house

Class 1

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.

Column 2 - Conditions and Limitations

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.
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.
3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.
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.

(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.

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.

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.

(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.

7. The roof of any extension shall not be used as a balcony or roof garden.

The stated works for refurbishing the existing house include:

- Stripping back to original walls
- Strip out floors and ceilings
- Install new ceiling joists and internal stud work, plasterboard and skim
- Re-wire the entire property
- Re-plumb the entire property
- Install new UPVC windows (white) and doors
- Re-slate the roof
- Second fix carpentry, paint and decorate internally
- Upgrade plumbing/heating system
- Upgrade electrical systems
- Install new floors

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 refurbishment of the derelict house and construction of a 23.5sqm extension to the existing dwelling house in this case is considered to be exempted development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations, it is reasonable to conclude that on the basis of the information available, it is considered that the proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the need for EIA or AA does not apply with respect to the current referral case.

I am satisfied that an Environmental Impact 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 to refurbish an existing derelict house and construct a 23.5sqm extension at Corraun, Tarmonbarry, County Roscommon is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 – 2011
- (e) The planning history of the site

AND WHEREAS I have concluded that

- (a) The works are development.
- (b) Stripping back to original walls is exempted development.
- (c) Strip out floors and ceilings is exempted development.
- (d) Install new ceiling joists and internal stud work, plasterboard and skim is exempted development.
- (e) Re-wire the entire property is exempted development.
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- (k) Upgrade electrical systems is exempted development.
- (l) Install new floors is exempted development.
- (m) Construct a 23.5sqm extension to the rear is exempted development.
- (n) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

and I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Jennifer Foy
Assistant Planner

Date: 4th September 2024



Signed: _____
Alan O'Connell
Senior Executive Planner

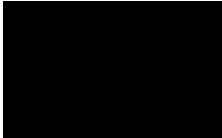
Date: 6th September 2024



Comhairle Contae
Ros Comáin
Roscommon
County Council



Oisin Fallon,



Date: 23rd July 2024
Planning Reference: DED 744

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: Permission to refurbish existing derelict house and construct a small extension under the Planning & Development Act (Exempt Development) Regulations 2018 at Corraun, Tarmonbarry, Co. Roscommon, N39 X0F9.

A Chara,

I wish to acknowledge receipt of your application which was received on the 19th July 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. L01/0/229720 dated 19th July 2024, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 744**.
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: James Lohan Consulting Engineers Ltd
james@jlce.ie

Roscommon County Council
Aras an Chontae
Roscommon
09088 37100

19/07/2024 12:18:31

Receipt No. L010/229720

OISIN FALLON
C/O JAMES LOHAN CONSULTING ENGINEERS LTD
UNIT 5
BALLYPHEASON HOUSE
CIRCULAR ROAD
ROSCOMMON

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED744	

Total :	80 00 EUR
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Tendered	
Cheque	80 00
500355	

Change :	0 00
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Issued By : Bernadine Duignan
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council

Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the

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

Name of Applicant(s)	Oisin Fallon
Name of Agent	James Lohan Consulting Engineers Ltd, Unit 5, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	Refurbish derelict house and add a small extension under 40 sqm in accordance with the Planning and Development Act (Exempt Development) Regulations 2018, as per the Vacant Property Refurbishment Grant Croí Cónaithe Towns Fund
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Corraun, Tarmonbarry, Co. Roscommon. N39 X0F9 OS Map no 2229
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>84 Sqm</u> b) <u>23.5 Sqm extension</u>
Height above ground level:	Floor level- between 100mm - 150mm above ground level (Ridge height existing 5.80m above ground level- Ridge height extension 3.00m)
Total area of private open space remaining after completion of this development	0.106 Hectares
Roofing Material (Slates, Tiles, other) (Specify)	Existing Slates to roof Proposed new flat roof (23.5 Sqm) at the rear of the building into the new extension

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 to match existing
Is proposed works located at front/rear/side of existing house.	Proposed extension to the rear of the house, under 40 Sqm and lower than the existing building.
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	Existing Dwelling House
Proposed use of land or structure	Refurbish House to be lived in by applicants
Distance of proposed building line from edge of roadway	Existing -5.5m from edge of road
Does the proposed development involve the provision of a piped water supply	Existing water mains
Does the proposed development involve the provision of sanitary facilities	Existing Septic Tank and Percolation area

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

Signature:

C20

Date:

19/07/2024



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

James Lohan
Consulting Engineer Ltd.
Unit 5, Ballypheason House,
Circular Road,
Roscommon F42 C982
Ph: 0906634365
Mob: 0878228529

Planning Dept,
Roscommon Co.Co.
Aras An Chontae,
Roscommon.

Detailed Specification Of The Development Proposed

Ref: Exempt Oisin Fallon for Property at CORRAUN, TARMONBARRY, CO. ROSCOMMON.
N39 X0F9

The property is being stripped back to its original walls and will be renovated and put back into use as it was originally a one-bed dwelling house. Additionally, a 23.5 sqm extension will be added to include more space for the kitchen and a second bedroom.

The works involved are as follows

1. Strip out walls, floors, and ceilings.
2. Install new ceiling joists and internal stud work, plasterboard, and skim.
3. Re-wire the entire property.
4. Re-plumb the entire property.
5. Install new UPVC windows (white) and doors.
6. Re-slate the roof.
7. Second fix carpentry and paint and decorate internally.
8. Construct a 23.5 Sqm extension to include more space for the kitchen and a second bedroom.
9. Upgrade plumbing/heating system.
10. Upgrade electrical systems.
11. Install new floors.



Kind Regards

Camila Zen

James Lohan Consulting Engineer Ltd,

Unit 5, Ballypheason House, Circular Road Roscommon F42 C982



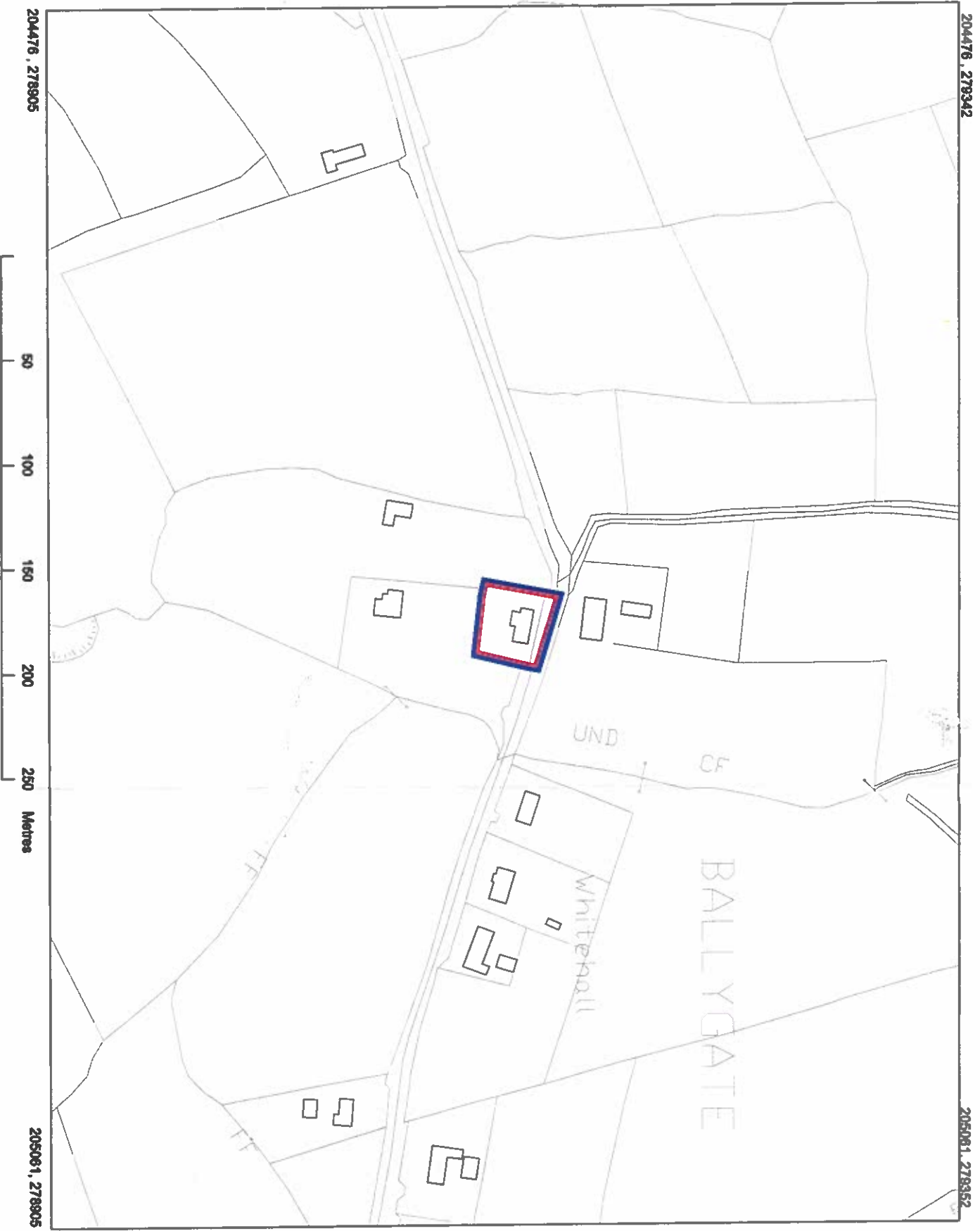
SITE ADDRESS:
CORRAUN,
TARMONBARRY,
CO. ROSCOMMON,
N39 X0P9

LEGEND

— **SITE AREA OUTLINED IN RED**
= 0.106 HECTARES

— **LAND HOLDING OUTLINED IN BLUE**

OS MAPS: 2229



SITE LOCATION MAP
1:2500

NATIONAL MAPPING DIVISION OF IRLAND
CYAL50358888
CERTIFICATE LICENSE

EXEMPT DEVELOPMENT

DO NOT SCALE FROM THIS DRAWING WORK ONLY FROM FIGURED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT DCS/CL/AN'S DRAWINGS

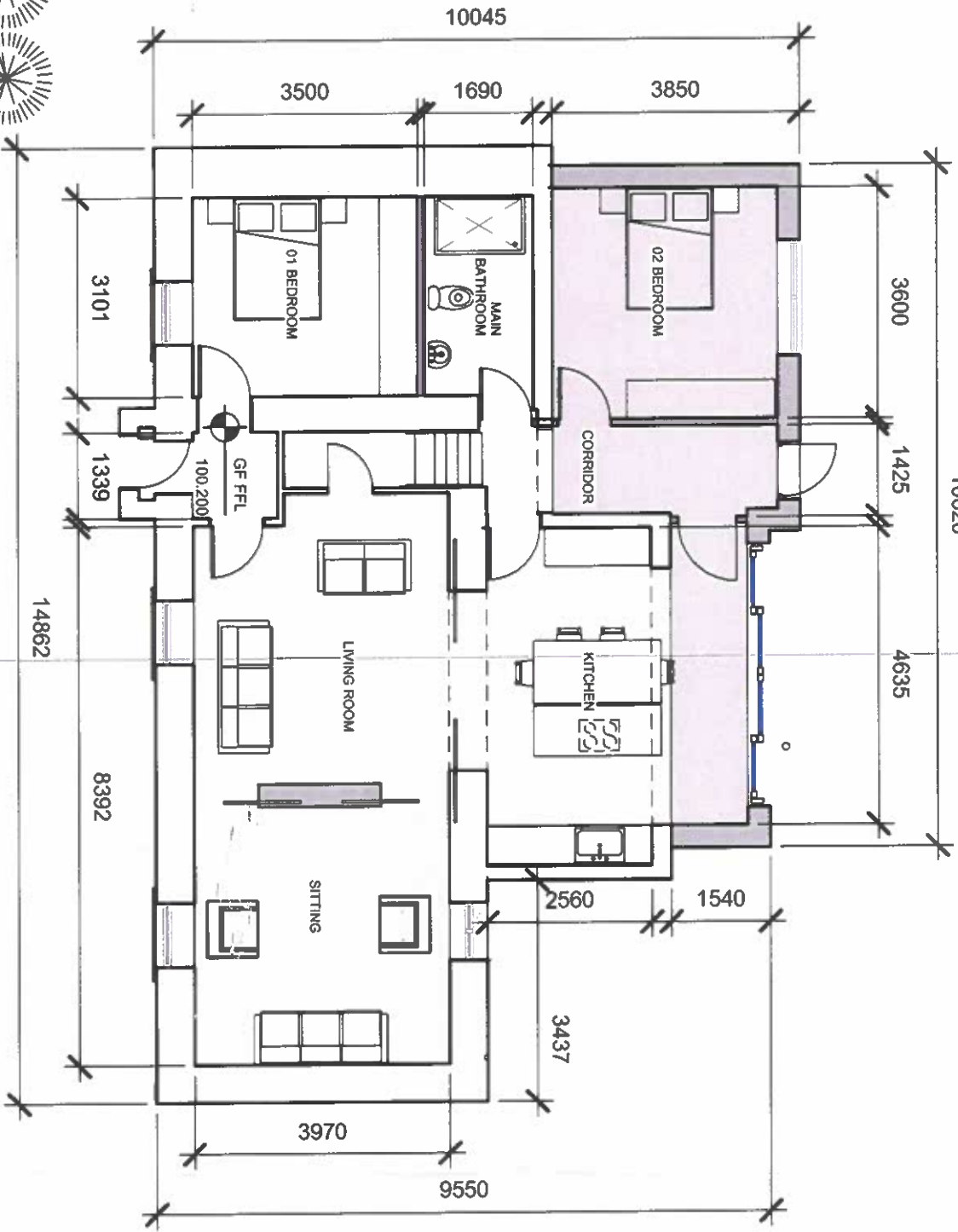
DATE	REV	BY	CHK	APP
11/07/2024	1	JA	JA	JA

Unit 5, Ballyphrean House Creder Road Reconstrution F42 C882		James Lohan Planning & Design Consulting Engineers	
CLIENT	JOB	DATE	SCALE
OSKI FALLON	24-286 0 A1 E	11/07/2024	1:2500
SITE	DRAWING	REV	
CORRAUN	001		
TARMONBARRY			
CO. ROSCOMMON			

AREASCHEDULE

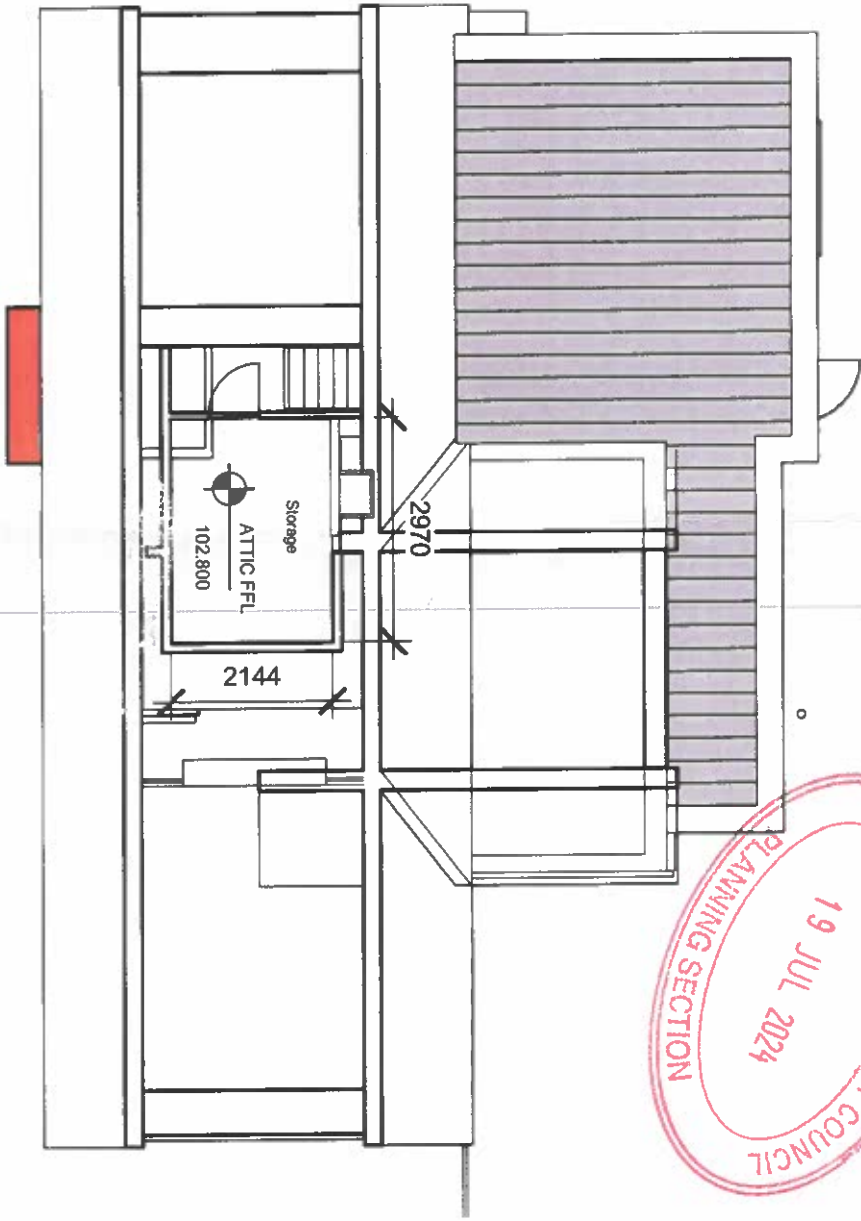
EXISTING GROUND FLOOR AREA	: 78m ²
EXISTING FIRST FLOOR AREA	: 6m ²
TOTAL EXISTING AREA	: 84m ²
PREPOSED EXTENSION AREA	: 23.5m ²
TOTAL AREA	: 107.5m ²

10620



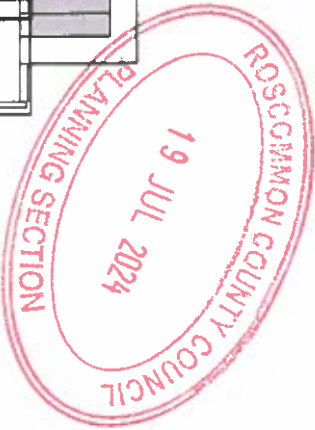
02-Attic Floor Plan - Proposed

1 : 100



LEGEND

- ORIGINAL WALLS OF EXISTING HOUSE
- PROPOSED NEW WALLS TO BE BUILT
- PROPOSED EXTENSION TO EXISTING HOUSE



2

01-Ground Floor Plan - Proposed

1 : 100

1

1 : 100



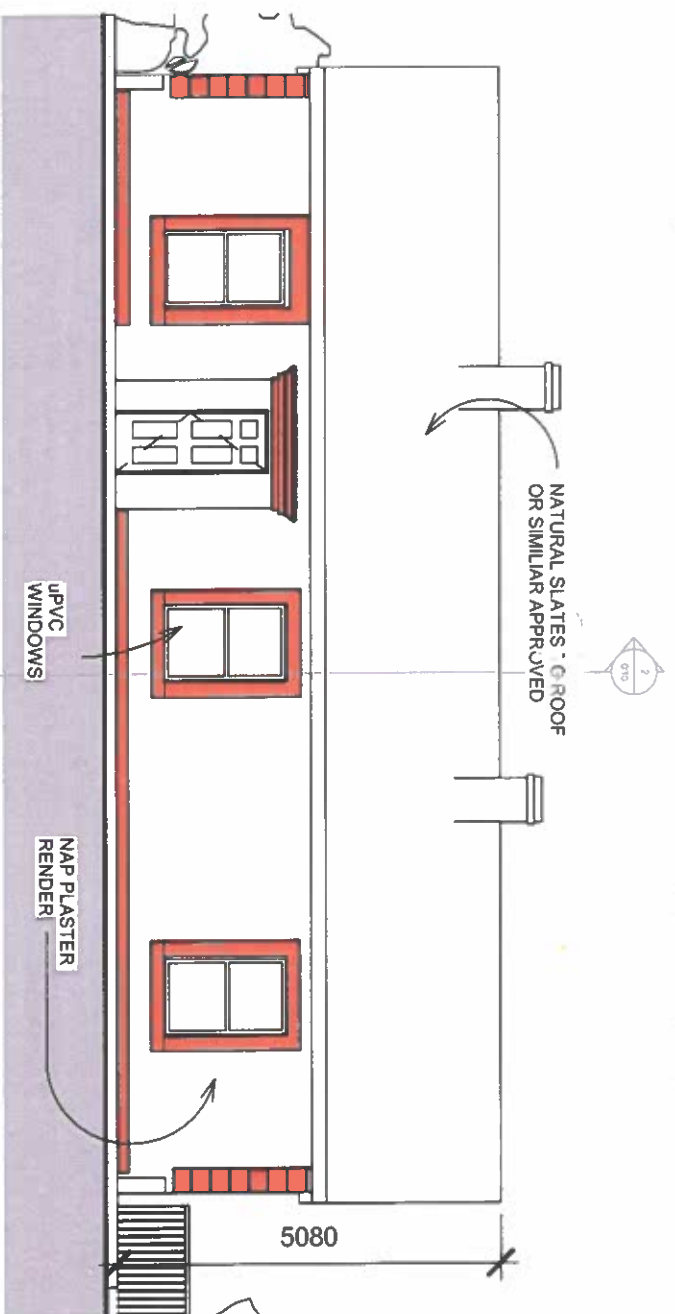
DO NOT SCALE FROM THIS DRAWING. WORK ONLY FROM GIVEN DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STATUS KEY: SK SKETCH DESIGN PR PRELIMINARY FT FOR TENDER FC FOR CONSTRUCTION SS SUPERSEDED

EXEMPT DEVELOPMENT

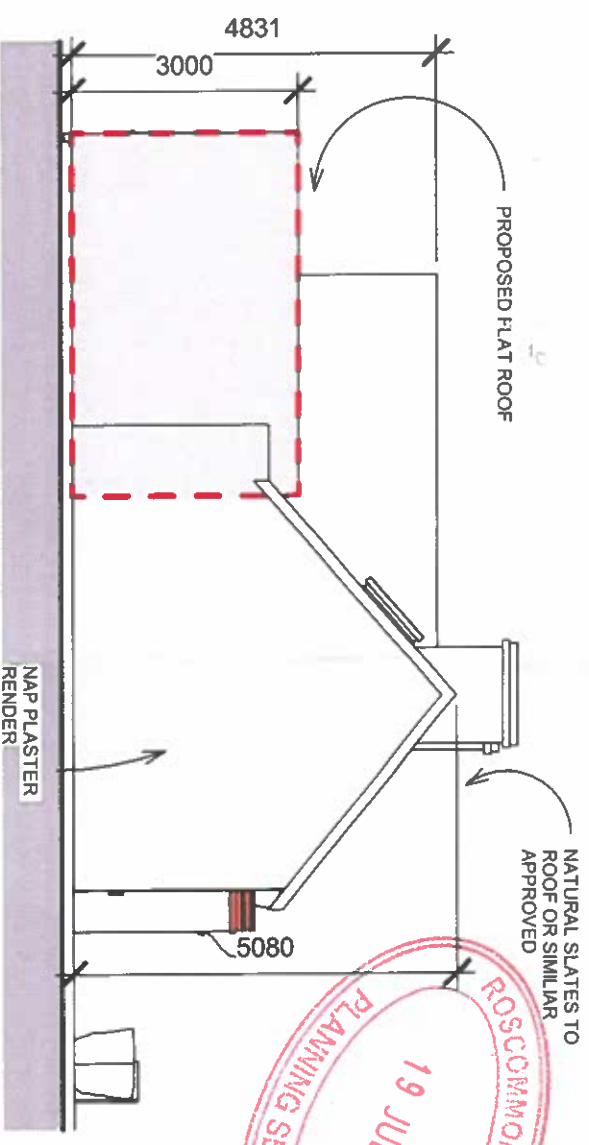
James Lohan Civil Engineering Architectural Design Survey	Client GOSN FALLOU CORSAUN TARMOONABARY CO. ROSCOMMON N38 X0F0	Job No EXEMPT DEVELOPMENT Ground Floor Plan Proposed	Scale As indicated @ A3	Date 04/11/24 REV 05/08/24 C. ZEN
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LEGEND

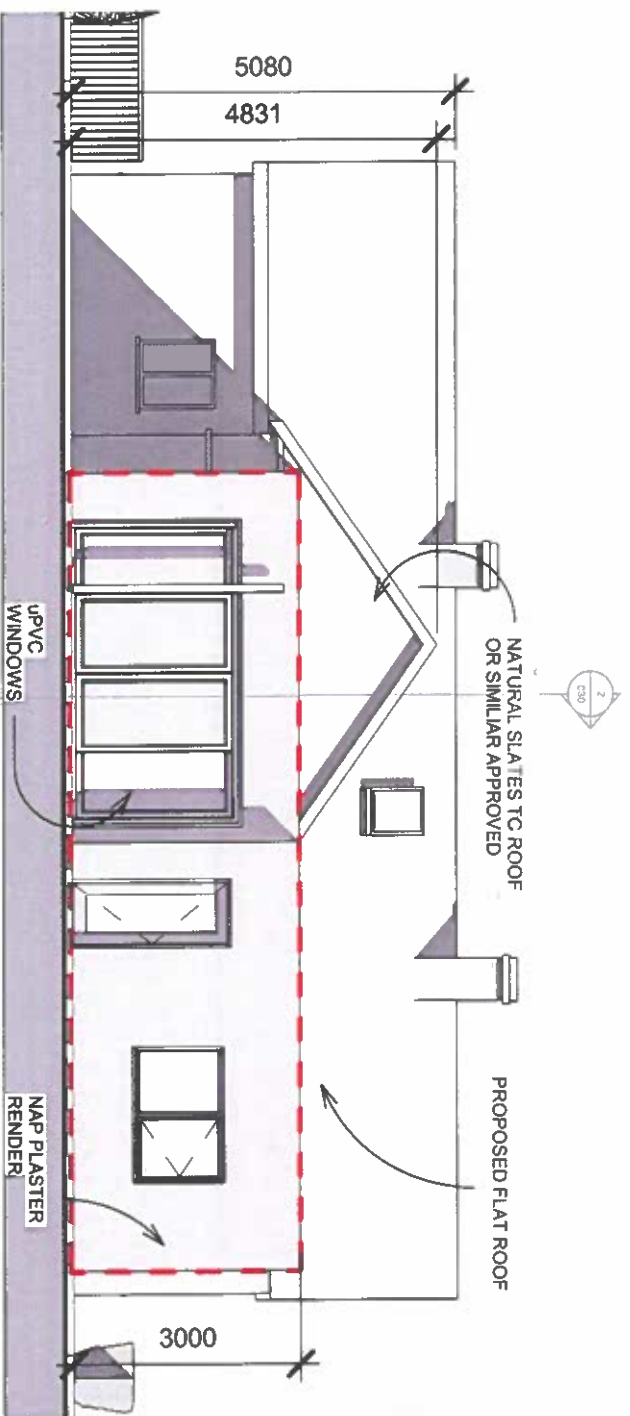
PROPOSED EXTENSION TO EXISTING HOUSE



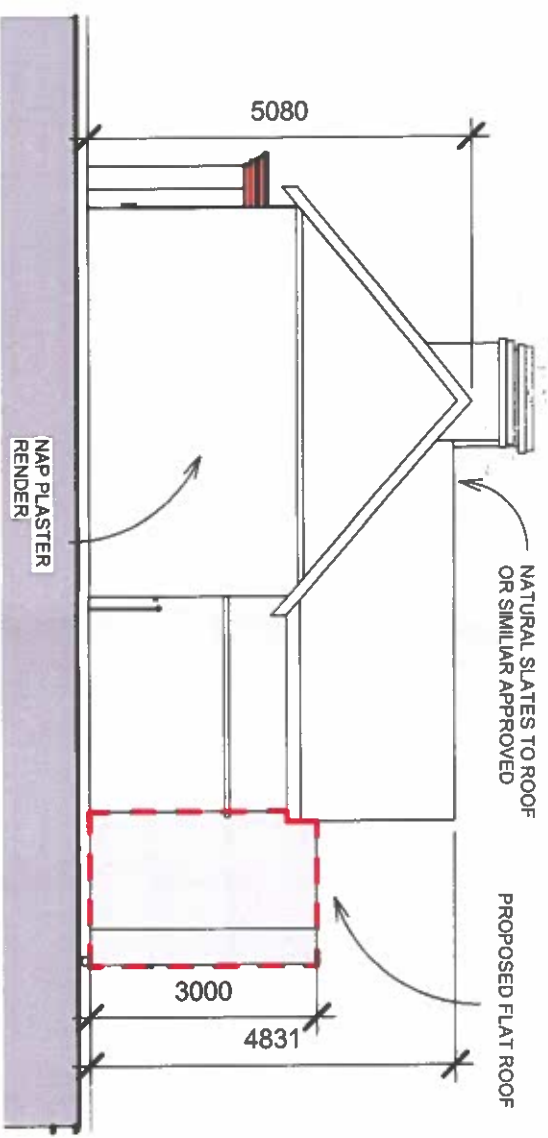
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1 : 100



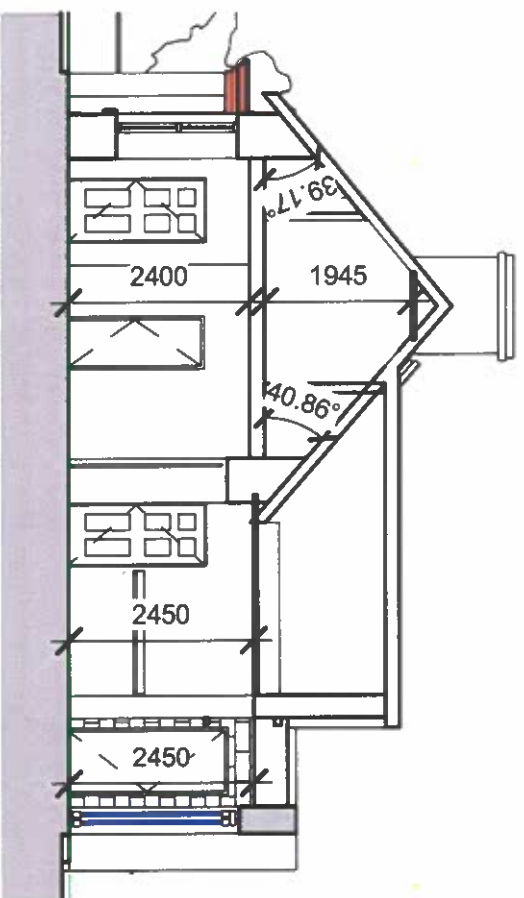
3 Side Elevation (WEST) Proposed
1 : 100



1 Rear Elevation (SOUTH) Proposed
1 : 100

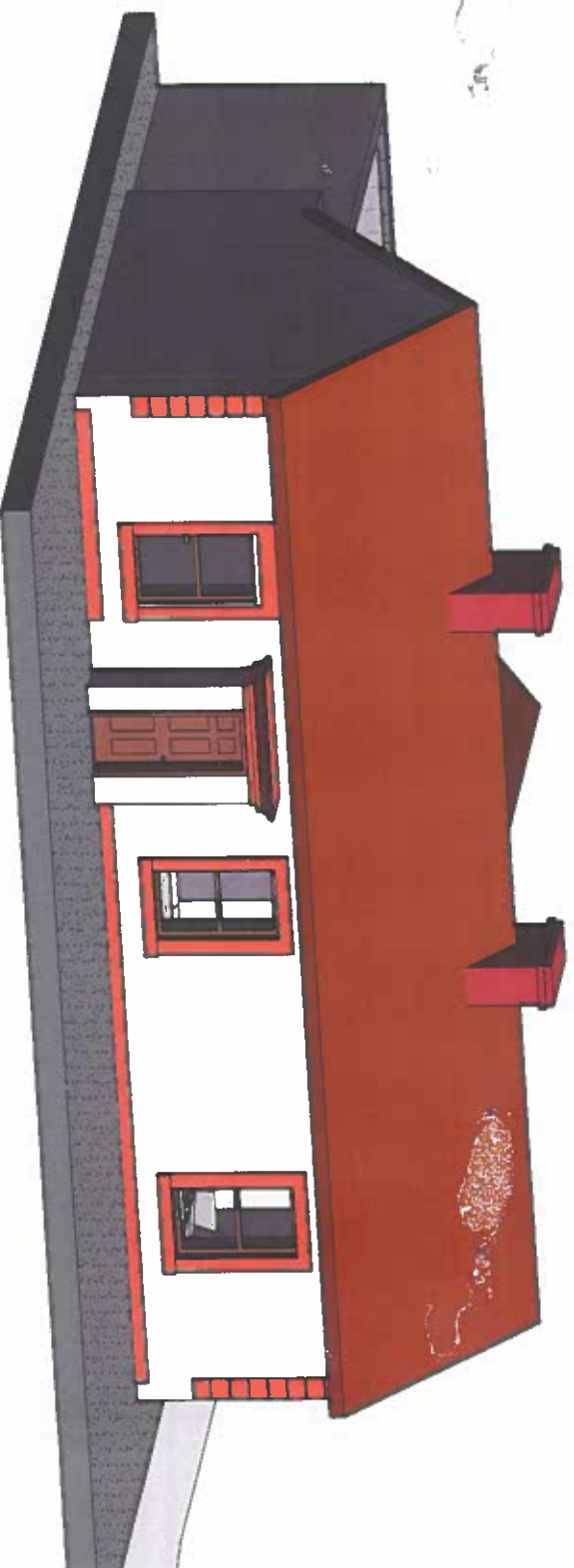
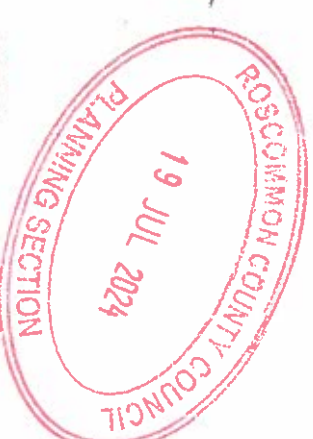
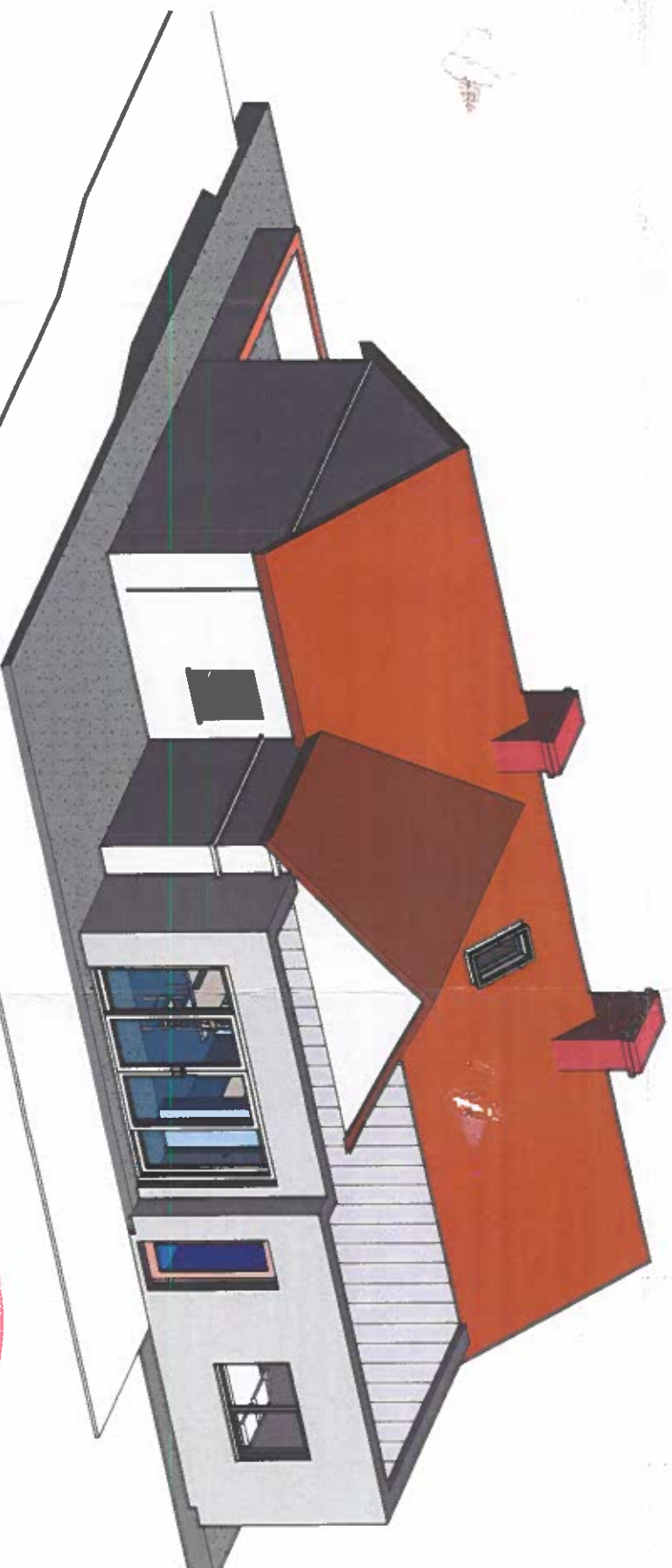


4 Side Elevation (EAST) Proposed
1 : 100

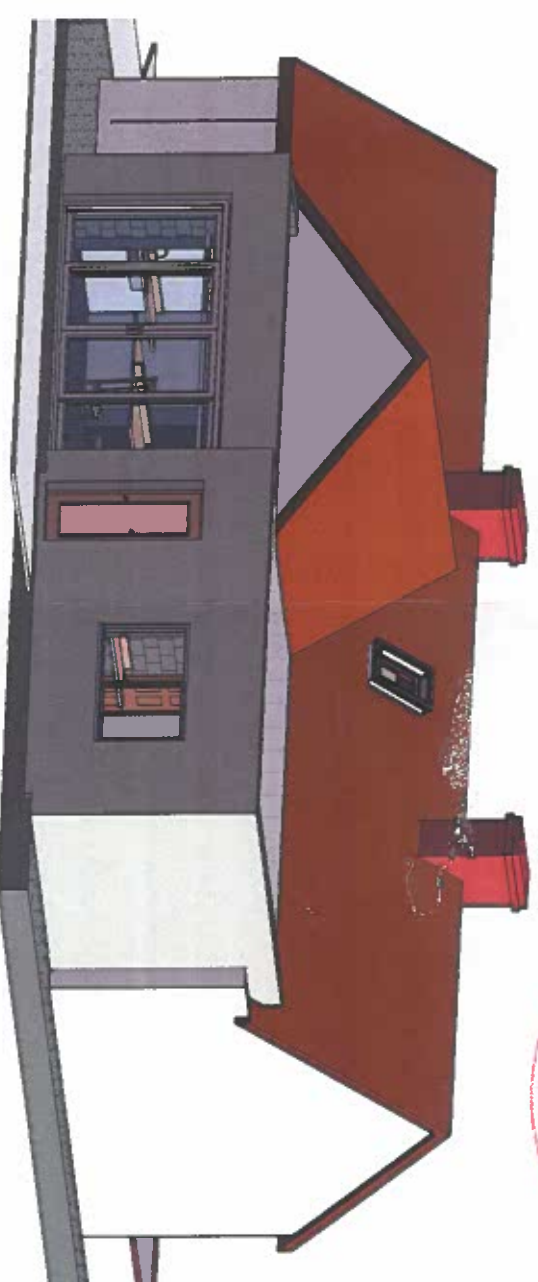


2 Section 1 Proposed
1 : 100

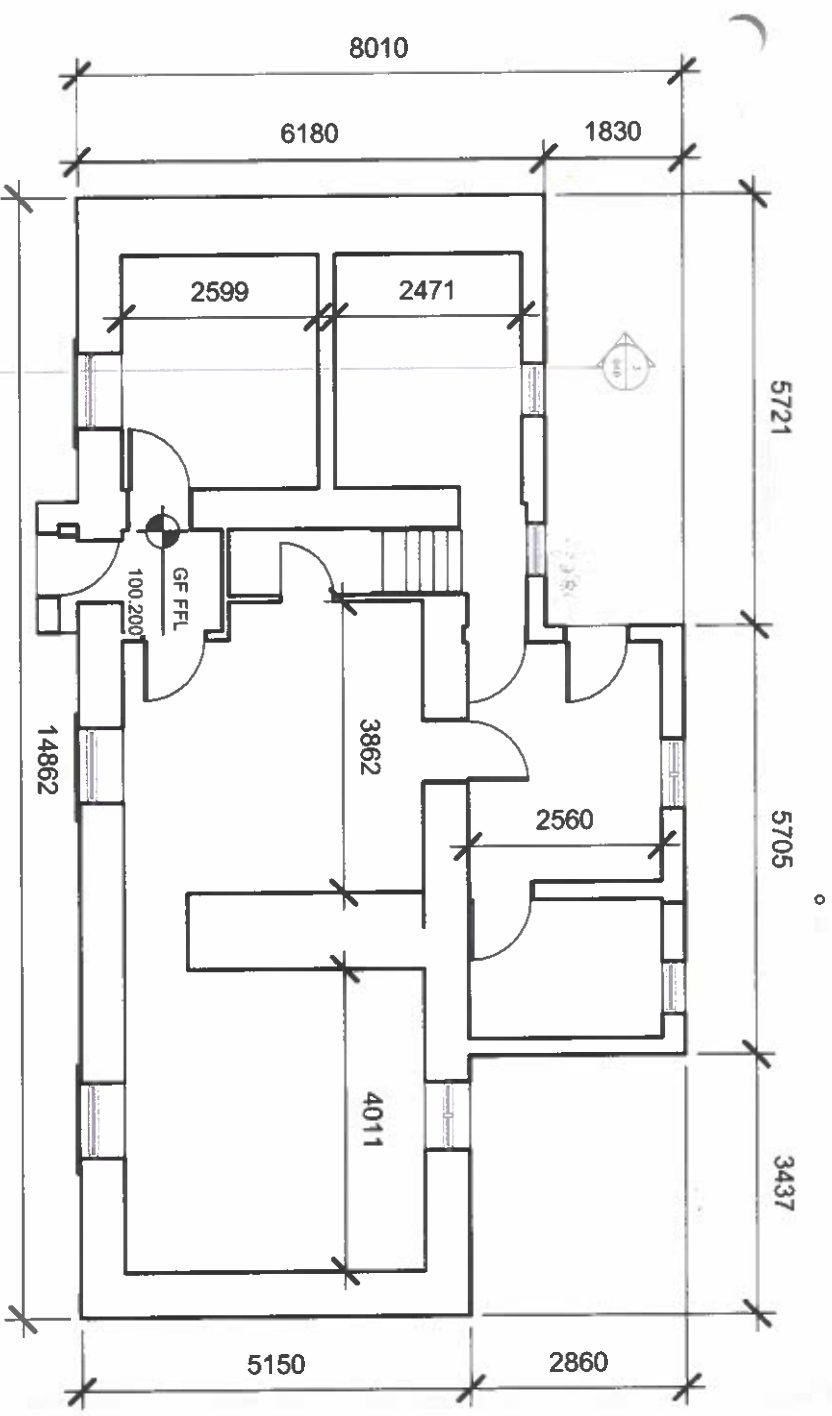
4 3D VIEW 03



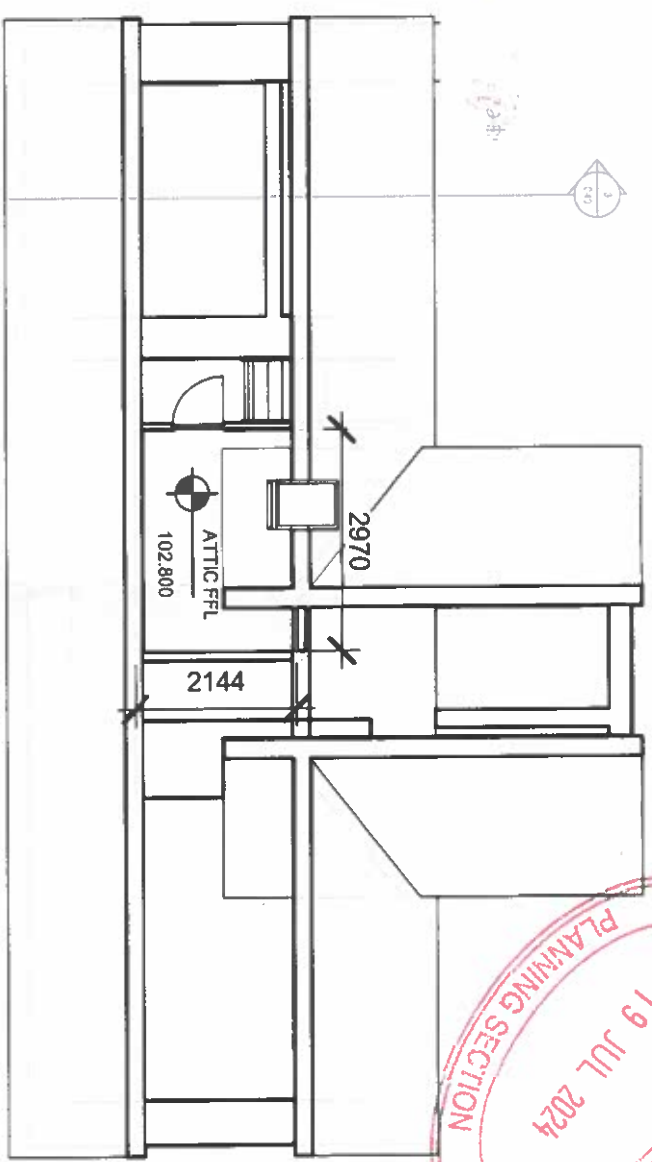
1 3D VIEW 01



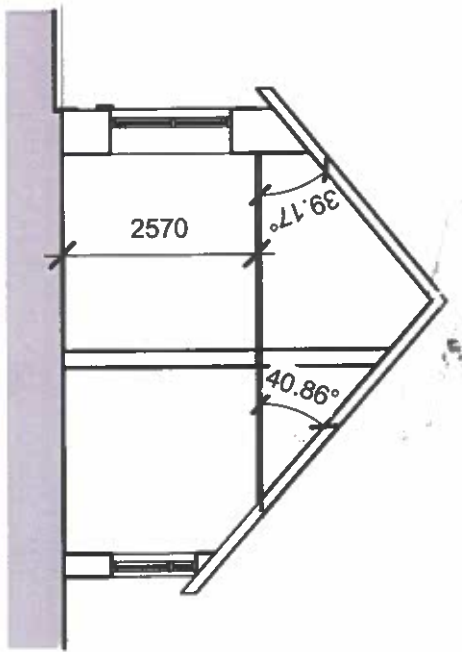
3 3D VIEW 02



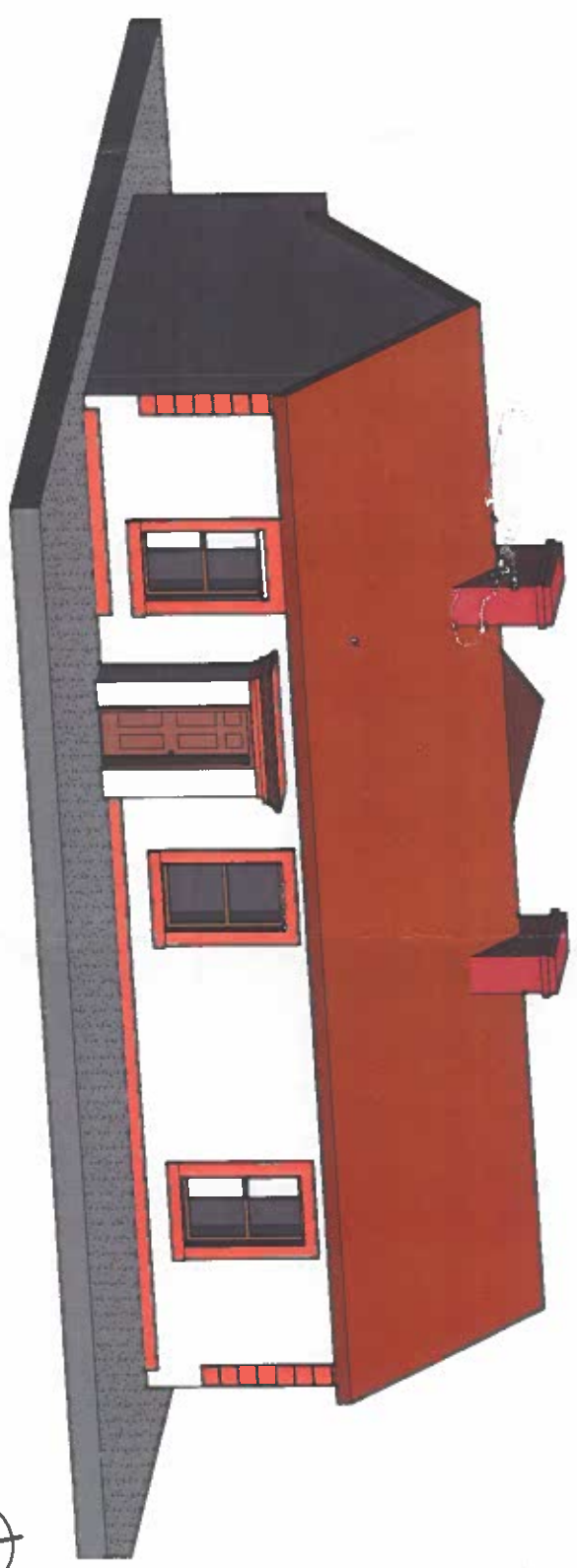
1
1 : 100
01-Ground Floor Plan - Existing



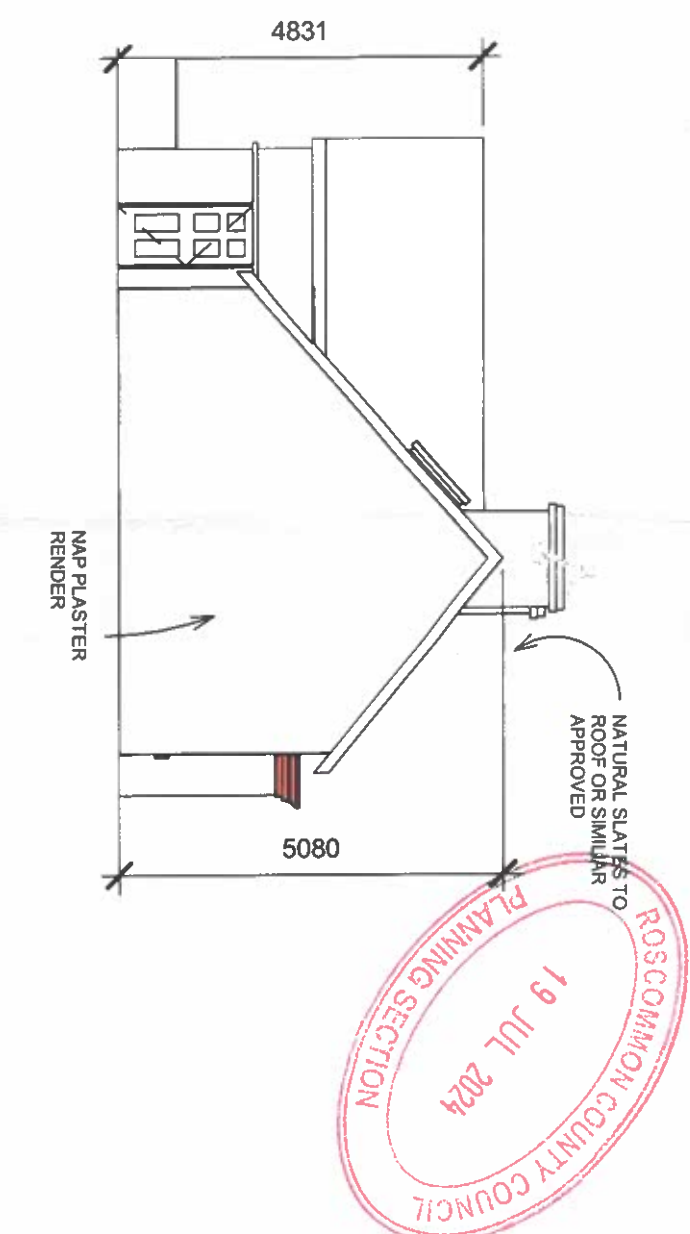
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02-Attic Floor Plan - Existing



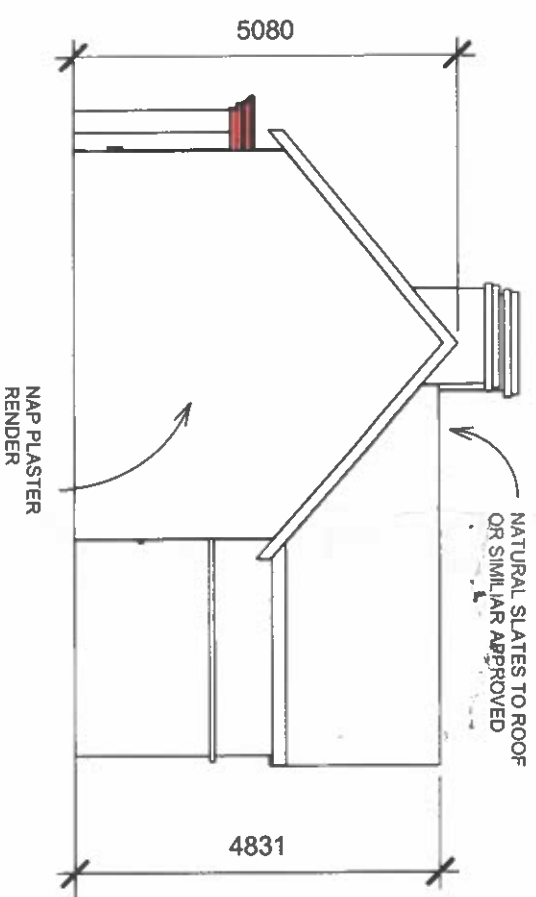
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1 : 100
Section 1 - Existing



4
3D VIEW Existing

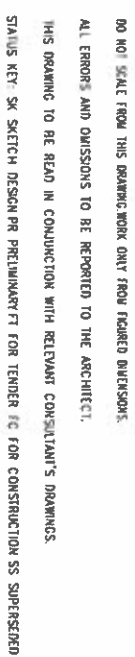


1:100



1:1011
3
1:100

2
1:100



EXEMPT DEVELOPMENT

 James Lohan Architectural Design 10000 E. 1st Avenue, Suite 100 Denver, CO 80231		Cell: 303.733.1000 Fax: 303.733.1000 E-mail: jlohan@jlohan.com Website: www.jlohan.com	
CLIENT	JOE	DATE	10/15/2004
C/SIN FALLON	EXEMPT DEVELOPMENT	JOB NO	24-288
SITE	DRAWING	SHEET NO	04
CONCRETE	Slab Elevation - Existing	SCALE	1"=00' @ A3
TAMMUNBARRY		DESIGNED BY	C. Ziem
CO ROSSCOMMON		REV	
-N39 X0P6			