

**ROSCOMMON COUNTY COUNCIL**

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

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

**NOTIFICATION OF DECISION**

**REGISTERED POST**

John Paul O’Gara,



Reference Number: DED 784  
Application Received: 17<sup>th</sup> October 2024  
Name of Applicant: John Paul O’Gara  
Agent: MMKDA Consulting Engineers

WHEREAS a question has arisen as to whether the change of use from office spaces to 3no. residential apartments & associated works at Castle Court, Roscommon, Co. Roscommon, F42 YR74, 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, and 4 of the Planning and Development Acts 2000 (as amended)
- (b) Article 10(6) 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)

AND WHEREAS Roscommon County Council has concluded that:

- (a) The change of use from office space to 3 no. residential apartments and associated works is a material change of use and is exempted development

**NOW THEREFORE:**

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 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 change use from office spaces to 3no. residential apartments & associated works at Castle Court, Roscommon, Co. Roscommon, F42 YR74 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: 10<sup>th</sup> January 2025

cc agent via email: MMKDA Consulting Engineers  
[info@mmkda.com](mailto: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

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**From:** Carmel Curley  
**Sent:** Friday 10 January 2025 10:32  
**To:** john o gara  
**Cc:** info@mmkda.com  
**Subject:** DED784 - Notification of Decision  
**Attachments:** DED 784 - Notification of Decision.pdf

Hi John Paul,

Please see attached Notification of Decision for your DED Application 784. Please note that a hard copy will be issued by registered post 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](mailto:planning@roscommoncoco.ie) | 🌐 [www.roscommoncoco.ie](http://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 784

**Name and Address of Applicant:** John Paul O'Gara/JP Hollywood Bars LTD.  
Castle Court, Roscommon  
Co Roscommon

**AGENT:** MMKDA Consulting Engineers

**WHEREAS** a question has arisen as to whether the '*change of use from office space to 3 no. residential apartments and associated works*' at Castle Court, Roscommon, Co Roscommon is or is not development and is or is not exempted development:

**1.0 Introduction**

**NOTE:** This report has been prepared following receipt of a response to the Planning Authority's request for further information. This report should be read in conjunction with the planning officers' original report of 29<sup>th</sup> Nov 2024 which amongst other matters details and considers:

- Development proposal and site assessment
- Relevant statutory provisions.

**Further information requested: 29<sup>th</sup> Nov 2024**

**Further information response received: 2<sup>nd</sup> Dec 2024**

**2.0 Planning Assessment following receipt of Further Information**

**Summary of issues on which further information was sought:**

**Item 1:**

- a) Clarify period of time the first floor of the building has been vacant for.
- b) A statement of compliance to demonstrate that the proposed apartments comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities"

**Assessment of further information received:**

**Item 1(a)**

The applicant has clarified that the building has been vacant for 7 years.

**Item 1(b)**

A statement of compliance has been submitted which demonstrates that the proposed apartments comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities. I am satisfied that the proposed '*change of use from office space to 3 no. residential apartments and associated works*'

e within the parameters as set out in Article 10 (6).

## 2.0 Recommendation

WHEREAS a question has arisen as to whether '*change of use from office space to 3 no. residential apartments and associated works*' is a material change of use and is or is not exempted development.

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

- a) Sections 2, 3, and 4 of the Planning and Development Acts 2000 (as amended)
- b) Article 10(6) 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)

AND WHEREAS I have concluded that

The '*change of use from office space to 3 no. residential apartments and associated works*' is a material change of use and is exempted development and I recommend that a declaration to that effect should be issued to the applicant.



Signed: \_\_\_\_\_ Date: 9<sup>th</sup> January 2025

Paula Connaughton  
South Roscommon Area Planner.



Signed: \_\_\_\_\_

Alan O'Connell  
Senior Executive Planner

Date: 9<sup>th</sup> January 2025

## Carmel Curley

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**From:** john o gara [REDACTED]  
**Sent:** Monday 2 December 2024 13:30  
**To:** Carmel Curley  
**Cc:** Mmkda Info  
**Subject:** Re: DED784 - Further Information Request  
**Attachments:** 4182.20 Statement of Compliance 021224 SS.pdf; 4182.20\_DED-3 Proposed Floor Plans.pdf; Sworn affidavit 2024.10.16.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Carmel,

In relation to my application, ref: DED784 and letter dated 29th November 2024.

Please find attached requested information:

1. This building has been vacant for 7+ years - please find sworn affidavit attached.
2. Please find statement of compliance attached.

Please confirm receipt of this email and attachments. Can you please advise if I can expect a decision this week on this?

Thanks,  
John Paul

On Friday 29 November 2024 at 13:49:48 GMT, Carmel Curley <ccurley@roscommoncoco.ie> wrote:

A Chara,

Please find attached Further Information Request for Section 5 Declaration of Exempted Development Application DED 784.

Regards,

Carmel

**Carmel Curley, Assistant Staff Officer,**

**Planning Department, Roscommon County Council,**

**Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98**

**☎: (090) 6637100**



## STATEMENT OF COMPLIANCE



Address of Property: Apartments 1-3 at Castle Court, Roscommon

Name of Client: John Paul O'Gara

Document Control					
Rev.	Status	Author(s)	Reviewed By	Approved By	Issue Date
-	Issue	SS	DS	SS	02/12/2024

**CONTENTS:**

INTRODUCTION .....	3
REQUIRED MINIMUM FLOOR AREAS AND STANDARDS .....	3
<i>Minimum overall apartment floor areas</i> .....	3
<i>Minimum aggregate floor areas for living/dining/kitchen area</i> .....	3
<i>Minimum width of living/dining room</i> .....	4
<i>Minimum bedroom floor areas</i> .....	4
<i>Minimum width of bedroom</i> .....	4
<i>Minimum storage space areas</i> .....	5
CONCLUSION .....	5







## INTRODUCTION

This is a Statement of Compliance for the proposed three 1 bedroom apartments at Castle Court, Roscommon, Co. Roscommon.

The purpose of this Statement of Compliance is to confirm that the proposed apartments comply with "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" 2022.

Floor areas and dimensions of living/dining/kitchen areas, bedrooms and storage space areas (as per drawing 4182.20\_DED-3 Proposed Floor Plans) will be detailed and compared with the above guidelines in order to confirm compliance.

## REQUIRED MINIMUM FLOOR AREAS AND STANDARDS

### Minimum overall apartment floor areas

The required minimum overall apartment floor area for 1 bedroom apartment is 45 sq meters. All apartments comply with the guidelines. See below table for details.

Apartment #	Type	Required [sq m]	Proposed [sq m]	Status
Apartment 1	1 Bedroom	45	46.4	Compliant
Apartment 2	1 Bedroom	45	49.3	Compliant
Apartment 3	1 Bedroom	45	53.5	Compliant

### Minimum aggregate floor areas for living/dining/kitchen area

The required minimum aggregate floor area for living/ dining/ kitchen areas for 1 bedroom apartment is 23 sq m. All apartments comply with the guidelines. See below table for details.

Apartment #	Type	Required [sq m]	Proposed [sq m]	Status
Apartment 1	1 Bedroom	23	23.2	Compliant
Apartment 2	1 Bedroom	23	24.4	Compliant
Apartment 3	1 Bedroom	23	24.3	Compliant



**Minimum width of living/dining room**

The required minimum width for living/ dining room in case of 1 bedroom apartment is 3.3 meters. All apartments comply with the guidelines. See below table for details.

Apartment #	Type	Required [m]	Proposed [m]	Status
Apartment 1	1 Bedroom	3.3	4.40	Compliant
Apartment 2	1 Bedroom	3.3	4.17	Compliant
Apartment 3	1 Bedroom	3.3	4.27	Compliant

**Minimum bedroom floor areas**

The required minimum bedroom area in the case of 1 bedroom apartment is 7.1 sq meters for single bedroom and 11.4 sq meters for double bedroom. A higher, double bedroom standard was used for the assessment. All apartments comply with the guidelines. See below table for details.

Apartment #	Type	Required [sq m]	Proposed [sq m]	Status
Apartment 1	1 Bedroom	11.4	11.5	Compliant
Apartment 2	1 Bedroom	11.4	13.7	Compliant
Apartment 3	1 Bedroom	11.4	11.6	Compliant

**Minimum width of bedroom**

The required minimum width of bedroom in case of 1 bedroom apartment is 2.1 meters for single bedroom and 2.8 meters for double bedroom. A higher, double bedroom standard was used for the assessment. All apartments comply with the guidelines. See below table for details.

Apartment #	Type	Required [m]	Proposed [m]	Status
Apartment 1	1 Bedroom	2.8	3.24	Compliant
Apartment 2	1 Bedroom	2.8	2.93	Compliant
Apartment 3	1 Bedroom	2.8	3.22	Compliant

**Minimum storage space areas**

The required minimum storage space area for 1 bedroom apartment is 3 sq meters. Storage area is in addition to minimum aggregate living/dining/kitchen or bedroom floor areas. No individual storage room within an apartment should exceed 3.5 square metres. All apartments comply with the guidelines. See below table for details.

Apartment #	Type	Required [sq m]	Proposed [sq m]	Status
Apartment 1	1 Bedroom	3	3 (1.2 + 1.8)	Compliant
Apartment 2	1 Bedroom	3	3.2 (0.6 + 2.6)	Compliant
Apartment 3	1 Bedroom	3	3.1	Compliant

**CONCLUSION**

All floor areas and dimensions of living/dining/kitchen areas, bedrooms and storage space areas of Apartments 1, 2 and 3 at Castle Court, Roscommon, Co. Roscommon are compliant with "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" 2022, Appendix 1.

Dated: 2<sup>nd</sup> December 2024

Signed: \_\_\_\_\_

Sebastian Sokolowski

For & on behalf of MMKDA Consulting Engineers



John Paul O'Gara - Apartments 1-3 at Castle Court, Roscommon, Co. Roscommon

## STATUTORY DECLARATION

### OF JOHN PAUL O'GARA Re: Vacant Property Refurbishment Grant.

I, JOHN PAUL O'GARA of [REDACTED] in the County of Roscommon aged 18 years and upwards do solemnly and sincerely declare as follows:-

1. This Declaration relates to Premises situate at Castle Street, Roscommon consisting of the Hollywood Bar with first floor derelict accommodation overhead. I confirm that neither I nor any of my predecessors in title have made any previous Grant Applications for renovation of the Premises under the Vacant Property Refurbishment Grant for rental or any other purposes.
2. I say that the property has been vacant for in excess of 7 years and remains vacant pending renovation.
3. It is my intention that when the Premises are renovated to make them available for residential letting and I undertake to register any such Tenancy with the Residential Tenancy Board prior to drawdown of any Grant payable.
4. I make this solemn Declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1938.

  
John Paul O'Gara

DECLARED by the said John Paul O'Gara

This 16th day of October 2024

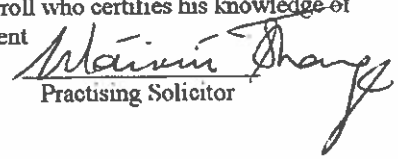
At Athlone

in the County of Westmeath

Before me a Practising Solicitors and I know

John O'Carroll who certifies his knowledge of

The Deponent

  
Practising Solicitor

I, John O'Carroll hereby Certify my  
knowledge of the Deponent

  
John O'Carroll



LEGEND

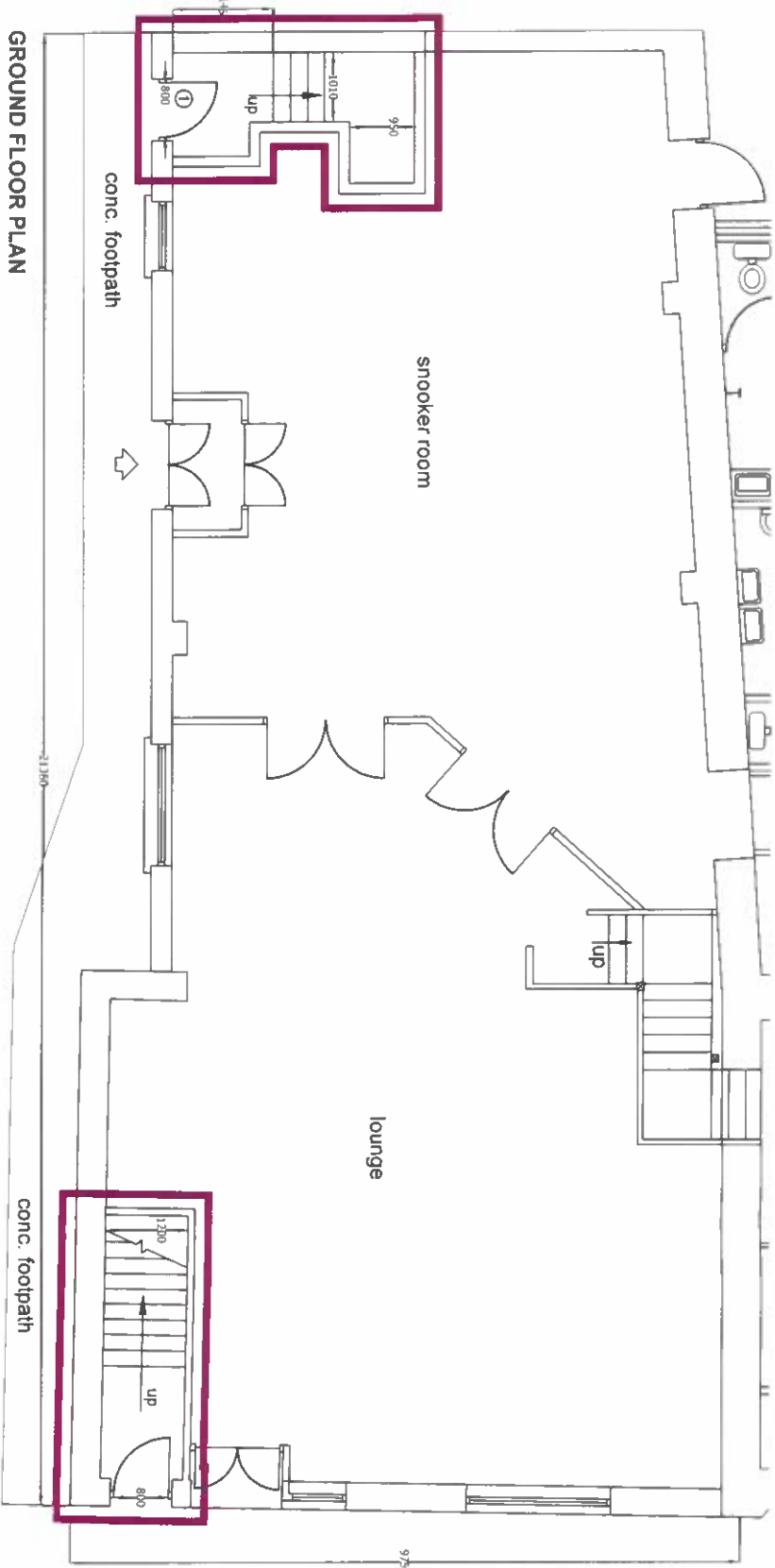
Area Relevant to this Application



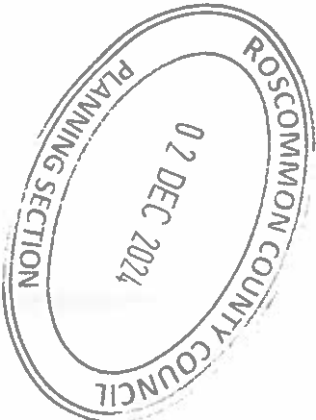
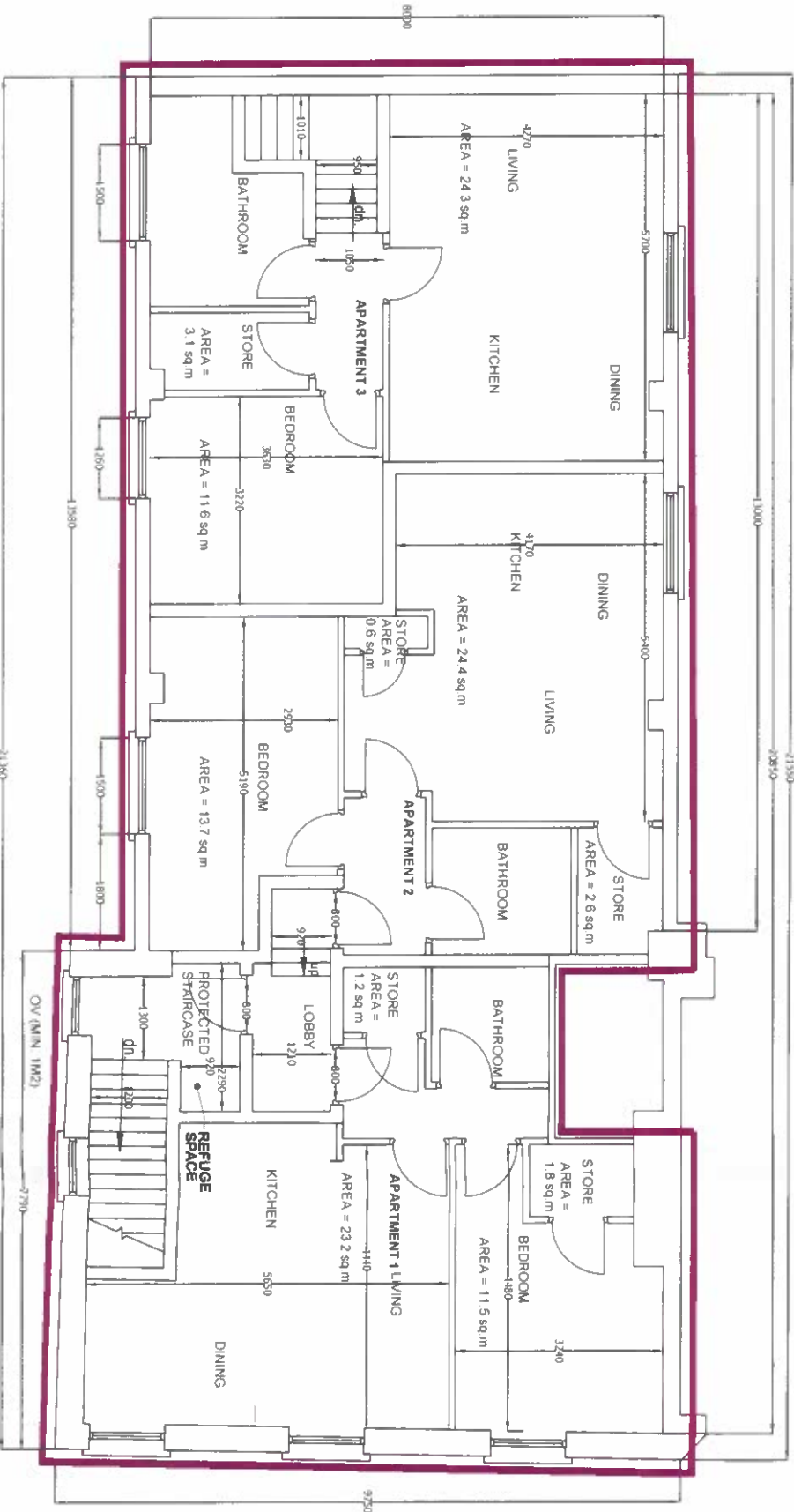
AREAS CALCULATIONS:

GROUND FLOOR	
FRONT STAIRS:	4.95M2
SIDE STAIRS:	3.14M2
FIRST FLOOR	
STAIRCASE	5.83M2
LOBBY	3.65M2
APARTMENT 1:	46.4M2
APARTMENT 2:	49.3M2
APARTMENT 3:	53.5M2
TOTAL:	166.77M2

GROUND FLOOR PLAN



FIRST FLOOR PLAN



No. 7 Main Street, Athlone Co. Westmeath, IRELAND		MMKDA Consulting Engineers	
E: info@mmkda.com W: www.mmkda.com T: +353(0)91 643288 F: +353(0)91 643283			
PROJECT THE HOLLYWOOD APARTMENTS AT CASTLE STREET, ROSCOMMON.			
OWNER JOHN PAUL O'GARA			
THICK	BOARD BY	POSSIBLE BY	DATE
DED	SS	KH	DS
SCALE	1:100 @ A3	DATE	02/12/2024
TITLES PROPOSED FLOOR PLANS GROUND & FIRST FLOOR			
Drawn by	Proj. No.	Rev. No.	
4182.20	DED-3	-	



Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



John Paul O'Gara,

**Date:** 29<sup>th</sup> November 2024  
**Ref:** DED 784  
**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 change of use from office spaces to 3no. residential apartments & associated works at Castle Court, Roscommon, Co. Roscommon, F42 YR74, is or is not development and is or is not exempted development.

\*\*\*\*\*  
A Chara,

Further to your application received on the 17<sup>th</sup> October 2024 and in order for the Planning Authority to determine as to whether the change of use from office spaces to 3no. residential apartments & associated works at Castle Court, Roscommon, Co. Roscommon, F42 YR74., is or is not development and is or is not exempted development, you are requested to submit the following further information:

1. In order to determine if the proposed change of use falls within the parameters as set out in Article 10 (6) of the Planning and Development Regulation 2001 as amended please:
  - a) Clarify the period of time for which the first floor of the building subject of this Section V application has been vacant.
  - b) Demonstrate in the form of a statement of compliance detailing the floor area and dimensions of each room that the proposed apartments comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities"

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 784**.

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

Mise le meas,

Alan O'Connell,  
Senior Executive Planner  
Planning.



gent via email:

**MMKDA Consulting Engineers**  
[info@mmkda.com](mailto:info@mmkda.com)

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

**Reference Number:**

**DED 784**

**Name and Address of Applicant:**

**John Paul O'Gara/JP Hollywood Bars LTD.  
Castle Court, Roscommon  
Co Roscommon**

**AGENT:**

**MMKDA Consulting Engineers**

**WHEREAS a question has arisen as to whether the '*change of use from office space to 3 no. residential apartments and associated works*' at Castle Court, Roscommon, Co Roscommon is or is not development and is or is not exempted development:**

**1.0 Site Location and Description**

The site is located in the centre of Roscommon Town and is zoned 'Town Core' in the recently adopted Roscommon Town Local Area Plan 2024-2030. The building subject of the Section V application is a two-storey structure with a bar/licensed premises operating on the ground floor. On inspection of the site, it would appear the first floor of the building not to be in use or vacant.

**2.0 Planning History**

- 10/43: Permission granted for a change of use of existing unit from bookmakers previous to licenced premises (extension to existing licenced premises) and for signage to front façade.

**3.0 Relevant Legislation**

**Planning and Development Act, 2000 (as amended)**

**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 (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 10 (6)

(a) In this sub-article—

“habitable room” means a room used for living or sleeping purposes but does not include a kitchen that has a floor area of less than 6.5 square metres;

“relevant period” means the period from the making of these Regulations until 31 December 2021.

(b) This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3 or 6 of Part 4 to Schedule 1.

(c) Notwithstanding sub-article (1), where in respect of a proposed development referred to in paragraph (b)—

(i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,

(ii) the structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3 or 6, and

(iii) the structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development, then the proposed development for residential use, and any related works, shall be exempted development for the purposes of the Act, subject to the conditions and limitations set out in paragraph (d).

(d) (i) The development is commenced and completed during the relevant period.

(ii) Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall affect only the interior of the structure and shall not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

(iii) Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.

(iv) No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.

(v) No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.

(vi) Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities” issued under section 28 of the Act or any subsequent updated or replacement guidelines.

(vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.

(viii) No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially

affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.

(ix) No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

(x) No development shall relate to any structure in any of the following areas:

(I) an area to which a special amenity area order relates;

(II) an area of special planning control;

(III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.

(xi) No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.

(xii) No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice — Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.

(e) (i) Where a person proposes to undertake development to which sub-paragraph (b) relates, then he or she shall accordingly notify the planning authority in whose functional area that the change of use concerned will occur in writing at least 2 weeks prior to the commencement of the proposed change of use and any related works.

(ii) Details of each notification under subparagraph (i), which shall include information on—

(I) the location of the structure, and

(II) the number of residential units involved, including the unit sizes and number of bedrooms in each unit,

shall be entered in a record by the planning authority maintained for this purpose and the record shall be available for inspection at the offices of the planning authority during office hours and on the planning authority's website.

(iii) During the years 2019, 2020, 2021 and 2022, each planning authority shall provide information to the Minister on the number of notifications received by it under this paragraph during the preceding calendar year, including details of the information so received for the purposes of subparagraph (ii).

#### 4.0 Planning Assessment

The question to be determined in this Section 5 declaration is whether the '**change of use from office space to 3 no. residential apartments and associated works**' at **Castle Court, Roscommon** is a material change of use and is or is not exempted development. Having considered the definition of "development" outlined above, would deem that the proposal constitutes a material change of use and is therefore development.

Section 4(1) of the Act defines certain types of development as being 'exempted development'. The proposed does not fall within any of the categories identified in this section. I am satisfied that the development in question is not considered to be exempted development under the provisions of the Planning & Development Act, 2000 as amended.

This Section 5 application relates to the first floor of a building which appeared to have last been used as a offices . The applicant is proposing to convert the first floor into 3no. 1 bed apartments. It would appear from a site inspection on the 22<sup>nd</sup> Nov 2024 that the first floor of the building is not in use/vacant however it is not

From the application how long it has been vacant for. The applicant has clarified that the no works are proposed to the external faced of the structure. It would appear that for the most part the proposal complies with Article 10(6) as the stated use falls within class 3 of the Planning and Development Regulations 2001 as amended. However a statement of compliance in relation to the with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities” is required and clarification to determine how long the first floor has been vacant in order to conclusively determine if the proposed change of use falls within the parameters as set out in Article 10 (6).

#### Environmental Considerations:

The development is not of a nature set out in Part 2 Schedule 5 of the Planning and Development Regulations 2001 as amended.

The site is located c4km away from Lough Ree SAC and SPA. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to and distance from any sensitive location, there is no real likelihood of significant effects on the conservation objectives of any European site arising from the proposed development and not of a nature set out in Article 9 (1)(a) of the Planning and Development Regulations 2001 as amended.

#### 5.0 Recommendation

##### Request for further information.

1. In order to determine if the proposed change of use falls within the parameters as set out in Article 10 (6) of the Planning and Development Regulation 2001 as amended please:
  - a) Clarify the period of time for which the first floor of the building subject of this Section V application has been vacant.
  - b) Demonstrate in the form of a statement of compliance detailing the floor area and dimensions of each room that the proposed apartments comply with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities”



Signed: \_\_\_\_\_ Date: 29<sup>th</sup> Nov 2024  
Paula Connaughton  
South Roscommon Area Planner.



## Carmel Curley

---

**From:** Carmel Curley  
**Sent:** Tuesday 22 October 2024 16:12  
**To:** john o gara  
**Cc:** info@mmkda.com  
**Subject:** DED Application 784  
**Attachments:** DED 784 - Ack letter & Receipt.pdf

Hi John Paul,

Please find attached Acknowledgement Letter & Receipt for you DED Application Reference Number 784.

Please note that a hard copy will be issued.

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](mailto:planning@roscommoncoco.ie) | 🌐 [www.roscommoncoco.ie](http://www.roscommoncoco.ie)

**MAP LOCATION**

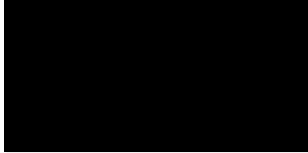




Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



John Paul O'Gara,



Date: 22<sup>nd</sup> October 2024  
Planning Reference: DED 784

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.  
Development: Permission for change of use from office spaces to 3no. residential apartments & associated works under the Planning & Development Act (Exempt Development) Regulations 2018 at Castle Court, Roscommon, Co. Roscommon, F42 YR74.

\*\*\*\*\*

A Chara,

I wish to acknowledge receipt of your application which was received on the 17<sup>th</sup> October 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. L01/0/231138 dated 18<sup>th</sup> October 2024, receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 784**.  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell  
Senior Executive Planner,  
Planning Department.

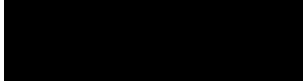
cc agent via email: **MMKDA Consulting Engineers**  
[info@mmkda.com](mailto:info@mmkda.com)

Roscommon County Council  
Aras an Chontae  
Roscommon  
09066 37100

18/10/2024 10:40:18

Receipt No. : L01/0/231138

JOHN PAUL O'GARA



AGENT: MMKDA CONSULTING ENGINEERS

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED 784	

Total : 80 00 EUR

Tendered :  
Cheque 80 00  
000757

Change : 0 00

Issued By : Bernadine Duignan  
From : Central Cash Office

DED 784



Comhairle Contae  
Ros Comáin  
County Council  
Roscommon



Áras an Chontae,  
Roscommon,  
Co. Roscommon.

Phone: (090) 6637100

Email: [planning@roscommoncoco.ie](mailto: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)	John Paul O'Gara/ JP Hollywood Bars LTD
Name of Agent	MMKDA Consulting Engineers
Nature of Proposed Works	Change of use from Office Space to 3 No. Residential apartments and associated works
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Castle Court, Roscommon, Co. Roscommon. F42 YR74 OS Sheet No. 2550/05
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>166.77 sq.m</u> b) <u>166.77 sq.m</u>
Height above ground level:	Finished Floor Level = 2.6m above ground
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	Slates

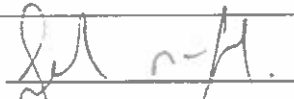
## Roscommon County Council

### Application for a Declaration under Section 5

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

brick or other finish, giving colour)	Same as existing
Is proposed works located at front/rear/side of existing Building.	Not applicable - work internal
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 Office
Proposed use of land or structure	Rented Residential dwellings
Distance of proposed building line from edge of roadway	Adjacent to footpath
Does the proposed development involve the provision of a piped water supply	Existing
Does the proposed development involve the provision of sanitary facilities	Existing

Signature:

  
17/10/2024

Date:

**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



THIS DRAWING AND ANY DESIGN HEREON IS THE COPYRIGHT OF MMKDA AND MUST NOT BE REPRODUCED WITHOUT THEIR WRITTEN CONSENT.

LEGEND

-  SITE BOUNDARY REFERRING TO THIS APPLICATION
-  AREA WITHIN APPLICANT'S OWNERSHIP
-  EXISTING FIRE HYDRANT

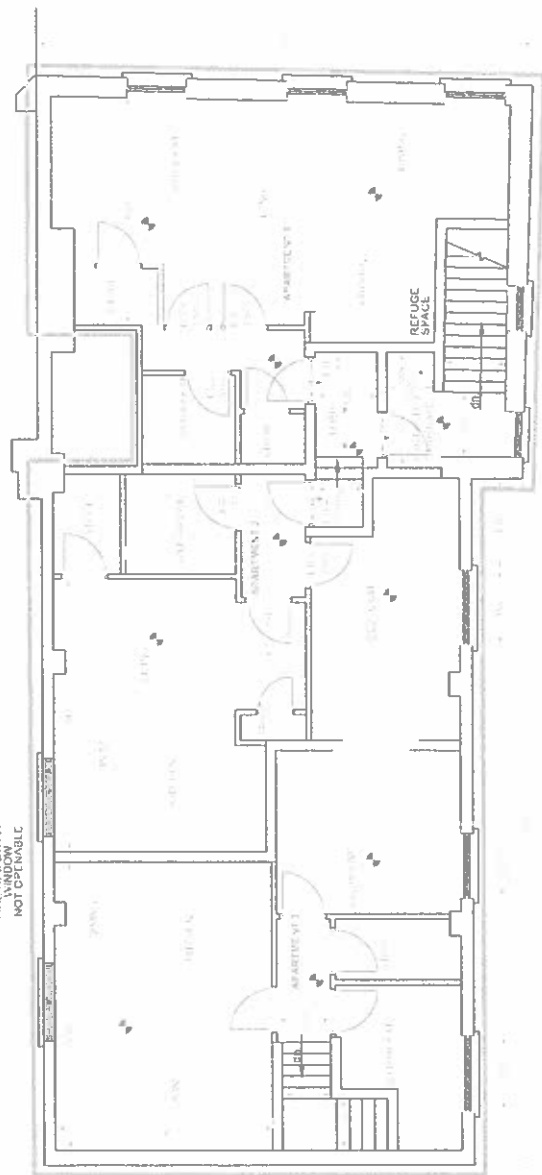
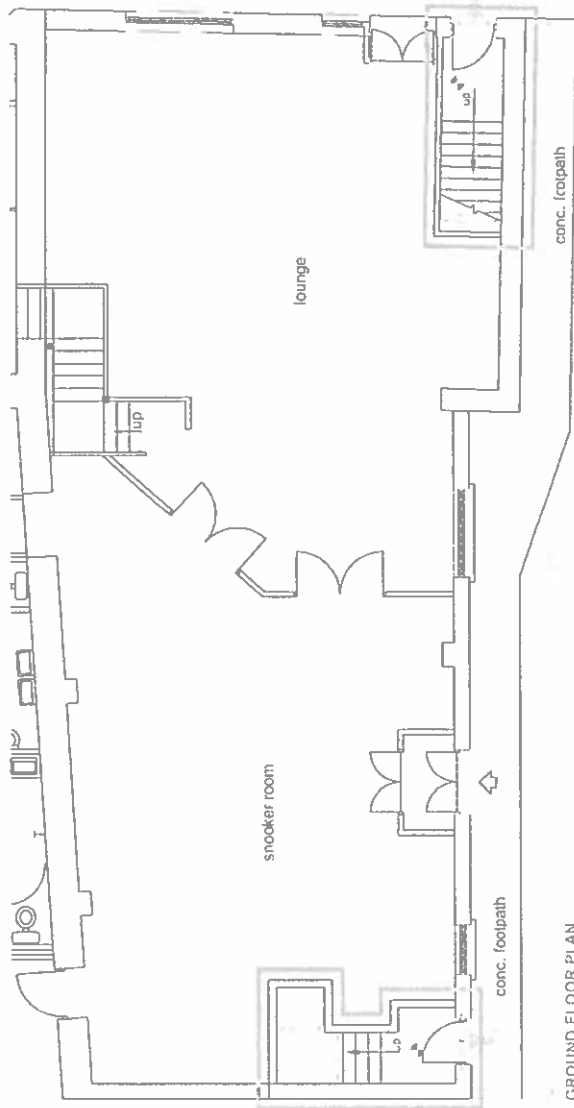


<b>MMKDA</b> M. Y. K. & Sons (Pty) Ltd. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000		PROJECT NO. 4182.20	SHEET NO. FC-2	OF -
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BM 59.25





ARES CALCULATIONS.

GROUND FLOOR  
FRONT STAIRS. 4.95M2  
SIDE STAIRS. 3.14M2

FIRST FLOOR	
STAIRCASE	5.83M2
LOBBY	3.65M2
APARTMENT 1	46.4M2
APARTMENT 2	49.3M2
APARTMENT 3	53.5M2
TOTAL:	168.77M2

### LEGEND

**30 min Fire  
Resisting  
Construction**

60 min Fire  
Resisting  
Construction

**Openable Vent**

**Smoke Detector with Integrated Alarm**

509

door with smore  
sea and sol

FD 205

[illegible]

Heat Detector

**1497, 1498**

### Exit Slip

Unprotected  
Area

1993

Travel Distance  
To Find Exit

Alternative Exit

Area Relevant to this Application



MMKDA

...aqui há 17 anos.

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WILLIS

5841603

groups

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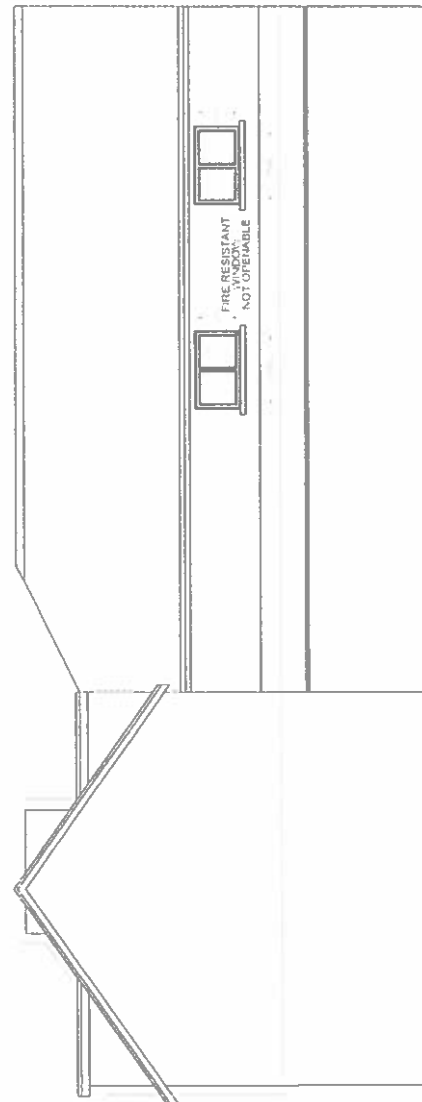
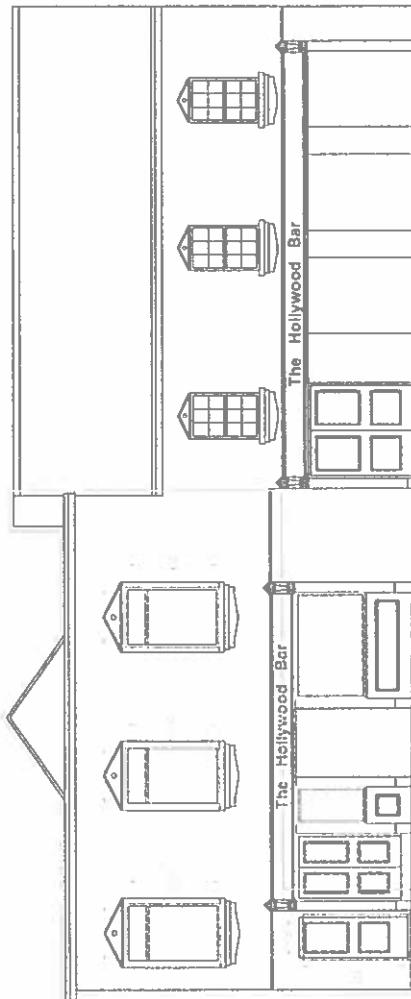
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STATE OF NEW YORK

REVIEWS

[illegible]

ON THE THEORY OF THE

[illegible]

**Abstract**

JUNE 1, 1997, VOLUME 23

[illegible]

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Unprotected Area  
60 min Fire Resisting Construction  
Area Relevant to this Application

111 1st St. SE, Apt. 202  
Columbia, WA 98001 (509) 337-1111

1

4. *Journal of the American Medical Association*, 1997; 278: 1019-1024.

1997

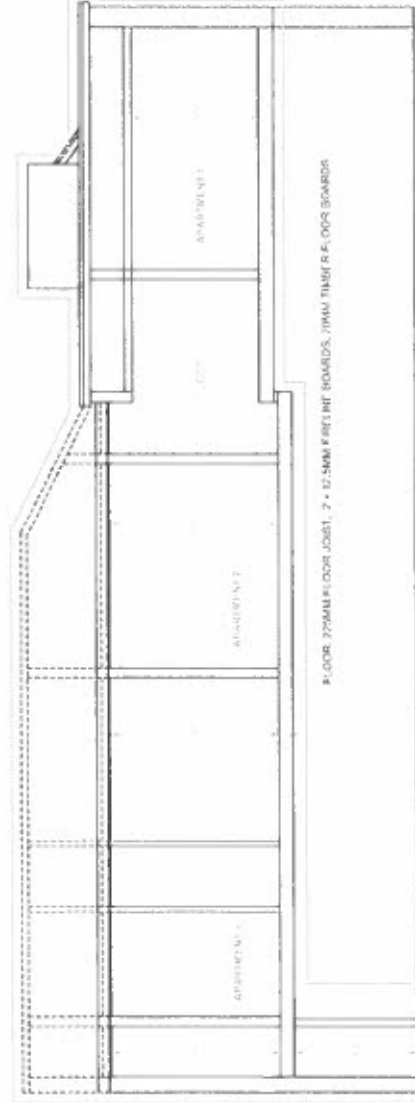
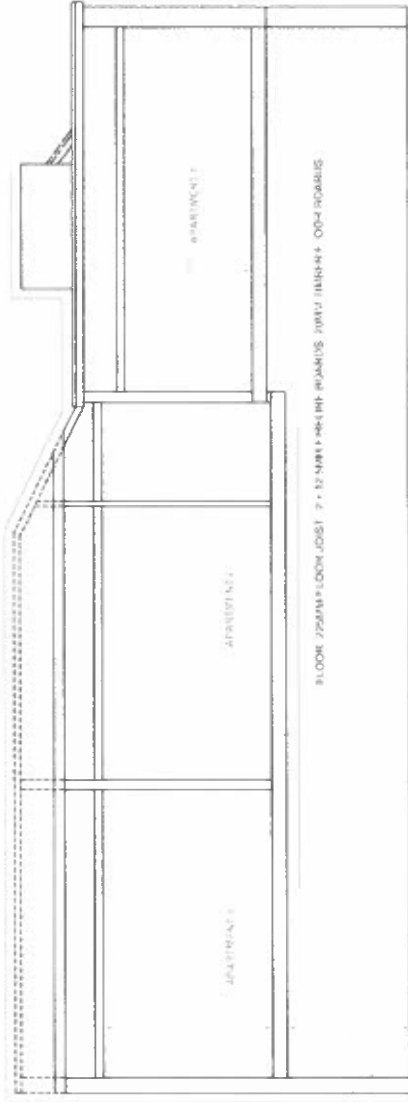
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1993-1994

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SECTION 2.2.1.100

30 min Fire  
Resisting  
Construction

60 min Fire  
Resisting  
Construction

Area Relevant to  
this Application

MMKDA

1. 100% Fire Resisting Construction  
2. 100% Fire Resisting Construction

THE ALVAHOCAPARTMENT  
ROSTOMI \* 101 CO. ROSTOMI

CONSTRUCTION

1. 100% Fire Resisting Construction  
2. 100% Fire Resisting Construction

1. 100% Fire Resisting Construction  
2. 100% Fire Resisting Construction

1. 100% Fire Resisting Construction  
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4182.20

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FC A

**Sharon Kelly**

**From:** john o gara [REDACTED]  
**Sent:** Thursday 17 October 2024 11:07  
**To:** Planning Department; John McGrath  
**Subject:** Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)  
**Attachments:** 2024 declaration-under-section-5-application-form\_Signed\_171024.pdf; 4182.20-1 Site Location.pdf; 4182.20-2 Site Layout.pdf; 4182.20-3\_RevA Floor Plans GF & FF.pdf; 4182.20-4\_RevA Elevation Side 1.pdf; 4182.20-5\_RevA Elevations Front & Side 2.pdf; 4182.20-6\_RevA Sections 1-1 & 2-2.pdf

Dear Sir/ Madam,

Please find attached my application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), regarding exempted development. Attached are:

- Completed Application Form
- Site Layout Plan
- Site Location Plan

Regarding the €80 fee, I will drop the cheque into the planning office today.

By way of background, the proposed conversion of the commercial space to residential is exempt as the works comply with the conditions as set out in the the Planning and Development (Amendment) (No.2) Regulations 2018 (SI 30/2018) ("the Regulations") and as extended by Statutory Instrument SI 75/2022, whereby the works need to be completed by December 2025.

I am in communication with the housing department [REDACTED] and they require a exemption certificate, they have asked for this within 6 weeks. If you could please give me an approximate timeline for processing this application so I can communicate to them if I can meet their timeline.

If you require any further information, please do not hesitate to contact me.

Kind regards,  
John Paul O'Gara  
[REDACTED]

