

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Kelly Vieira,



Reference Number: DED 818
Application Received: 18th December, 2024
Name of Applicant: Kelly Vieira
Agent: James Lohan Consulting Engineers Ltd

WHEREAS a question has arisen as to whether the following works; for permission to refurbish a derelict Public House, works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud works, plasterboard & skim; 3) re-wire the entire property; 4) re-plumb the entire property; 5) install new windows & doors; 6) the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7) second fix carpentry and paint and decorate internally & 8) install new floors to form 8no. residential apartments at The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon, F35 R660, 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) Part 1 and 4 of Schedule 2 of the Planning and Development, 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 as amended.
- (e) The planning history of the site.

AND WHEREAS Roscommon County Council have concluded that:

- (a) The works outlined above are development.
- (b) The proposed change of use from a derelict public house and associated store to 8no. residential apartments raises concerns in relation to endangering public safety by reason of traffic hazard or obstruction of road users as described in this case is not an exempted development.
- (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 – 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 refurbish a derelict Public House, works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud works, plasterboard & skim; 3) re-wire the entire property; 4) re-plumb the entire property; 5) install new windows & doors; 6) the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7) second fix carpentry and paint and decorate internally & 8) install new floors to form 8no. residential apartments at The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon, F35 R660, is development that is **not 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: 3rd March, 2025

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 3 March 2025 12:39
To: [REDACTED]
Cc: James Lohan; Camila Zen
Subject: DED 818 - Notification of Decision
Attachments: DED818 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for your Section 5 Declaration of Exempted Development Application (DED818).

Mise le meas,

Carmel Curley

**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 818
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for permission to refurbish a derelict Public House works including 1) strip out walls, floors & ceilings; 2)install new ceiling joists and internal stud works, plasterboard & skim; 3)re-wire the entire property; 4)re-plumb the entire property; 5)Install new windows & doors; 6)the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7)Second fix carpentry and paint and decorate internally & 8)install new floors.
Name of Applicant:	Kelly Vieira
Location of Development:	The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon, (F35 R660)

WHEREAS a question has arisen as to whether the following works; for permission to refurbish a derelict Public House works including 1) strip out walls, floors & ceilings; 2)install new ceiling joists and internal stud works, plasterboard & skim; 3)re-wire the entire property; 4)re-plumb the entire property; 5)Install new windows & doors; 6)the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7)Second fix carpentry and paint and decorate internally & 8)install new floors **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) Part 1 and 4 of Schedule 2 of the Planning and Development, 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 as amended.
- (e) The planning history of the site

Site Location & Development Description

The site contains a derelict commercial (public house) part single story part 2 story as one building with a second 2 story derelict commercial building described in the application as a 'Drinks store'. The site is located on the north east corner of the junction between the N-83 and the R-327 roads in Cloonfad, Ballyhaunis, Co. Roscommon. The site can be accessed of both roads. It is proposed to refurbish the derelict pub and drinks store with works including alterations to the elevations, re-slating the roof and various internal works. The change of use from a pub to 8 no. apartments also forms part of the application.

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 Corrib SAC (Site Code 000297) which is located circa 0.1km to the south and Attishane Turlough PNHA (Site Code 001618) which is approximately 2.7km to the north 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. Therefore, exclude the need for further Appropriate Assessment.

Planning History

As per the Roscommon County Council's Planning Registry, recent planning history has been traced relating to the subject site.

- 24/60122 - Retention permission to: 1. retain new roof and roof lights to domestic accommodation at first floor along with removal of chimneys, blocking up window on rear (NE) elevation and adding two new windows to (NE) elevation, 2. retain the infilling of an indent in the side annex wall of ground floor unit - Conditional

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.

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 4 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 4 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 the derelict pub and drinks store with works including alterations to the elevations, re-slating the roof. Alterations to the elevations includes the replacing of a new window in an existing door, replacing of a new door in an existing window and 3 additional windows on the west elevation of the existing 'Drinks store' building. 1 new window on the ground floor north west elevation and 1 new window on the first floor north east elevation of the main building. The pitched roof is to be re-slatted using the existing slates and the existing corrugated flat roof sheets to be replaced with a new flat roof and roof windows. Part of the existing flat roof structure is to be removed approximately 12m². 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.

This Section 5 application relates to a building which appeared to have last been used as a pub. The applicant is proposing to convert the public house and drinks store to form 8no. residential apartments. It would appear from a site inspection that the building is not in use/vacant and it is stated on the application from that the property has been vacant for more than 2 years.

This Section 5 application relates to the change of use from an existing public house and storage building for same to form 8no. residential apartments. Following review of article 10(6) of the Planning and Development Regulations, 2001, as amended and part 4 of Schedule 2 of the Planning and Development, 2001, as amended The proposed change of use appears to fall under Class 12 of Part 4 of Schedule 2 and therefore fall under Article 10(6) of the regulations. Following the revised drawings submitted after further information along with the table of areas provided on the same drawings the proposed works appear to comply with the conditions and limitations set out in Article 10(6)(d) of the Planning and Development Regulations, 2001, as amended. The proposed works are deemed an exempt development.

The proposal of the change of use from an existing public house and storage building for same to form 8no. residential apartments raises concerns in relation to endangering public safety by reason of traffic hazard or obstruction of road users as there is no provision or mention of the car parking to be provided for the residents. Article 9 (1)(a)(iii) of the Planning and Development Regulations, 2001, as amended states *"Development to which article 6 relates shall not be exempted development for the purposes of the Act, if the carrying out of such development would endanger public safety by reason of traffic hazard or obstruction of road users"*. Following a review of the application and correspondence with the roads department in Roscommon County Council it is deemed not 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 refurbish a derelict Public House works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud works, plasterboard & skim; 3) re-wire the entire property; 4) re-plumb the entire property; 5) install new windows & doors; 6) the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7) second fix carpentry and paint and decorate internally & 8) install new floors at The Griffin Inn, Cloonfad, Ballyhaunis, 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) Part 1 and 4 of Schedule 2 of the Planning and Development, 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 as amended.
- (e) The planning history of the site

AND WHEREAS I have concluded that

- The works outlined above are development.
- The proposed change of use from a derelict public house and associated store to 8no. residential apartments raises concerns in relation to endangering public safety by reason of traffic hazard or obstruction of road users as described in this case is not an exempted development.
- 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 a derelict Public House works including 1) strip out walls, floors & ceilings; 2)install new ceiling joists and internal stud works, plasterboard & skim; 3)re-wire the entire property; 4)re-plumb the entire property; 5)Install new windows & doors; 6)the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7)Second fix carpentry and paint and decorate internally & 8)install new floors to form 8no. residential apartments at The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon is not an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Date: 26th February 2025

Civil Technician



Signed:

Date: 26th February 2025

Senior Executive Planner

Carmel Curley

From: Camila Zen <camila@jlce.ie>
Sent: Tuesday 11 February 2025 16:47
To: Carmel Curley; James Lohan
Subject: Re: DED 818 - Kelly Vieira
Attachments: DED -818- Further information response.pdf; Ground Floor & First Floor -building 01 -02.pdf

A Chara,

Please find attached our response to the Further Information Request for DED Application 818 for Kelly Vieira.

Let me know if you require any further information.

Regards,
Camila

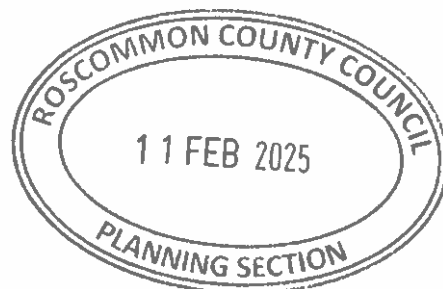
Camila Zen, Designer

B.Arch (Hons)

James Lohan Consulting Engineer Ltd,

Unit 5, Ballypheason House, Circular Road
Roscommon F42 C982
Ph: 090 663 4365

E: camila@jlce.ie
Web: www.jlce.ie



From: Carmel Curley <CCurley@roscommoncoco.ie>
Sent: Tuesday, February 4, 2025 12:48 PM
To: James Lohan <james@jlce.ie>; Camila Zen <camila@jlce.ie>
Subject: DED 818 - Kelly Vieira

A Chara,

Please find attached Further Information Request Letter for DED Application 818 for Kelly Vieira.

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

RESPONSE TO FURTHER INFORMATION

Ref: DED 818

Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development. WHEREAS a question has arisen as to whether the following works; for permission to refurbish a derelict Public House, works including strip out walls, floors & ceilings; install new ceiling joists and internal stud works, plasterboard & skim; re-wire the entire property; re-plumb the entire property; install new windows & doors; the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; second fix carpentry and paint and decorate internally & install new floors at The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon, F35 R660, is or is not development and is or is not exempted development.

Dear Planner

Further to the Further Information we received dated 29/01/2025, we hereby supply our FI response:

1 - Clarify all proposed materials for the new windows, doors and flat roof.

Response to 1: The proposed materials for the new elements are as follows:

- Roof: Standing seam roof.
- Windows and doors: uPVC or similar, as approved.

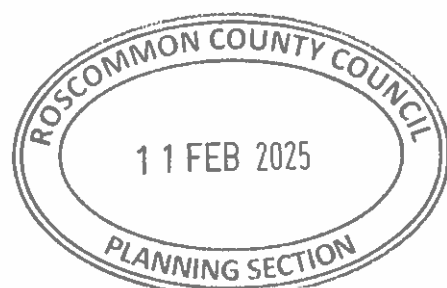
All materials will comply with the approved specifications and requirements.

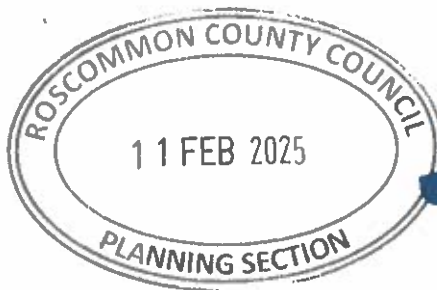
2- Provide workings showing how each apartment complies with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" issued under section 28 of the Act or any subsequent updated or replacement guidelines.

Response to 2:

In response to your request regarding floor area and storage compliance, please find attached the "Floor Area and Storage Compliance Table – Sustainable Urban Housing Standards" along with the updated floor plans. The design has been reviewed, and minor layout adjustments have been made to ensure it aligns with the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, issued under Section 28 of the Act.

I have created this compliance table to present all relevant data in accordance with these guidelines. The table is attached, now reflecting the updated elements.

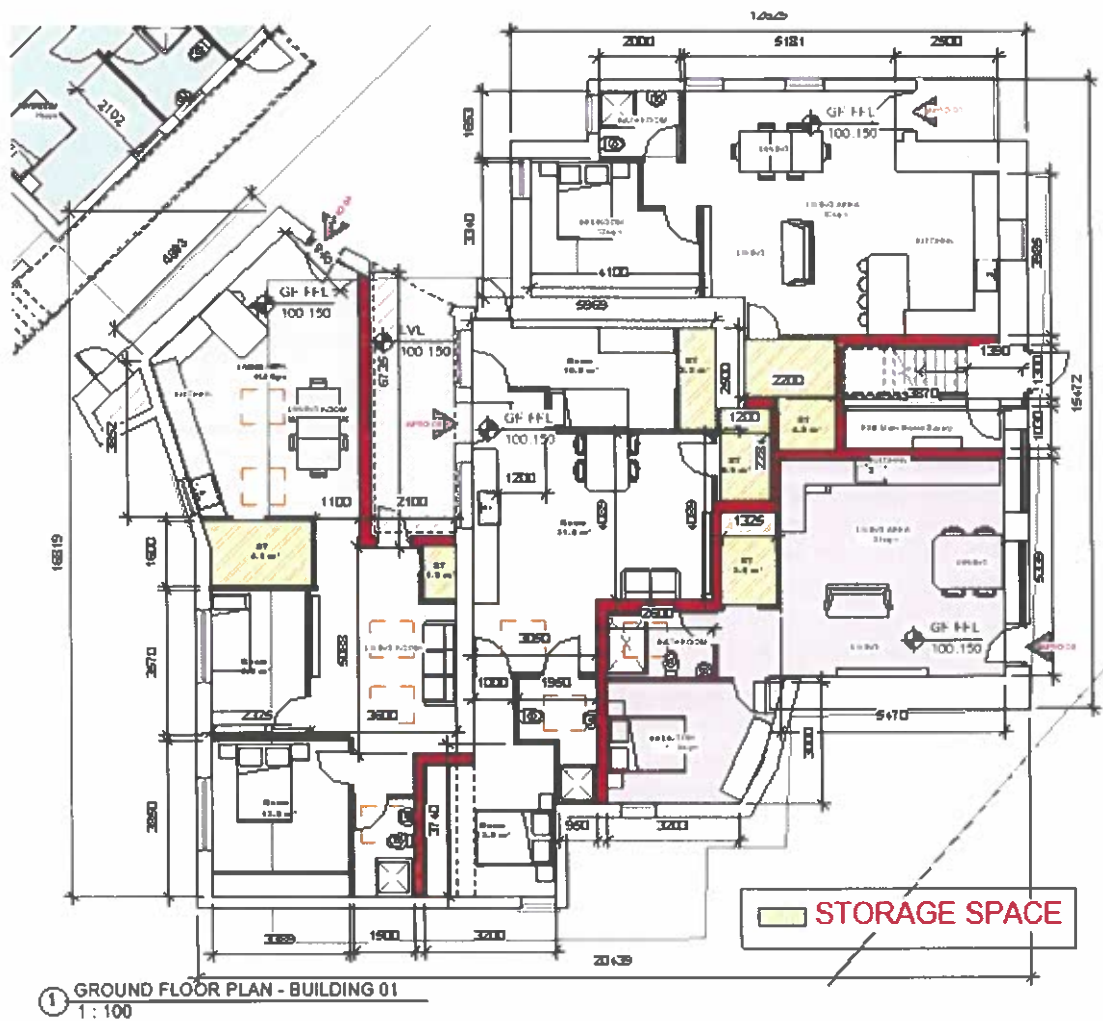




James Lohan
Planning & Design Consulting Engineers

Units	No.Beds	Persons per Unit	Gross Floor Area Provided (sq.m)	Gross Floor Area Required (sq.m)	Aggregate Living Area Provided (sq.m)	Aggregate Living Area Required (sq.m)	Aggregate Bedroom Area Provided (sq.m)	Aggregate Bedroom Area Required (sq.m)	Storage Area Provided (sq.m)	Storage Area Required (sq.m)
1	1	2	61.3	45	40	23	11.4	11.4	4.9	3
2	1	2	52	45	32	23	11.5	11.4	3	3
3	2	3	67	63	31.4	28	13+10.8=23.8	13+ 7.1+ 20.1	5.1	5
4	2	3	78.3	63	44.5	28	13+8.3 =21.1	13+ 7.1+ 20.1	5	5
5	1	2	62	45	40.8	23	16	11.4	3.3	3
6	2	3	69	63	32.3	28	14.7+8.9 =23.6	13+ 7.1+ 20.1	5	5
7	1	2	55	45	28.1	23	14	11.4	3.9	3
8	1	2	62	45	32.2	23	16	11.4	3.3	3

*I have also revised the layout of the plans to enhance clarity, ensuring that **storage areas are distinctly highlighted** for easier identification.*





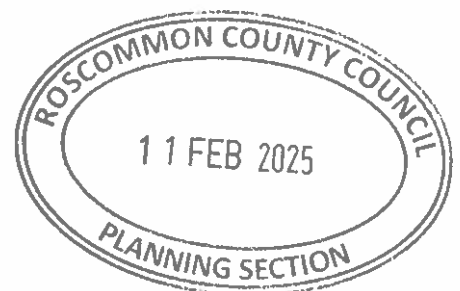
1. FIRST FI 000 DI 8NL RIII RING 01



① GROUND FLOOR PLAN - BUILDING 02
1 = 100



2 FIRST FLOOR PLAN- BUILDING 02
1:100



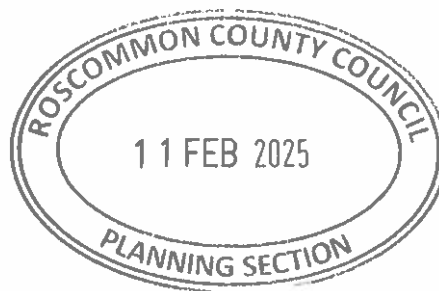
I am also attaching the plan floors as a PDF in A3 size to ensure better visibility of both the drawings and dimensions.

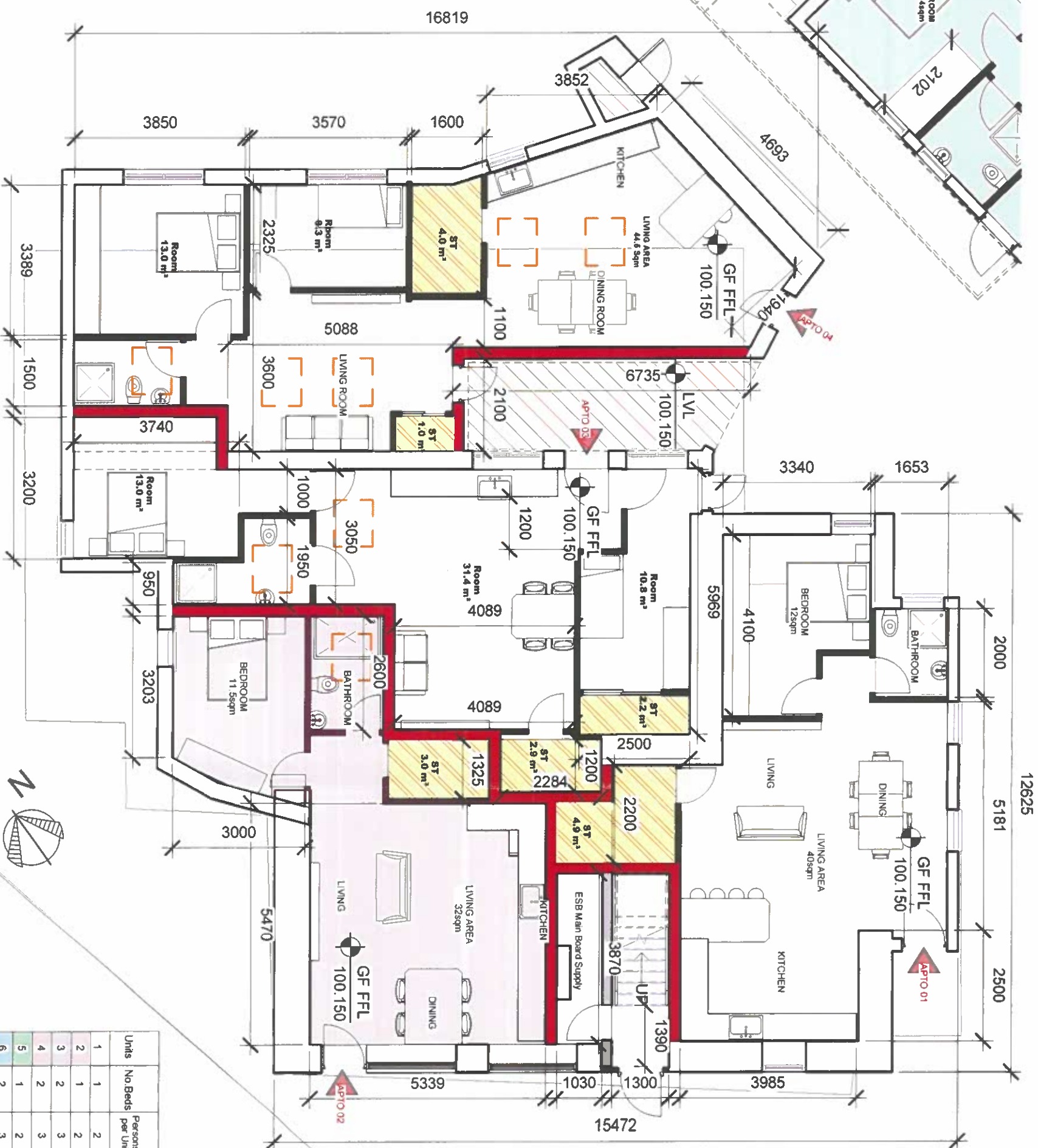
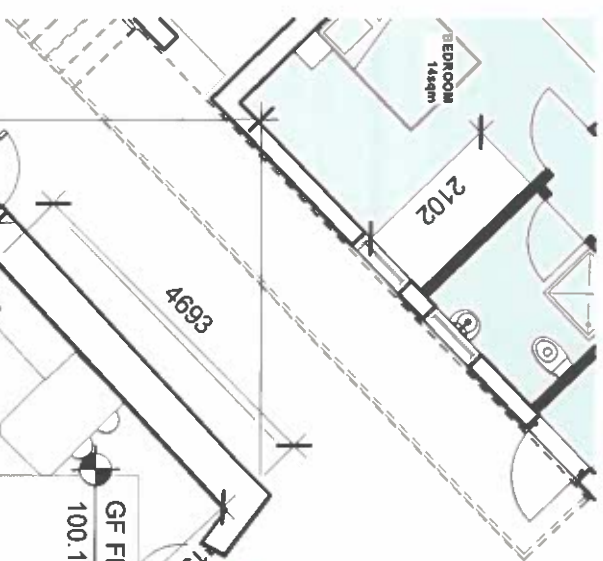
Please do not hesitate to contact me should you require any further clarification or additional information. I look forward to your response.




Kind Regards,




Camila Zen , B. Arch (Hons)





- | | |
|---|--------------------------------------|
|  | APARTMENT 01 - 01 BEDROOM - 61.3 SQM |
|  | APARTMENT 01 - 01 BEDROOM - 52 SQM |
|  | APARTMENT 03 - 02 BEDROOM - 67 SQM |
|  | APARTMENT 04 - 02 BEDROOM - 78.2 SQM |

 STORAGE SPACE



Units	No.Beds	Persons per Unit	Gross Floor Area Provided (sq.m)	Gross Floor Area Required (sq.m)	Aggregate Living Area Provided (sq.m)	Aggregate Living Area Required (sq.m)	Aggregate Bedroom Area Provided (sq.m)	Aggregate Bedroom Area Required (sq.m)	Storage Area Provided (sq.m)	Storage Area Required (sq.m)
1	1	2	61.3	45	40	23	11.4	11.4	4.9	3
2	1	2	52	45	32	23	11.5	11.4	3	3
3	2	3	67	63	31.4	28	13+10=23.8	13+7.1+20.1	5.1	5
4	2	3	78.3	63	44.5	28	13+8.3 =21.1	13+7.1+20.1	5	5
5	1	2	62	45	40.8	23	16	11.4	3.3	3
6	2	3	69	63	32.3	28	14.7+8.9 =23.6	13+7.1+20.1	5	5
7	1	2	55	45	28.1	23	14	11.4	3.9	3
8	1	2	62	45	32.2	23	16	11.4	3.3	3

1 GROUND FLOOR PLAN - BUILDING 01
1 : 100



James Lohan
Planning & Design Consulting Engineers

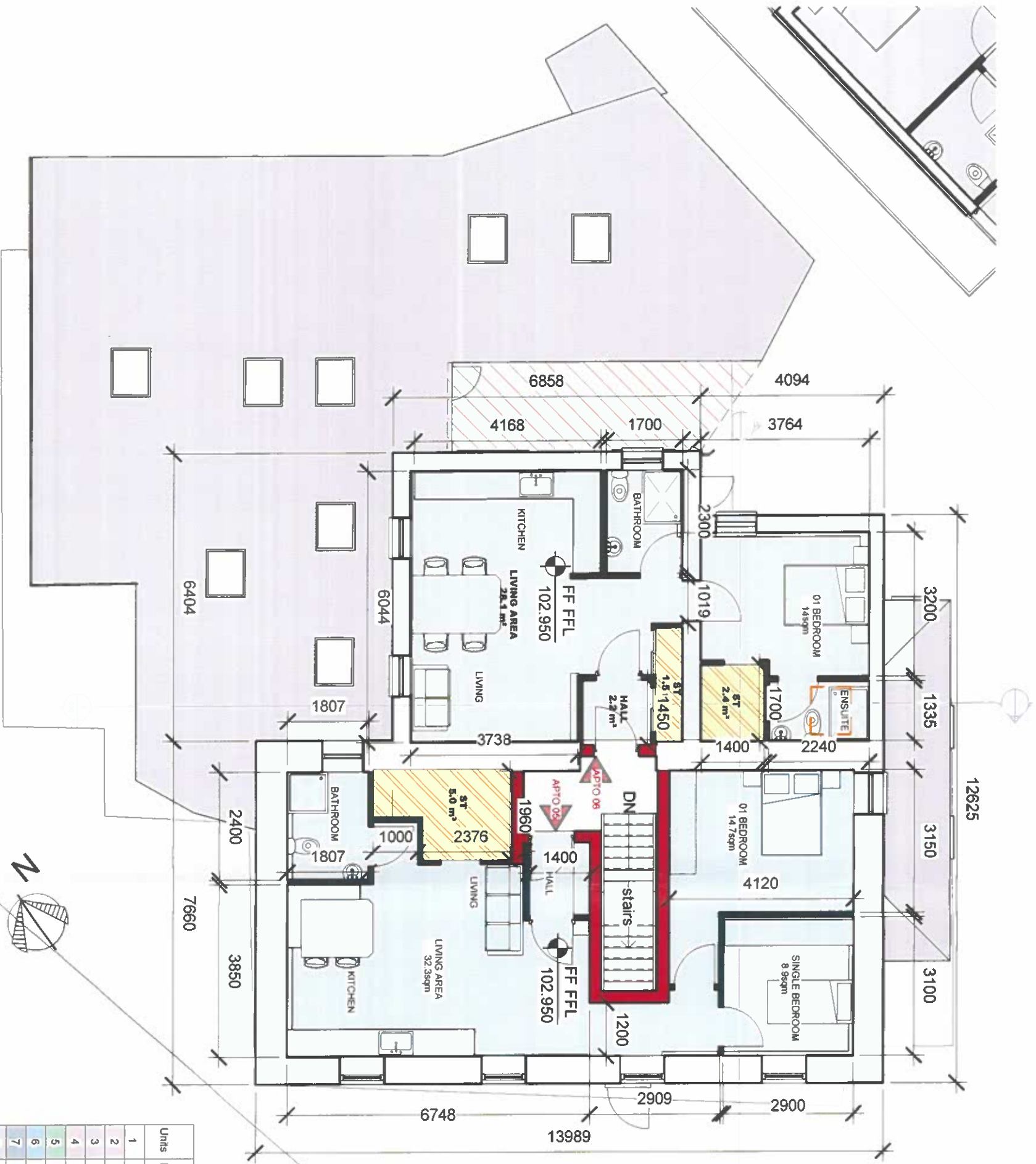
DO NOT SCALE FROM THIS DRAWING. WORK ONLY FROM PROVIDED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STATUS KEY: SK: SKETCH DESIGN PR: PRELIMINARY/PT FOR TENDER PC FOR CONSTRUCTION SS SUPERSEDED

FURTHER INFORMATION

DATE	PREV	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
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[illegible]

Hydrogen House, Water Road, Common F42C882	E-mail: jwarr@pcin Tel: (906) 663.555
108 N 24-53-E001	DAT E 27/11/2024
DRC N 030	REV
SCALE As indicated @ A3	DESIGNED BY CZEN



APARTMENT 05 - 02 BEDROOM - 62.1 SQM
APARTMENT 06 - 01 BEDROOM - 55.3 SQM

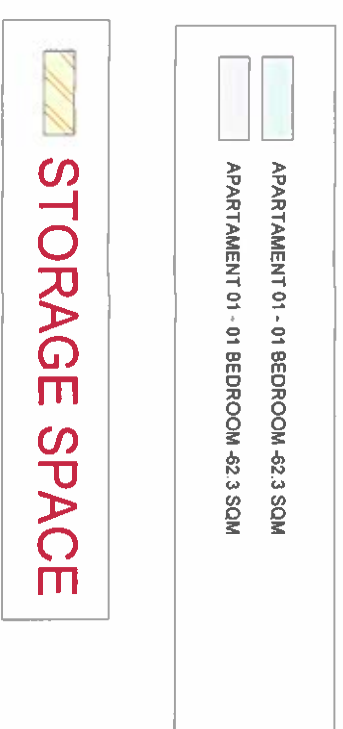
STORAGE SPACE



Units	No.Beds	Persons per Unit	Gross Floor Area Provided (sq.m)	Gross Floor Area Required (sq.m)	Aggregate Living Area Provided (sq.m)	Aggregate Living Area Required (sq.m)	Aggregate Bedroom Area Provided (sq.m)	Aggregate Bedroom Area Required (sq.m)	Storage Area Provided (sq.m)	Storage Area Required (sq.m)
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2	1	2	52	45	32	23	11.5	11.4	3	3
3	2	3	67	63	31.4	28	13+10.8=23.8	13+7.1+20.1	5.1	5
4	2	3	78.3	63	44.5	28	13+8.3=21.1	13+7.1+20.1	5	5
5	1	2	62	45	40.8	23	16	11.4	3.3	3
6	2	3	69	63	32.3	28	14.7+8.9=23.6	13+7.1+20.1	5	5
7	1	2	55	45	28.1	23	14	11.4	3.9	3
8	1	2	62	45	32.2	23	16	11.4	3.3	3

1 FIRST FLOOR PLAN- BUILDING 01
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00 TABLE Copy 1 Copy 1
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Units	No Beds	Persons per Unit	Gross Floor Area Provided (sq.m)	Gross Floor Area Required (sq.m)	Aggregate Living Area (sq.m)	Aggregate Living Area Required (sq.m)	Aggregate Bedroom Area Provided (sq.m)	Aggregate Bedroom Area Required (sq.m)	Storage Area Provided (sq.m)	Storage Area Required (sq.m)
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4	2	3	78.3	63	44.5	28	13+8.3=21.1	13+7.1+20.1	5	5
5	1	2	62	45	40.8	23	16	11.4	3.3	3
6	2	3	69	63	32.3	28	14.7+8.9=23.6	13+7.1+20.1	5	5
7	1	2	55	45	28.1	23	14	11.4	3.9	3
8	1	2	62	45	32.2	23	16	11.4	3.3	3

2 FIRST FLOOR PLAN- BUILDING 02
1 : 100



Carmel Curley



From: Carmel Curley
Sent: Tuesday 4 February 2025 12:49
To: James Lohan; Camila Zen
Subject: DED 818 - Kelly Vieira
Attachments: DED 818 - Further Information Request Letter.pdf

A Chara,

Please find attached Further Information Request Letter for DED Application 818 for Kelly Vieira.

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



Kelly Vieira,



Date: 29th January 2025
Reference: DED 818

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 following works; for permission to refurbish a derelict Public House, works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud works, plasterboard & skim; 3) re-wire the entire property; 4) re-plumb the entire property; 5) Install new windows & doors; 6) the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7) Second fix carpentry and paint and decorate internally & 8) install new floors at The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon, F35 R660, is or is not development and is or is not exempted development.

A Chara,

Further to your application received on the 18th December, 2024 and in order for the Planning Authority to determine as to whether permission to refurbish a derelict Public House, works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud works, plasterboard & skim; 3) re-wire the entire property; 4) re-plumb the entire property; 5) Install new windows & doors; 6) the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7) Second fix carpentry and paint and decorate internally & 8) install new floors at the above address is or is not development and is or is not exempted development, you are requested to submit the following further information:

1. Clarify all proposed materials for the new windows, doors and flat roof.
2. Provide workings showing how each apartment complies 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.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 818**

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

Mise le meas,



Alan O'Connell,
Senior Executive Planner,
Planning.

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

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

Reference Number:	DED 818
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for permission to refurbish a derelict Public House works including 1) strip out walls, floors & ceilings; 2)install new ceiling joists and internal stud works, plasterboard & skim; 3)re-wire the entire property; 4)re-plumb the entire property; 5)Install new windows & doors; 6)the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7)Second fix carpentry and paint and decorate internally & 8)install new floors.
Name of Applicant:	Kelly Vieira
Location of Development:	The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon, (F35 R660)

WHEREAS a question has arisen as to whether the following works; for permission to refurbish a derelict Public House works including 1) strip out walls, floors & ceilings; 2)install new ceiling joists and internal stud works, plasterboard & skim; 3)re-wire the entire property; 4)re-plumb the entire property; 5)Install new windows & doors; 6)the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7)Second fix carpentry and paint and decorate internally & 8)install new floors **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) Part 1 and 4 of Schedule 2 of the Planning and Development, 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 as amended.
- (e) The planning history of the site

Site Location & Development Description

The site contains a derelict commercial (public house) part single story part 2 story as one building with a second 2 story derelict commercial building described in the application as a 'Drinks store'. The site is located on the north east corner of the junction between the N-83 and the R-327 roads in Cloonfad, Ballyhaunis, Co. Roscommon. The site can be accessed of both roads. It is proposed to refurbish the derelict pub and drinks store with works including alterations to the elevations, re-slating the roof and various internal works. The change of use from a pub to 8 no. apartments also forms part of the application.

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 Corrib SAC (Site Code 000297) which is located circa 0.1km to the south and Attishane Turlough PNHA (Site Code 001618) which is approximately 2.7km to the north 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. Therefore, exclude the need for further Appropriate Assessment.

Planning History

As per the Roscommon County Council's Planning Registry, recent planning history has been traced relating to the subject site.

- 24/60122 - Retention permission to: 1. retain new roof and roof lights to domestic accommodation at first floor along with removal of chimneys, blocking up window on rear (NE) elevation and adding two new windows to (NE) elevation, 2. retain the infilling of an indent in the side annex wall of ground floor unit - Conditional

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 4 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 4 opposite the mention of that class in the said column 1.

Article 9 (1) applies;

Development to which article 6 relates shall not be exempted development for the purposes of the Act

viiB) comprise development in relation to which a planning authority or an Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

Initial Planning Assessment

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 the derelict pub and drinks store with works including alterations to the elevations, re-slating the roof. Alterations to the elevations includes the replacing of a new window in an existing door, replacing of a new door in an existing window and 3 additional windows on the west elevation of the existing 'Drinks store' building. 1 new window on the ground floor north west elevation and 1 new window on the first floor north east elevation of the main building. The pitched roof is to be re-slatted using the existing slates and the existing corrugated flat roof sheets to be replaced with a new flat roof and roof windows. Part of the existing flat roof structure is to be removed approximately 12m². 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. Therefore to ensure there is no major material affect on the external appearance of the structure, more information will be required.

This Section 5 application relates to a building which appeared to have last been used as a pub. The applicant is proposing to convert the public house and drinks store to form 8no. residential apartments. It would appear from a site inspection that the building is not in use/vacant and it is stated on the application from that the property has been vacant for more than 2 years.

This Section 5 application relates to the change of use from an existing public house and storage building for same to form 8no. residential apartments. Following review of article 10(6) of the Planning and Development Regulations, 2001, as amended and part 4 of Schedule 2 of the Planning and Development, 2001, as amended The proposed change of use appears to fall under Class 12 of Part 4 of Schedule 2 and therefore fall under Article 10(6) of the regulations. In order to fully comply with the conditions and limitations set out in Article 10(6)(d) of the Planning and Development Regulations, 2001, as amended, more information will be required

to show the proposed works 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.

Recommendation

Request for further information.

1. Clarify all proposed materials for the new windows, doors and flat roof.
2. Provide workings showing how each apartment complies 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.

Signed:



Date: 27th January 2025

Civil Technician



Signed:

Date: 27th January 2025

Senior Executive Planner









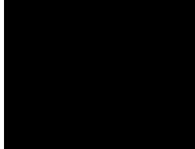




Comhairle Contae
Ros Comáin
Roscommon
County Council



Kelly Vieira,



Date: 19th December 2024
Planning Reference: DED 818

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

Development: Permission to refurbish a derelict Public House works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud works, plasterboard & skim; 3) re-wire the entire property; 4) re-plumb the entire property; 5) Install new windows & doors; 6) the roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets; 7) Second fix carpentry and paint and decorate internally & 8) install new floors under the Planning & Development Act (Exempt Development) Regulations 2018 at The Griffin Inn, Cloonfad, Ballyhaunis, Co. Roscommon, F35 R660

A Chara,

I wish to acknowledge receipt of your application which was received on the 18th December 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. L01/0/232203 dated 19th December 2024, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 818**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
A/Senior Planner
Planning Department.

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

Roscommon County Council
Aras an Chontae
Roscommon
09068 37100

18/12/2024 11.04.42

Receipt No. L01/0/232203

KELLY VIEIRA
C/O JAMES LOHAN CONSULTING ENGINEERS LTD
UNIT 6, BALLYPHEASON HOUSE
CIRCULAR ROAD
ROSCOMMON

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 818	

Total : 80.00 EUR

Tendered :
Cheque 80.00
500371

Change : 0.00

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)	KELLY VIEIRA
Name of Agent	James Lohan Consulting Engineers Ltd, Unit 5, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	Refurbish derelict Public House- 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.	THE GRIFFIN INN CLOONFAD, BALLYHAUNIS CO. ROSCOMMON F35 R660 O.S No. 2342 XY: 550458, 771063 Townland Cloonfad East
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>711 Sqm</u>
Height above ground level:	Floor level- between 300mm – 150 mm above ground level (Ridge height existing 8770 mm above ground level)
Total area of private open space remaining after completion of this development	0.158 Hectares
Roofing Material (Slates, Tiles, other) (Specify)	Existing Slates to roof

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.	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)	N/A
Existing use of land or structure	Existing derelict PUB Vacant more then 2 years
Proposed use of land or structure	Refurbishment of the existing structure to create .8 apartments.
Distance of proposed building line from edge of roadway	Existing -4.1 from edge of existing 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 Sewer Connection

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

Signature: 
Date: 28-11-24

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

Detailed Specification Of The Development Proposed

Ref: KELLY VIEIRA for Property at CLOONFAD, BALLYHAUNIS CO. ROSCOMMON F35 R660

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 windows and doors.
6. The roof will be refurbished, including re-slating the pitched roof and replacing the corrugated sheets
7. Second fix carpentry and paint and decorate internally.
8. Install new floors.

Kind Regards

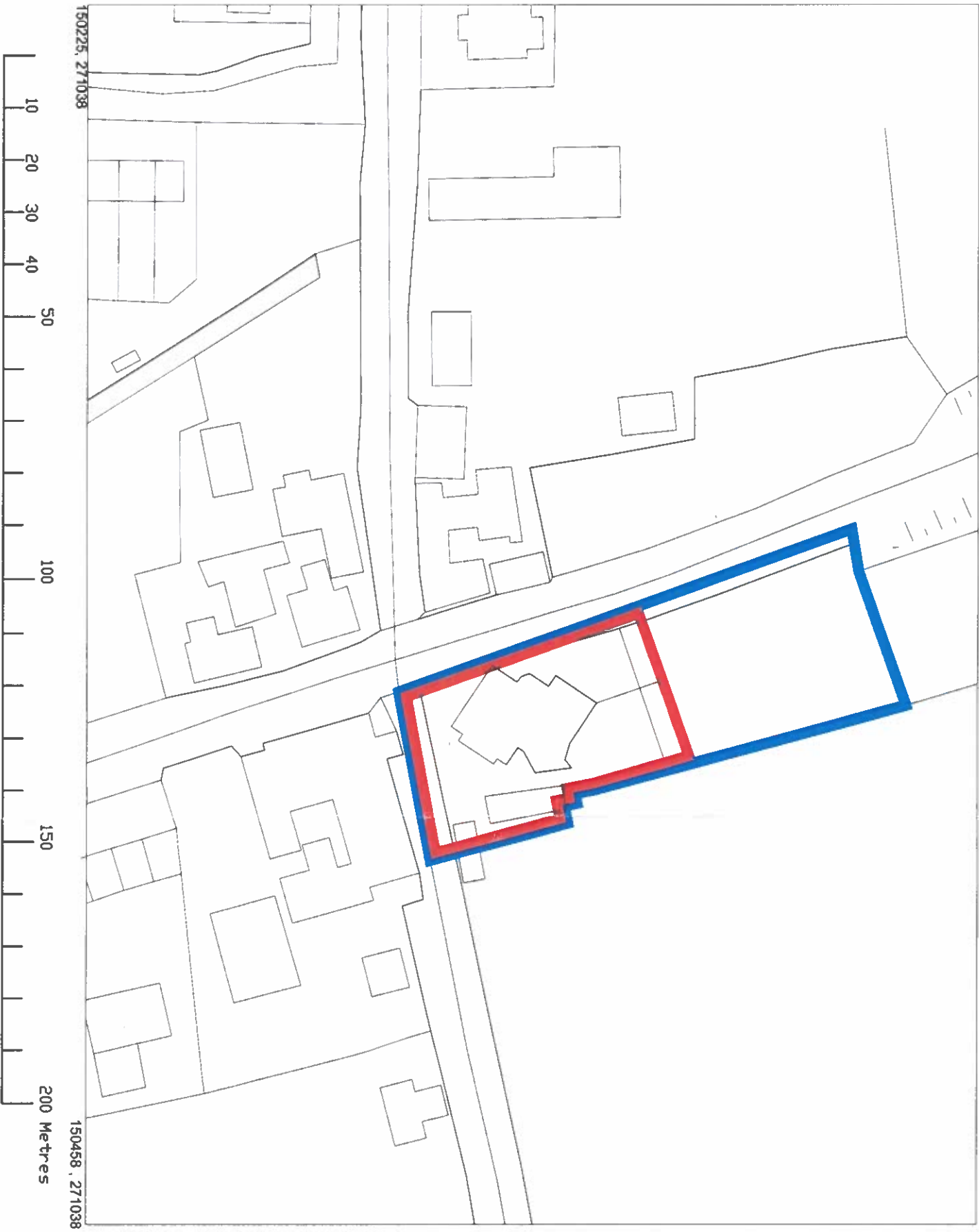


Camila Zen

James Lohan Consulting Engineer Ltd,
Unit 5, Ballypheason House, Circular Road
Roscommon F42 C982

150225, 271208

150458, 271208



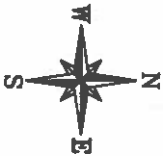
SITE ADDRESS:
THE GRIFFIN INN
CLOONFAD, BALLYHAUNIS
CO. ROSCOMMON
F35 R660



LEGEND

- SITE AREA OUTLINED IN RED
= 0.158 HECTARES
- LAND HOLDING OUTLINED IN BLUE

OS MAPS: 2342



SITE LOCATION MAP
1:1000



**EXEMPT
DEVELOPMENT**

DO NOT SCALE FROM THIS DRAWING. ONLY FROM FIGURED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE USED IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.

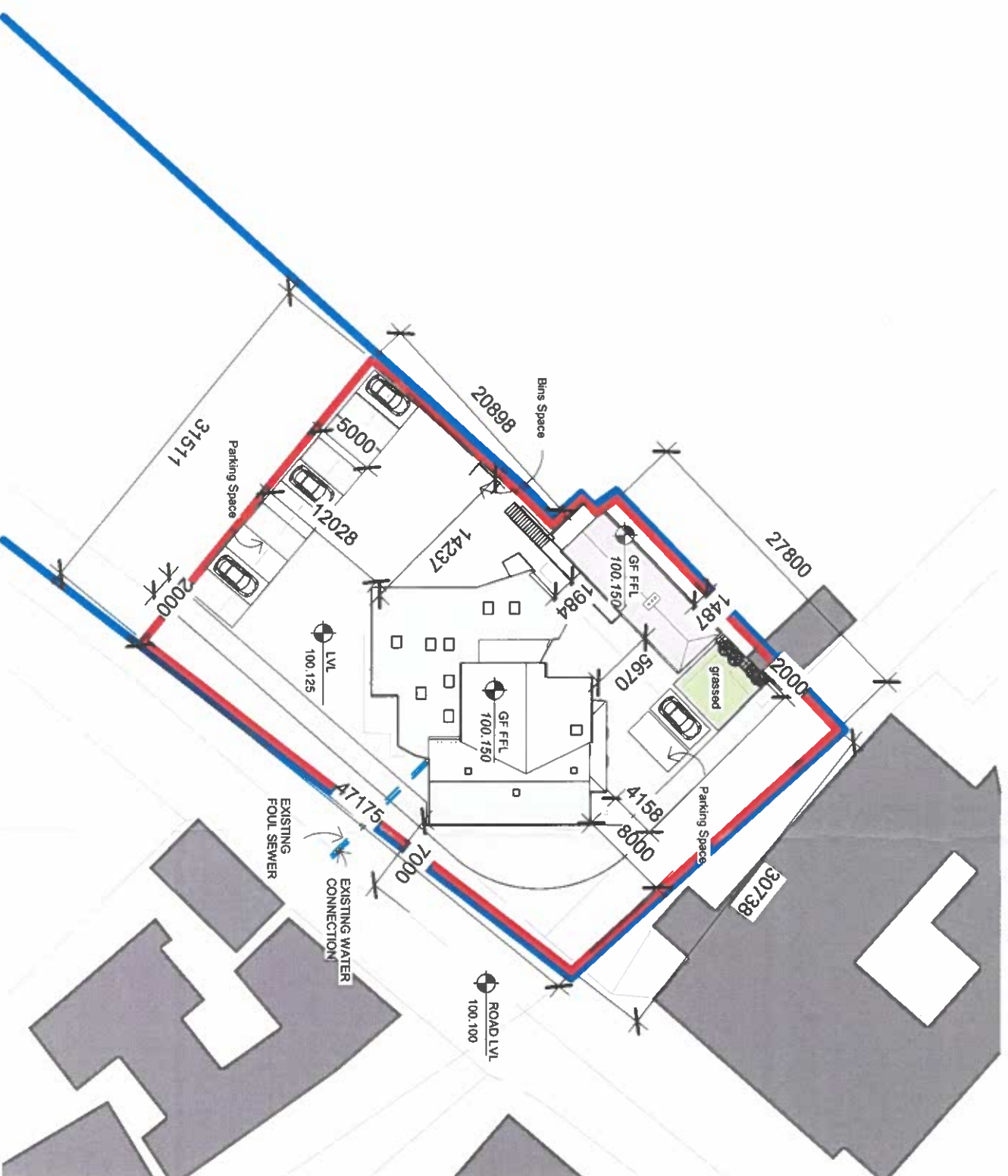
REV	DATE	BY	CHK
1	10/10/2024	RL	RL
2	10/10/2024	RL	RL
3	10/10/2024	RL	RL
4	10/10/2024	RL	RL
5	10/10/2024	RL	RL
6	10/10/2024	RL	RL
7	10/10/2024	RL	RL
8	10/10/2024	RL	RL
9	10/10/2024	RL	RL
10	10/10/2024	RL	RL

Unit 5 Ballynagoss House
Circular Road,
Roscommon F42 C982.


James Lohan
PLANNING & DESIGN CONSULTING ENGINEERS


CLIENT: KELLY WEAVER
JOB: DRAWING
SITE: THE GRIFFIN INN
CLOONFAD, BALLYHAUNIS F35 R660
CO. ROSCOMMON


24-534 DATE: 10/10/2024
001 REV
SCALE 1:1000




LEGEND

 **SITE BOUNDARY OUTLINED IN RED (0.158 HECTARES)**

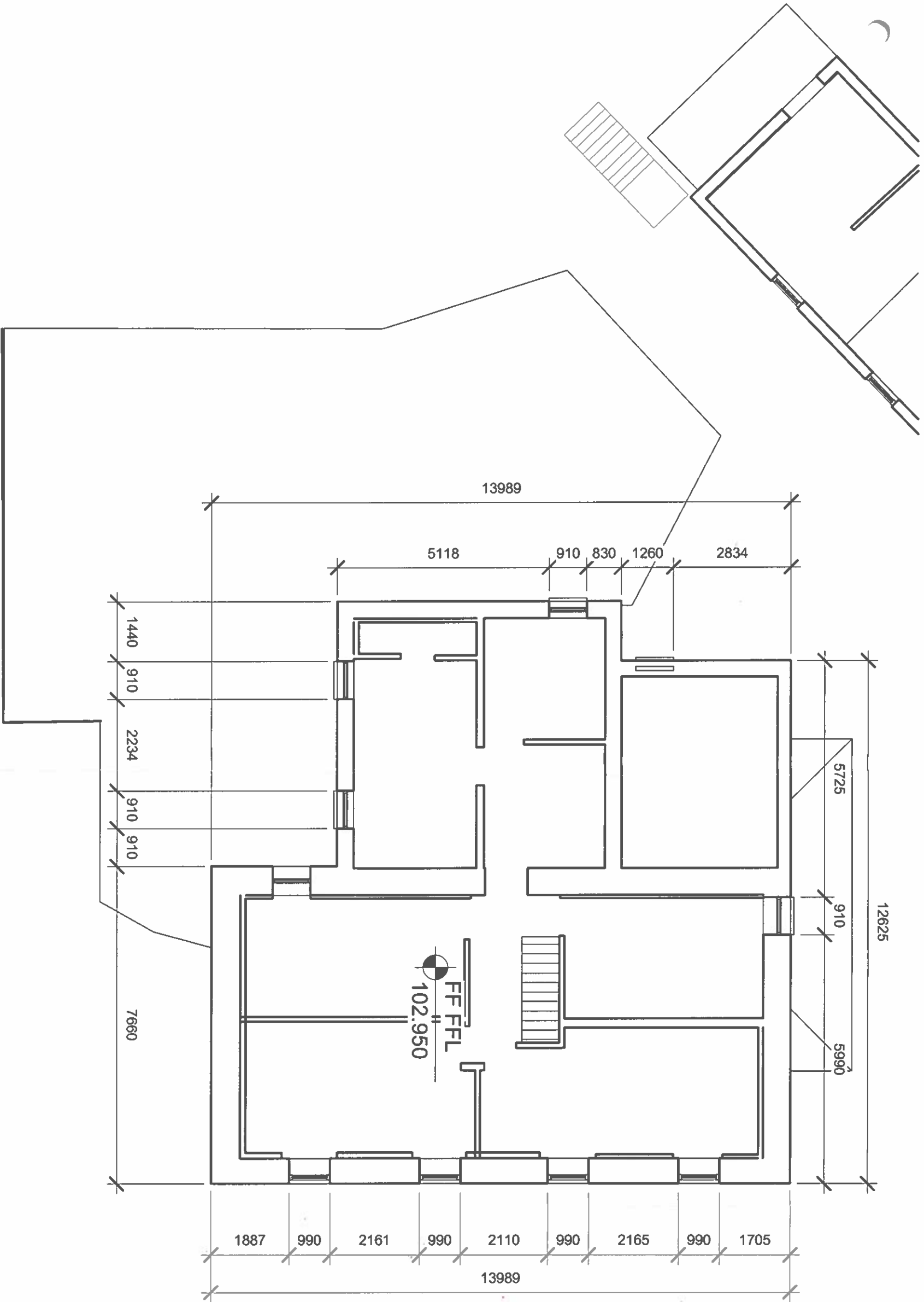
 **LAND HOLDINGS OUTLINED IN BLUE**

 **EXISTING WATER CONNECTION**

 **EXISTING FOUL SEWER**

	BUILDING 041	301m2
	The Griffin Inn Public House -Ground floor area:	
	The Griffin Inn Public House - First Floor area:	143m2
	The Griffin Inn Public House -Attic Floor area:	143m2
	BUILDING 2	
	The Griffin Inn -Drinks Store-Ground Floor	62 m2
	The Griffin Inn -Drinks Store- First Floor	62 m2
Total Floor area:		711m2

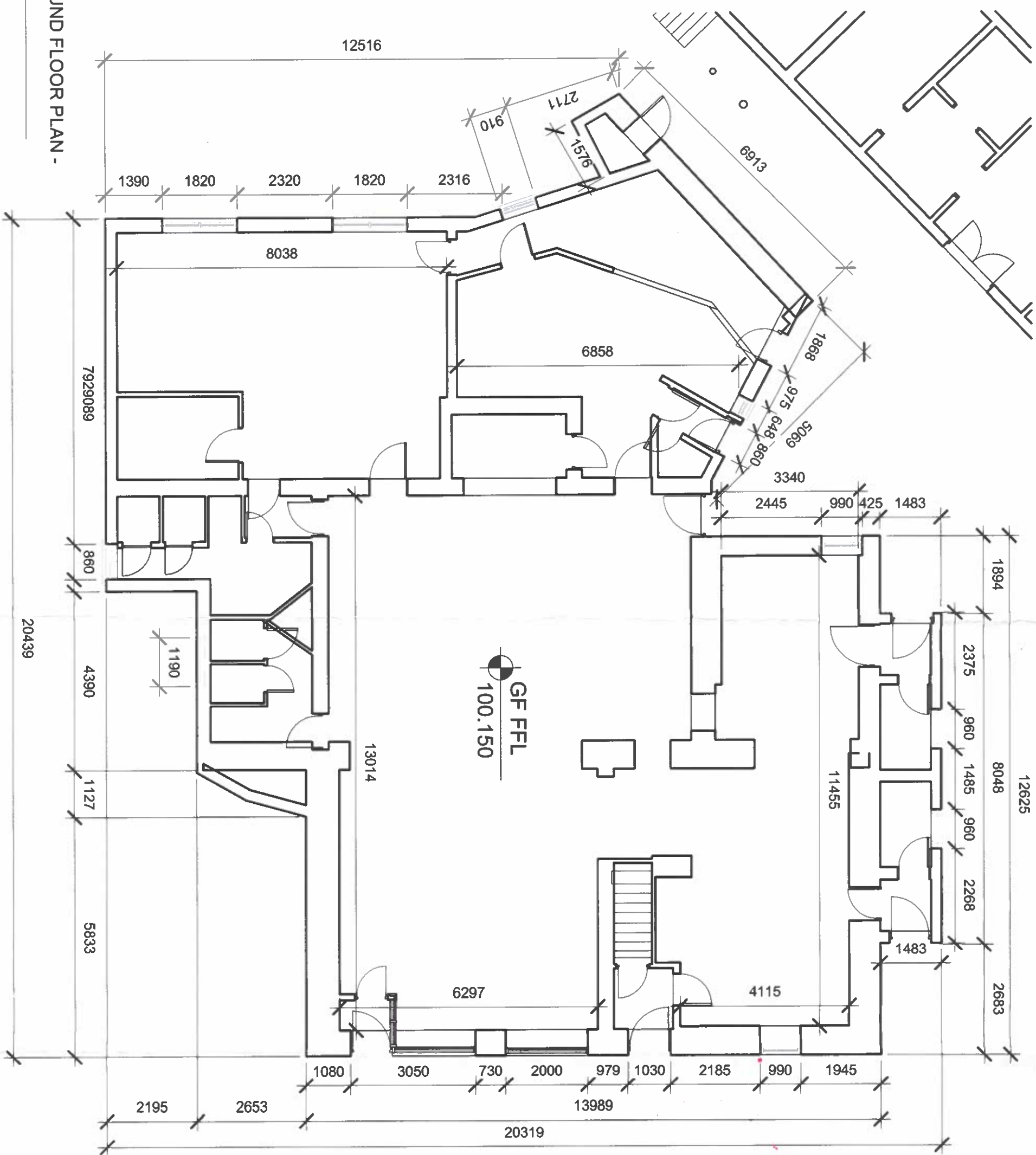




EXISTING FIRST FLOOR PLAN -
BUILDING 01
1 : 100




**EXEMPT
DEVELOPMENT**



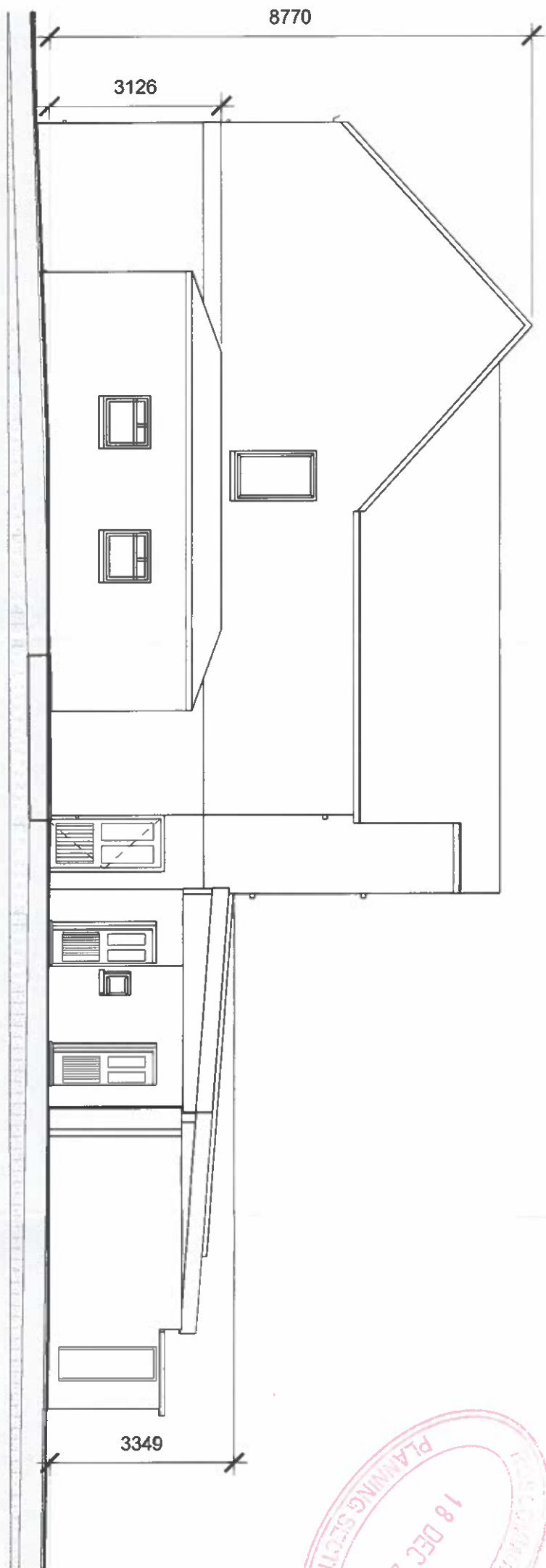
1
EXISTING GROUND FLOOR PLAN -
BUILDING 01
1 : 100

**EXEMPT
DEVELOPMENT**

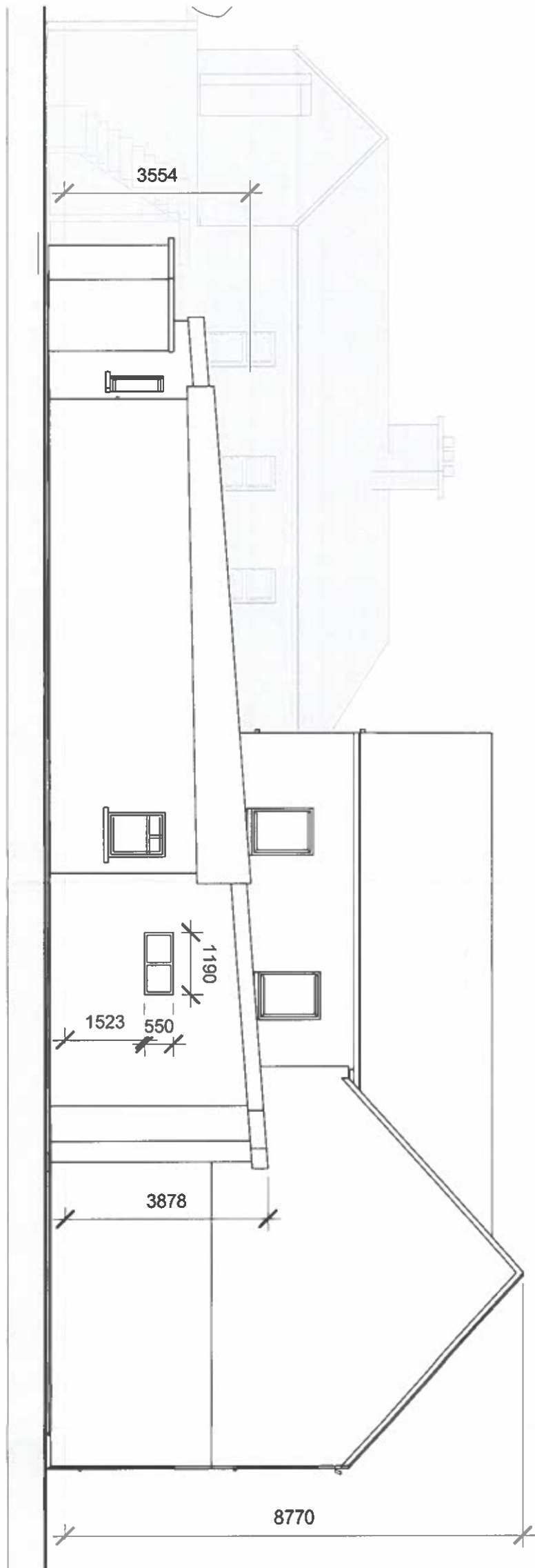
	
CLIENT	THE GRIFPIN INN
CLIENT	CO. ROSCOMMON
PROJECT	EXISTING GROUND FLOOR
DATE	28/11/2024
SCALE	1:100 @ A3
BY	CZEN

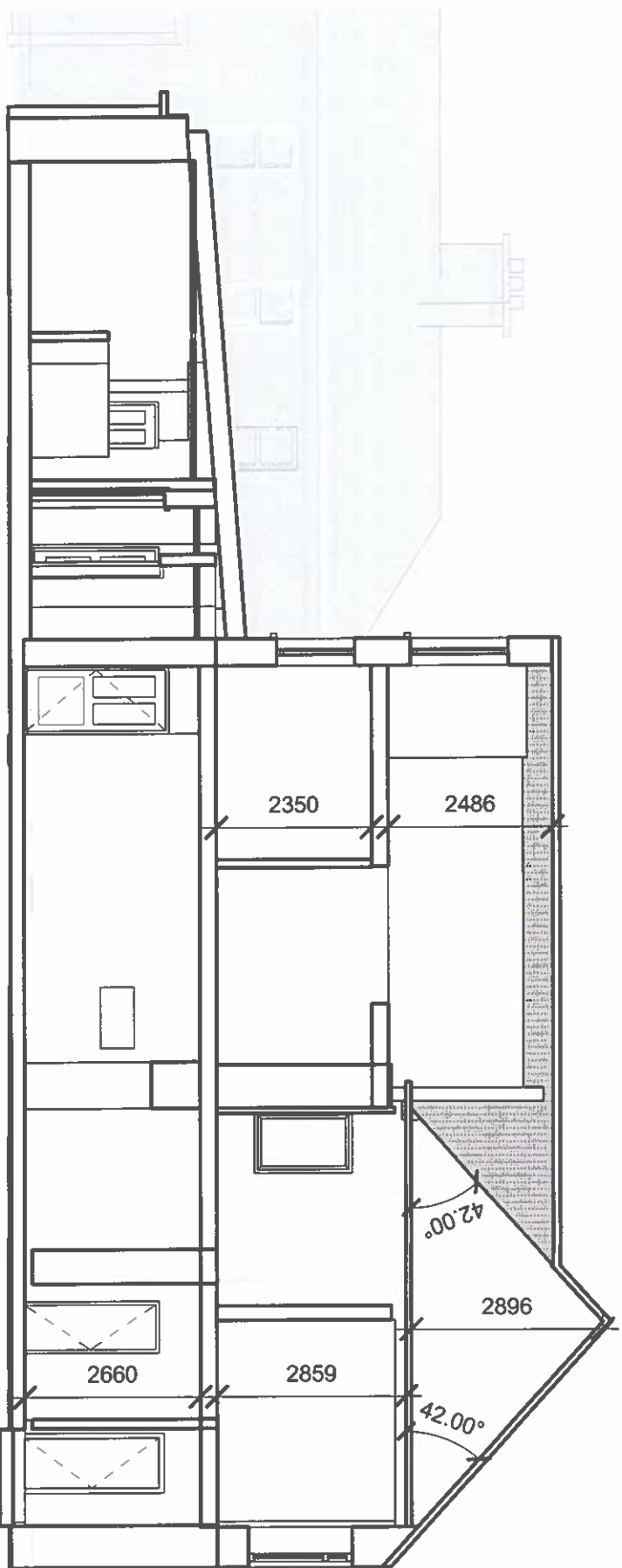


1 EXISTING SIDE ELEVATION (SE)
BUILDING 01
1 : 100

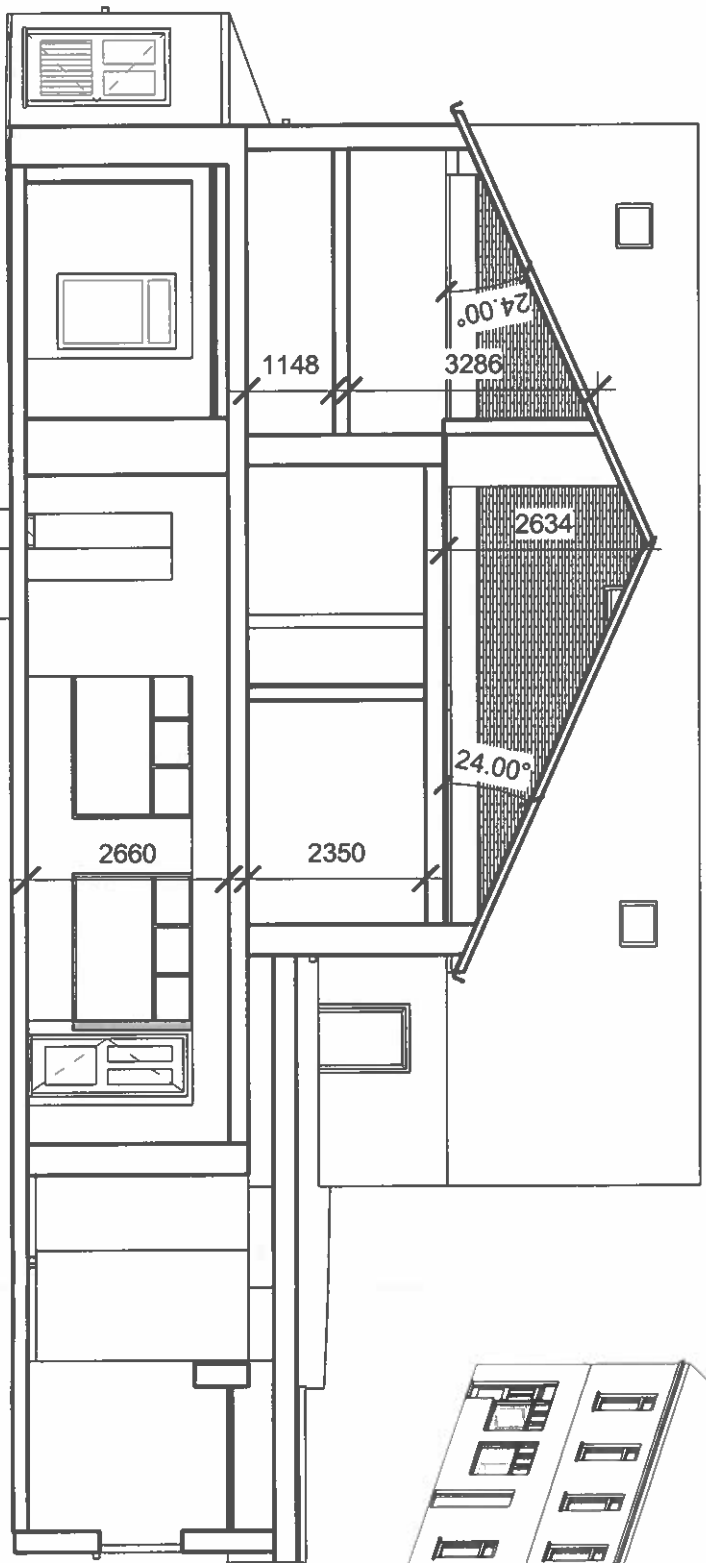


2 EXISTING SIDE ELEVATION (NW)
BUILDING 01
1 : 100

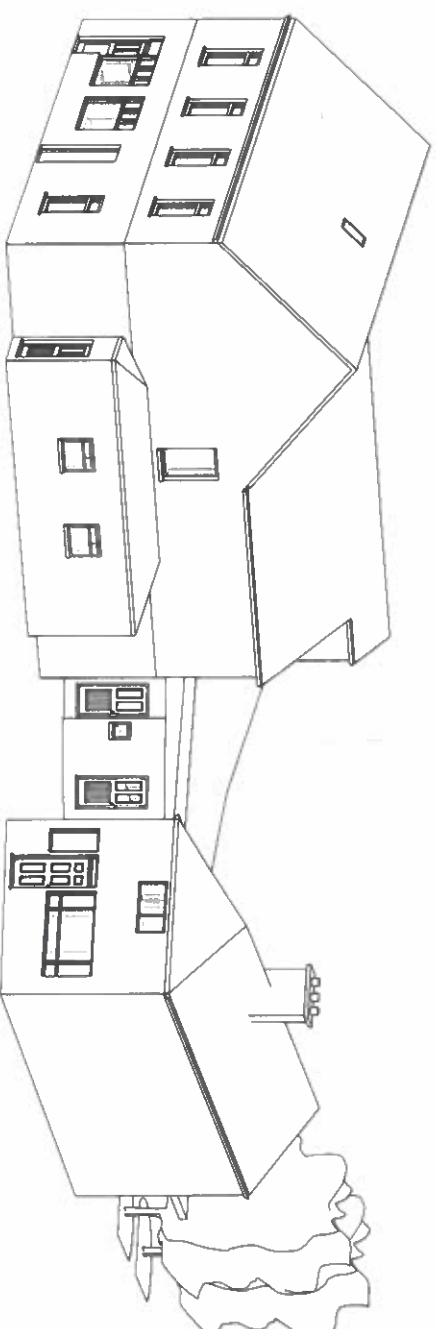




1 EXISTING SECTION 1-BUILDING 01
1 : 100

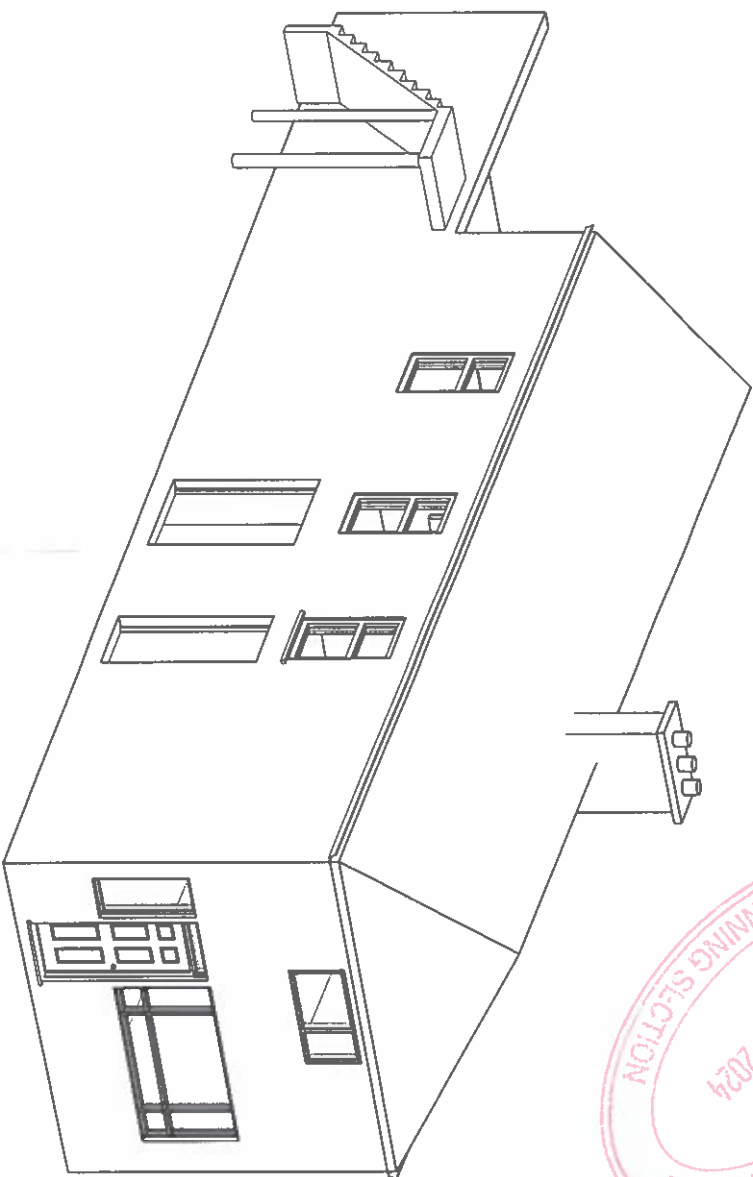


2 EXISTING SECTION 2-BUILDING 01
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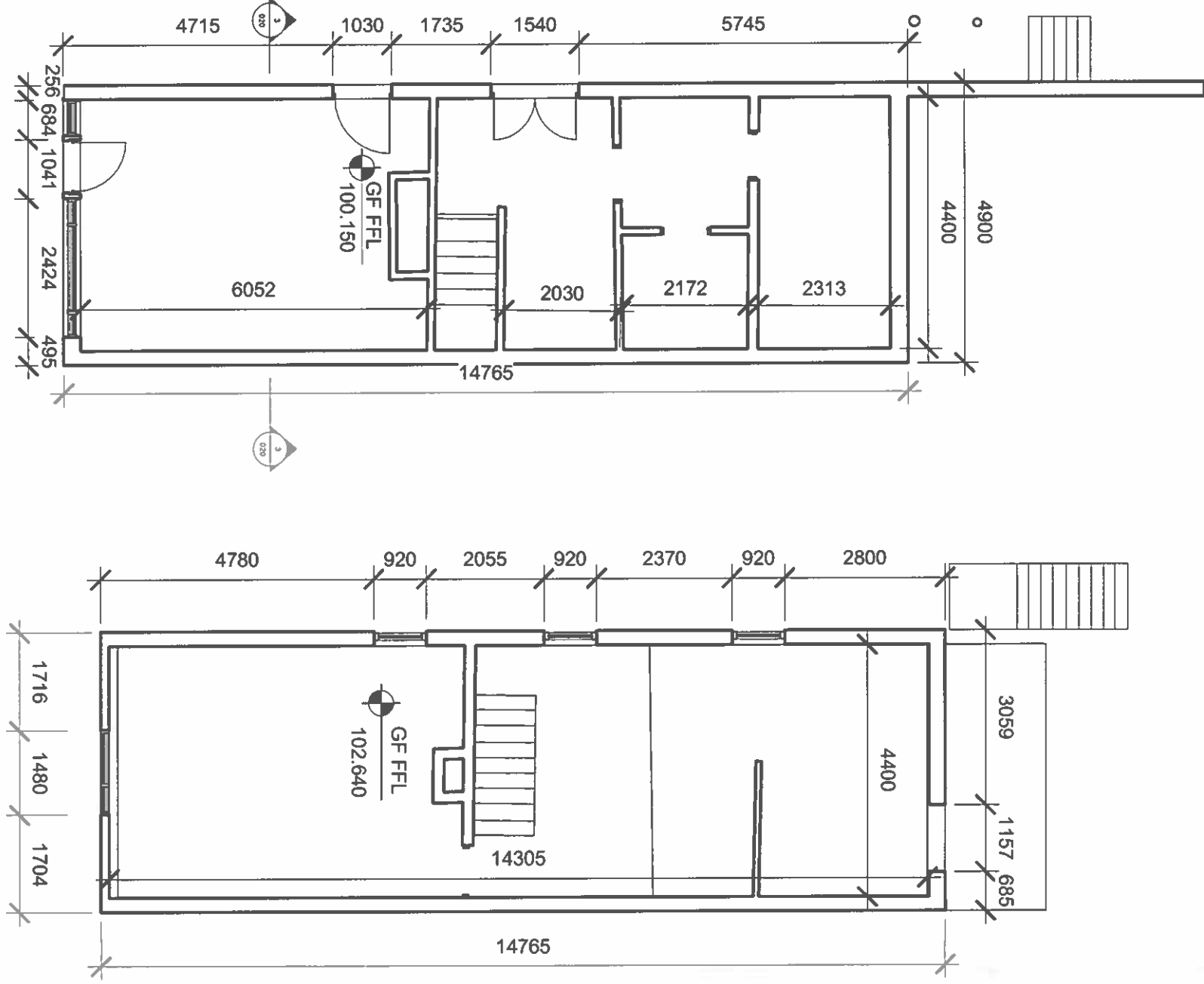


3 EXISTING 3D VIEW





4 EXISTING 3D VIEW BUILDING 02

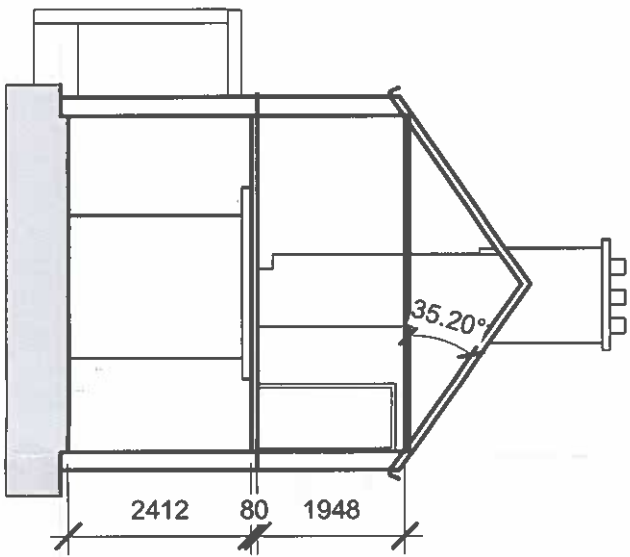


2 EXISTING GROUND FLOOR PLAN - BUILDING 02

1 : 100

1 EXISTING FIRST FLOOR PLAN - BUILDING 02

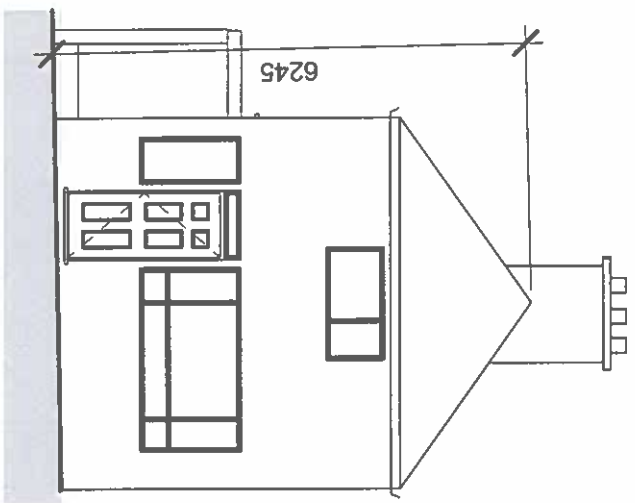
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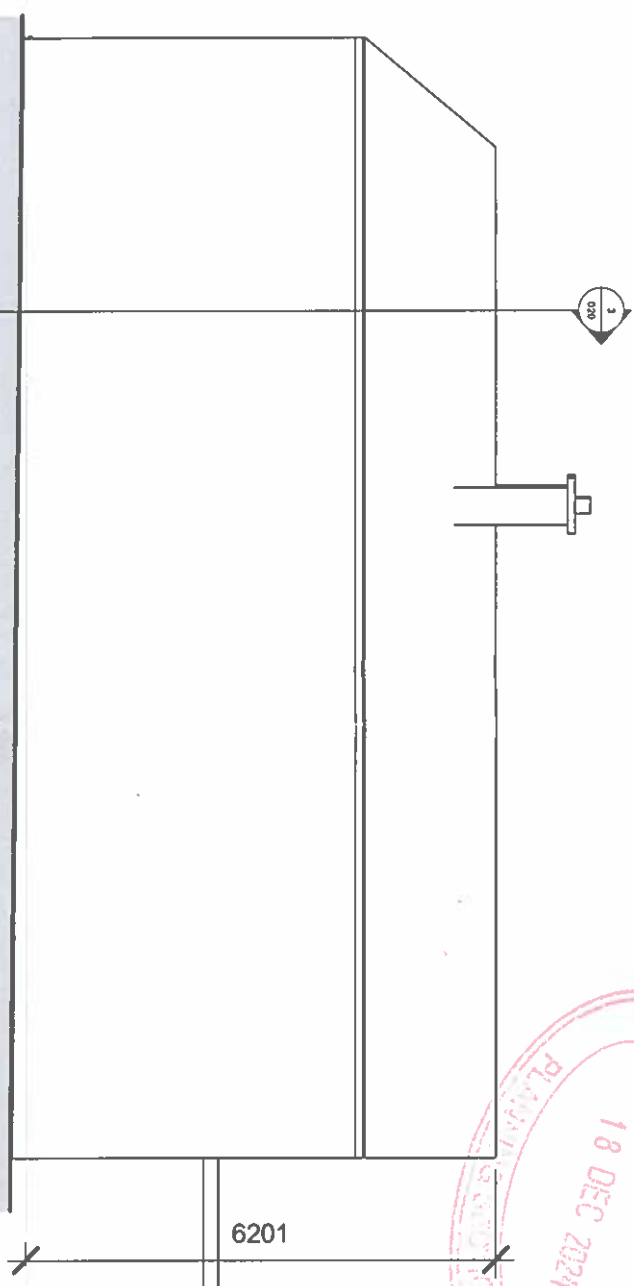
3 EXISTING SECTION 1-BUILDING 02

1 : 100

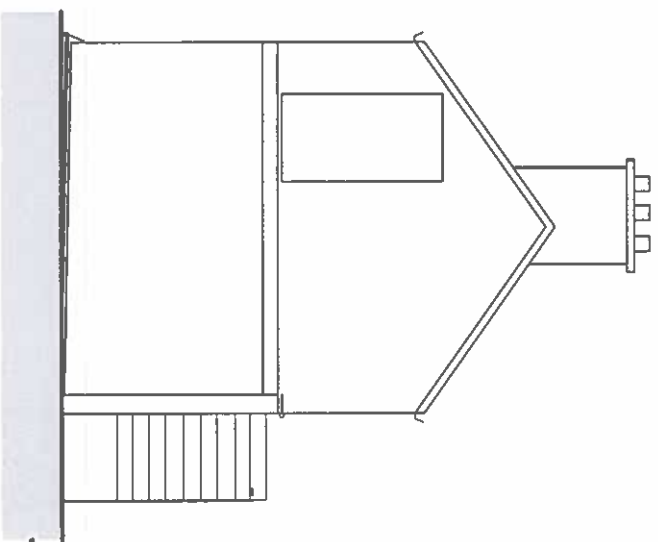




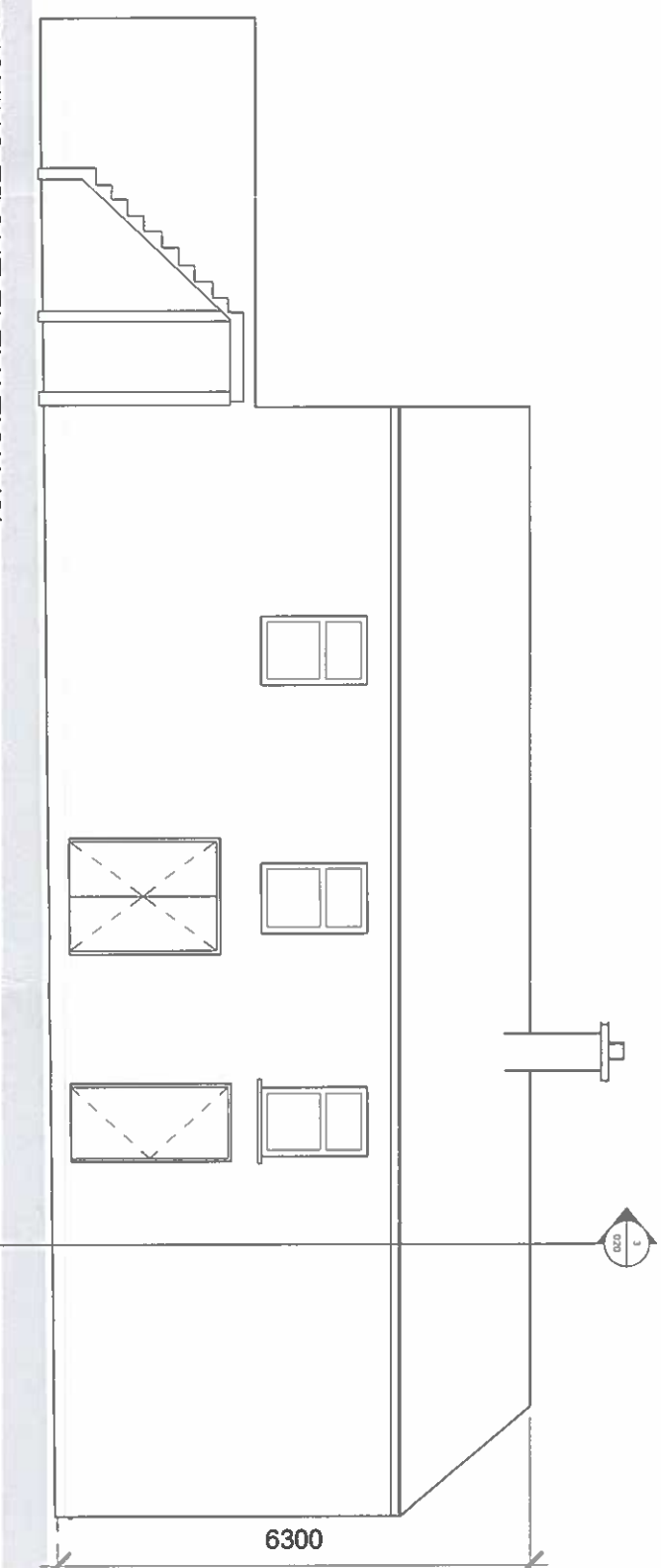
3
EXISTING FRONT ELEVATION (E)
BUILDING 02
1 : 100



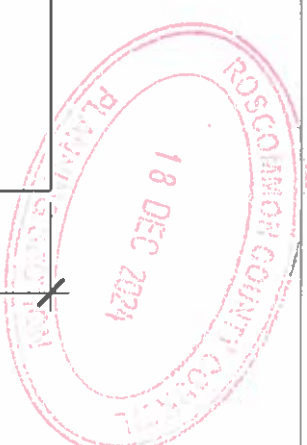
1
EXISTING SIDE ELEVATION (N)
BUILDING 02
1 : 100

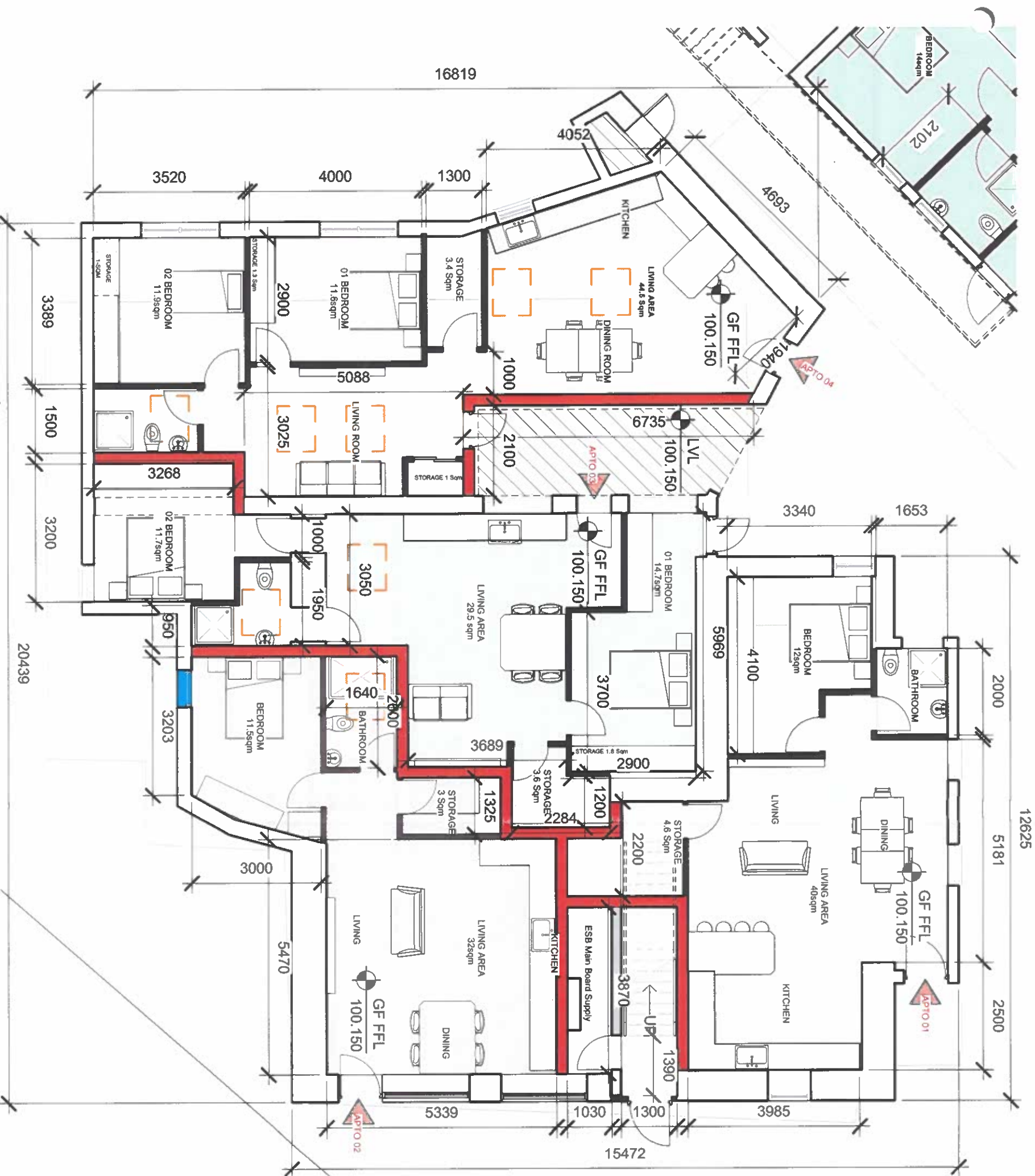


4
EXISTING REAR ELEVATION (W)
BUILDING 02
1 : 100



2
EXISTING FRONT ELEVATION (S)
BUILDING 02
1 : 100



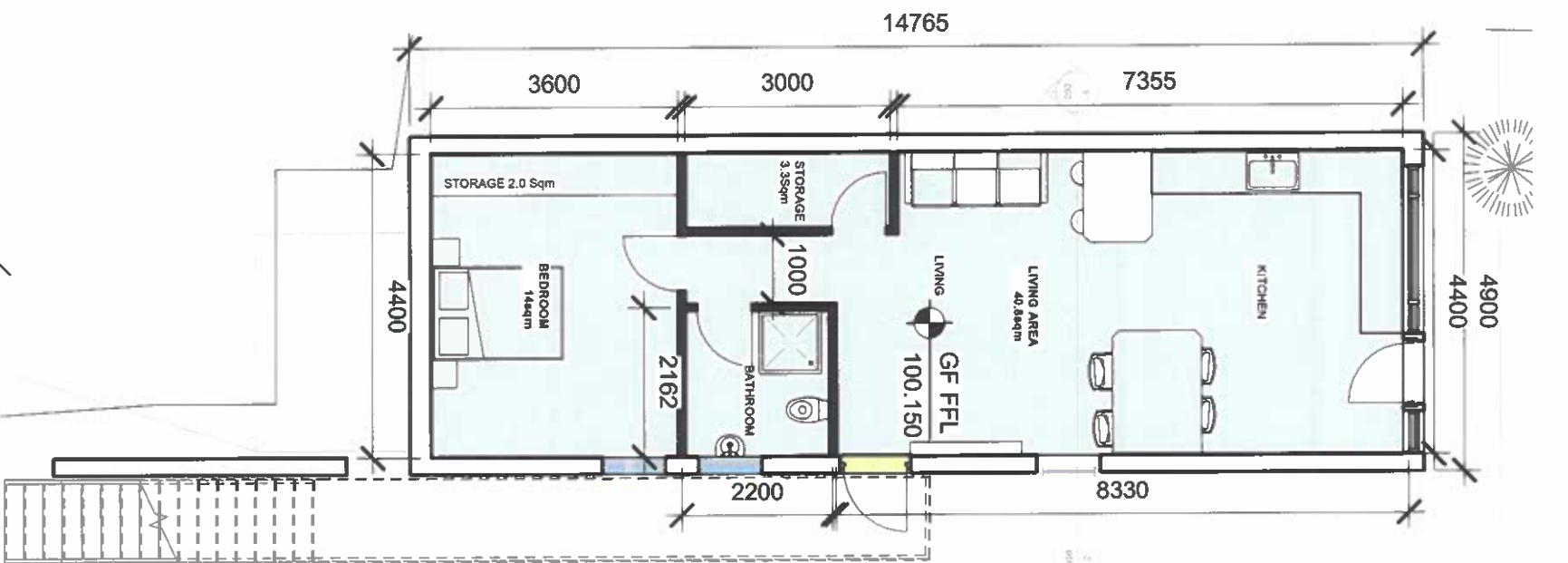


1 GROUND FLOOR PLAN - BUILDING 01
1 : 100

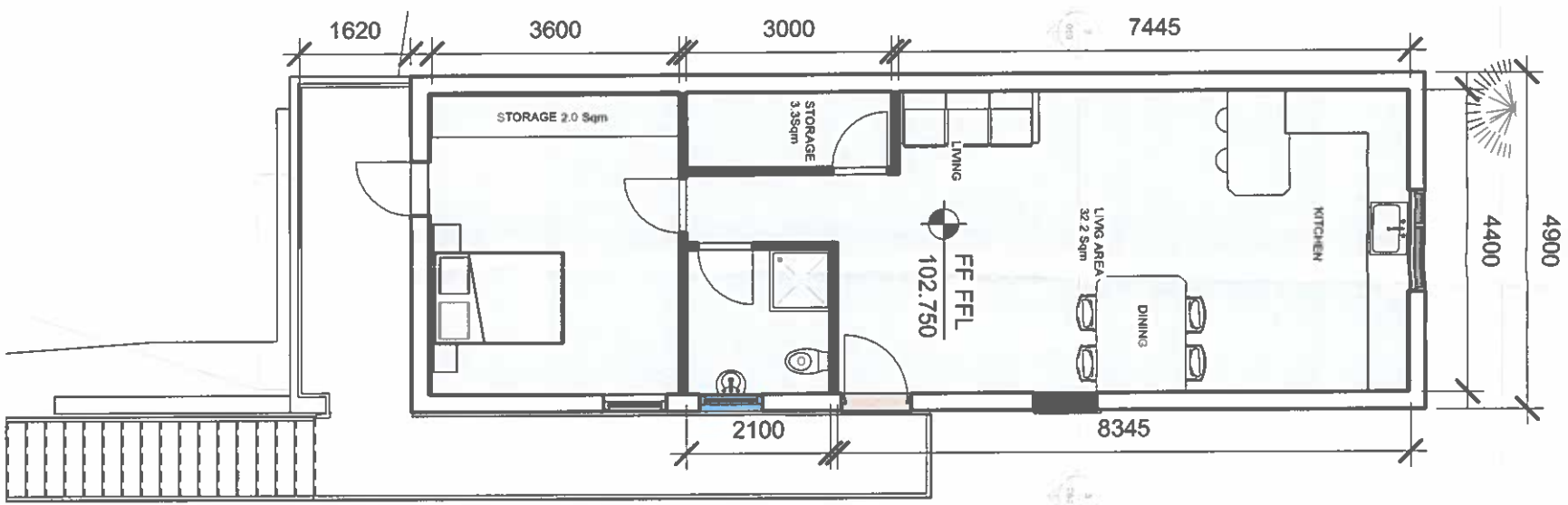
- APARTMENT 01 - 01 BEDROOM -61.3 SQM
- APARTMENT 01 - 01 BEDROOM -62 SQM
- APARTMENT 03 - 02 BEDROOM -67 SQM
- APARTMENT 04 - 02 BEDROOM -78.2 SQM

- ORIGINAL WALLS OF EXISTING HOUSE
- PROPOSED NEW WALLS TO BE BUILT
- PROPOSED NEW WALLS FIRE RESISTANT TO BE BUILT
- PROPOSED PARTIAL ROOF REMOVAL
- WINDOW IN SAME LOCATION AS EXISTING, BUT INCREASED IN SIZE FROM 1200mm x 550mm to 1200mm x 1000mm
- WINDOWS ROOF

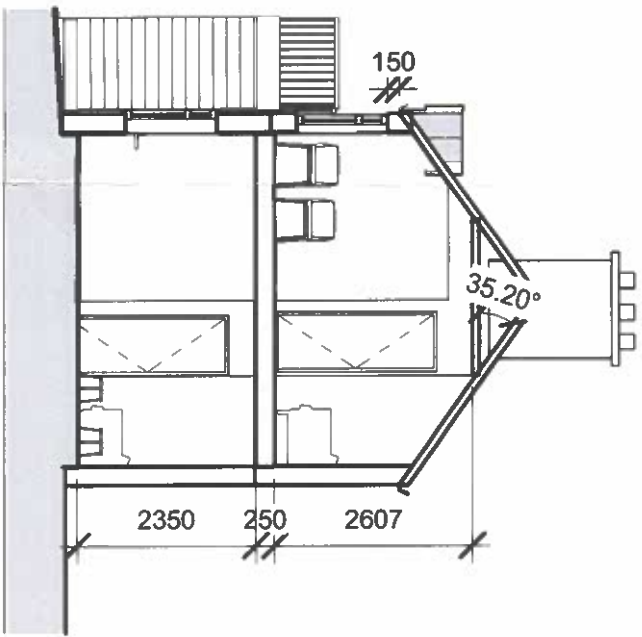




1 GROUND FLOOR PLAN - BUILDING 02
1 : 100



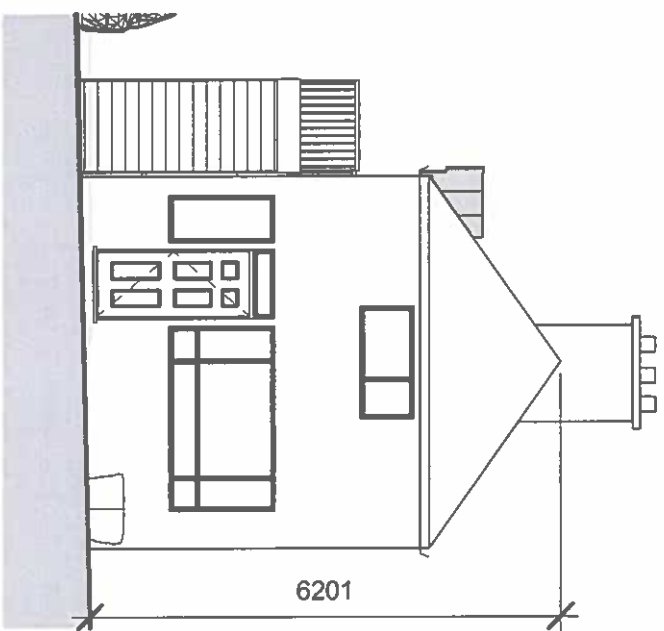
2 FIRST FLOOR PLAN - BUILDING 02
1 : 100



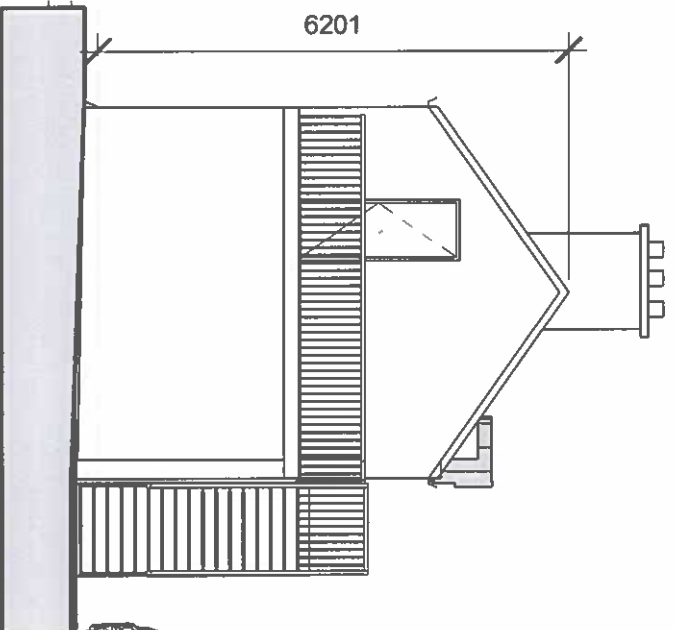
3 SECTION BUILDING 02
1 : 100

- APARTMENT 01 - 01 BEDROOM - 62.3 SQM
- APARTMENT 01 - 01 BEDROOM - 62.3 SQM

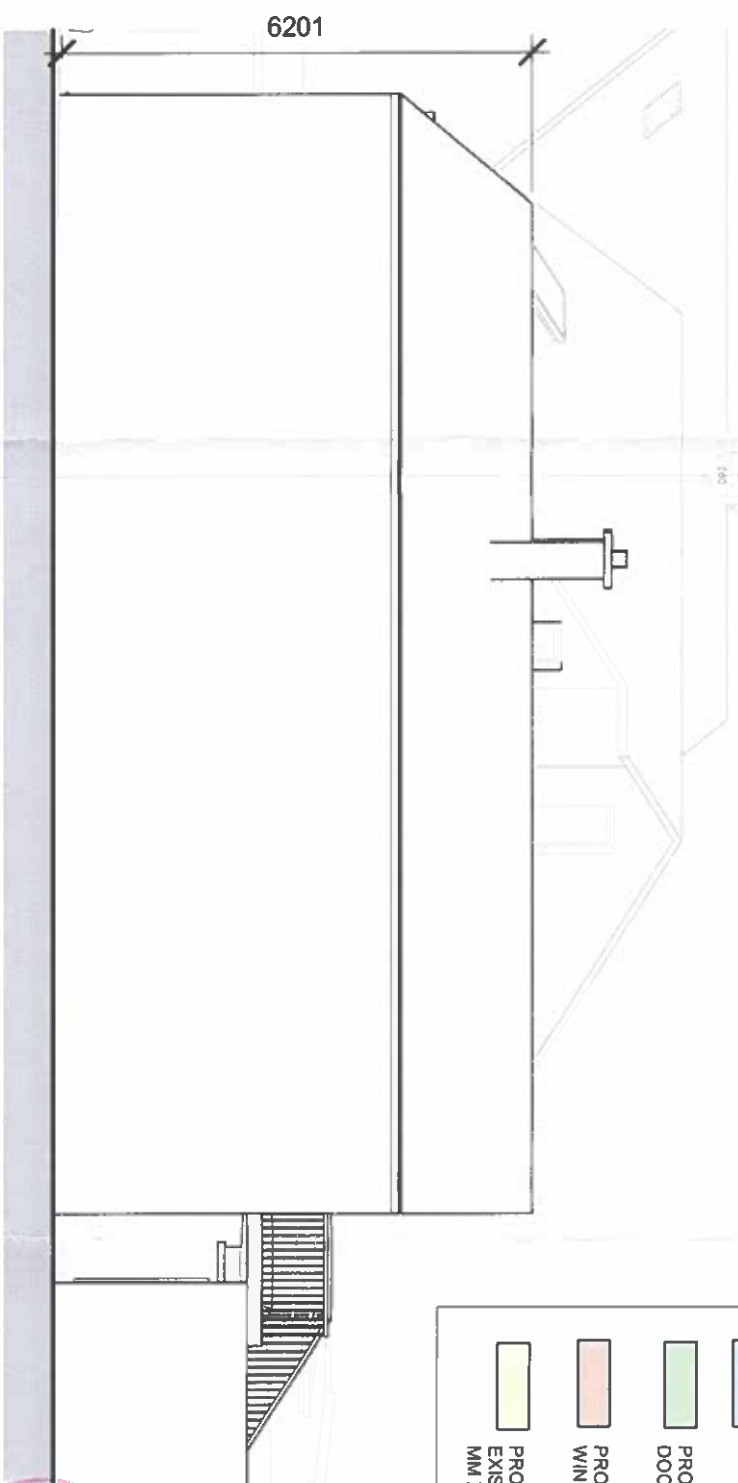
- LEGEND**
- ORIGINAL WALLS OF EXISTING HOUSE
 - PROPOSED NEW WALLS TO BE BUILT
 - PROPOSED NEW WINDOWS
 - PROPOSED NEW WINDOWS REPLACED AN EXISTING DOOR
 - PROPOSED NEW DOOR REPLACED AN EXISTING WINDOW
 - PROPOSED DOOR IN THE SAME LOCATION AS THE EXISTING ONE BUT DECREASED THE SIZE FROM 1540 MM X 2100 MM TO 900 MM X 2100 MM



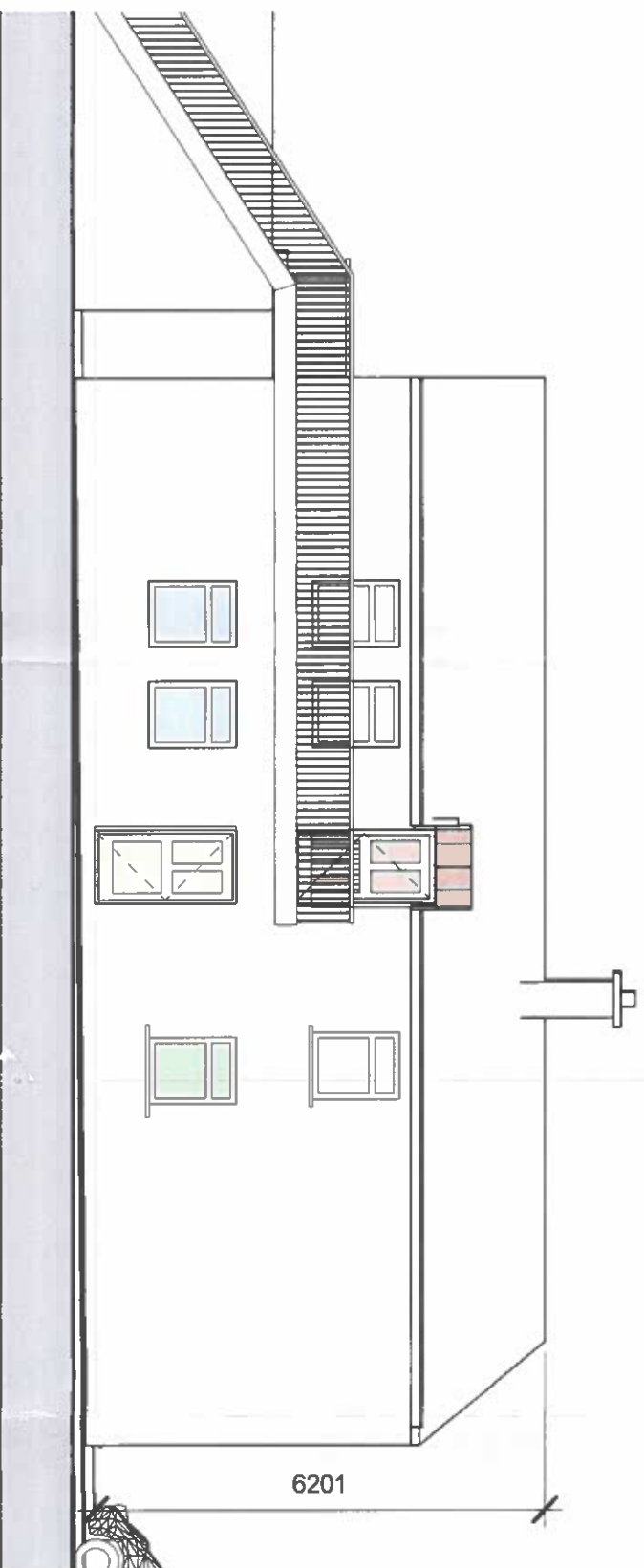
1 FRONT ELEVATION SOUTH-BUILDING 02
1 : 100



2 REAR ELEVATION -NORTH- BUILDING 02
1 : 100



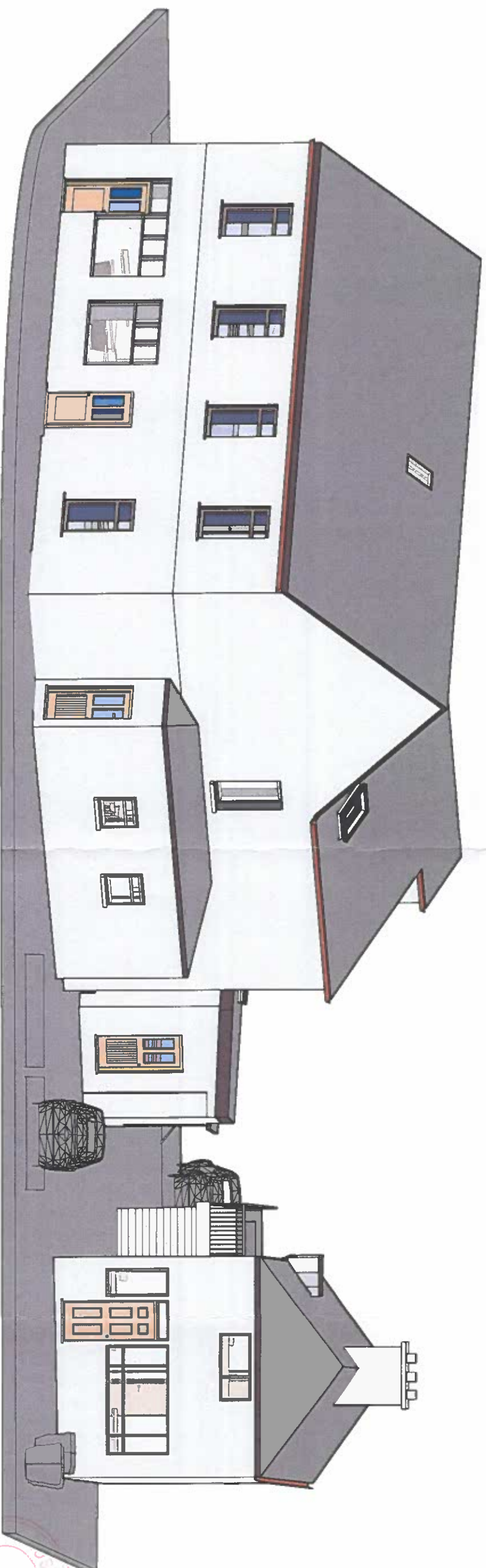
4 SIDE ELEVATION EAST- BUILDING 02
1 : 100



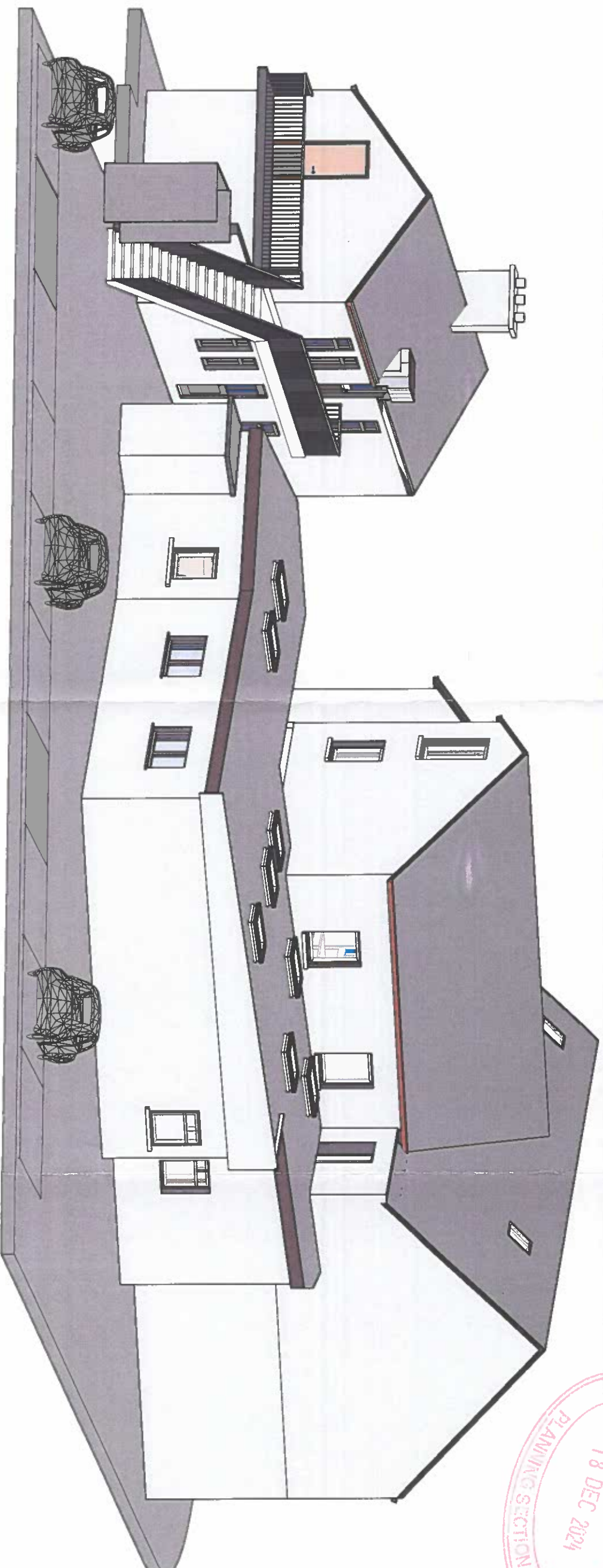
3 SIDE ELEVATION -WEST- BUILDING 02
1 : 100

- LEGEND**
- PREPOSED NEW WINDOWS
 - PROPOSED NEW WINDOWS REPLACED AN EXISTING DOOR
 - PROPOSED NEW DOOR REPLACED AN EXISTING WINDOW
 - PROPOSED DOOR IN THE SAME LOCATION AS THE EXISTING ONE BUT DECREASED THE SIZE FROM 1540 MM X 2100 MM TO 900 MM X 2100 MM

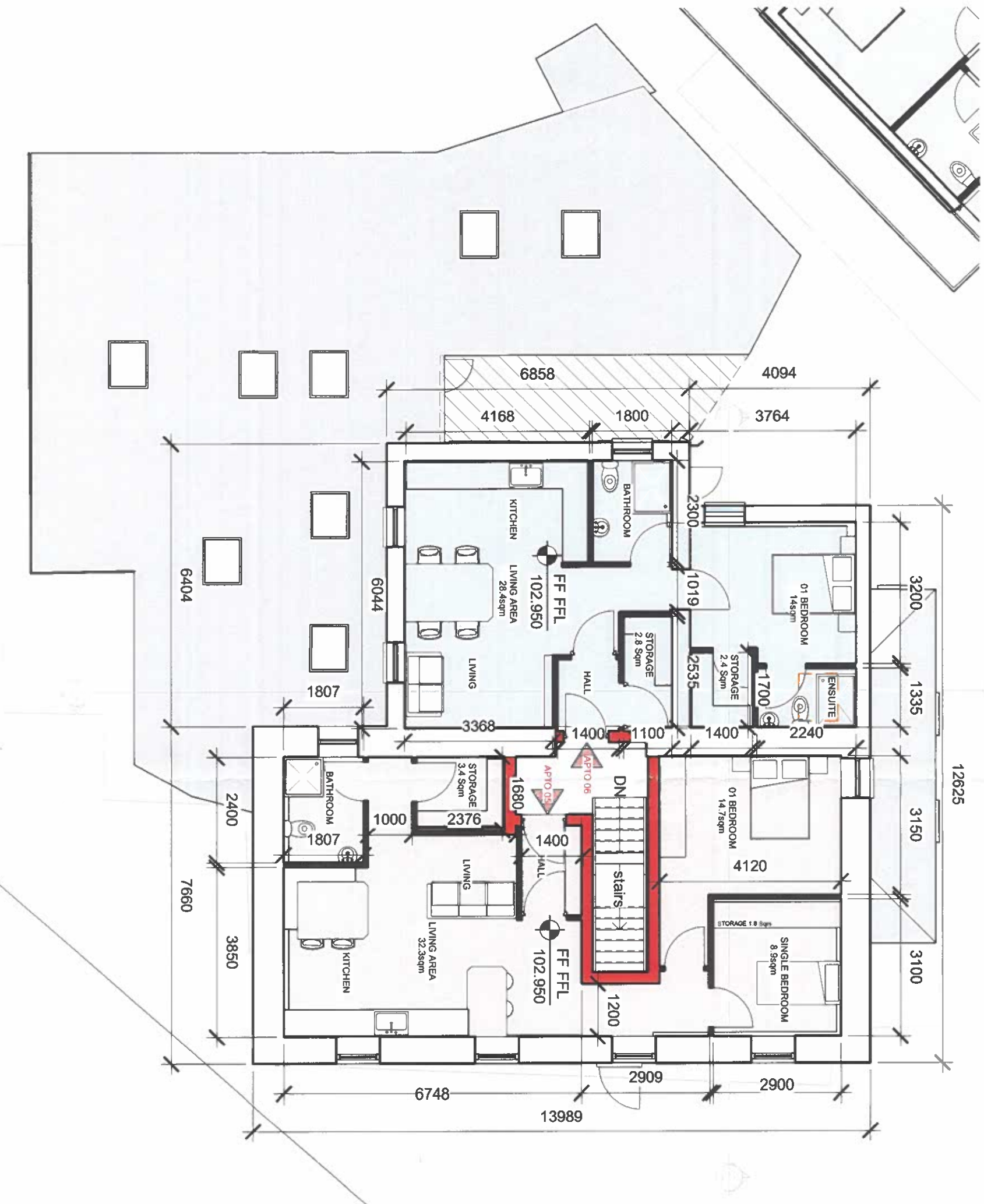




1 3D VIEW 02



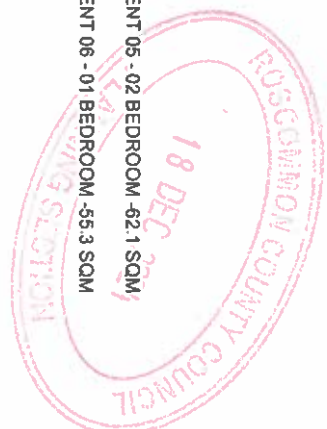
2 3D VIEW 01



1 FIRST FLOOR PLAN- BUILDING 01
1 : 100

**EXEMPT
DEVELOPMENT**

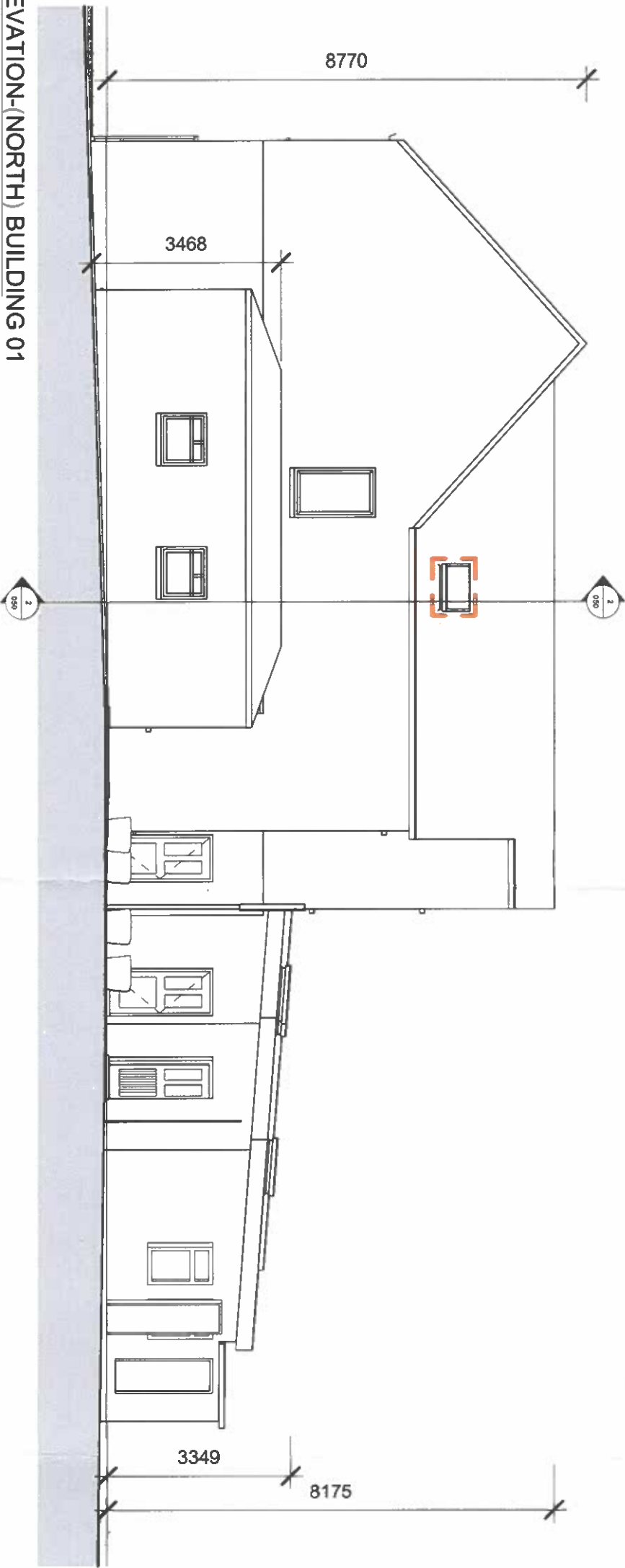
- APARTMENT 05 - 02 BEDROOM - 62.1 SQM
- APARTMENT 06 - 01 BEDROOM - 55.3 SQM
- ORIGINAL WALLS OF EXISTING HOUSE
- PROPOSED NEW WALLS TO BE BUILT
- PROPOSED NEW WALLS FIRE RESISTANT TO BE BUILT
- PROPOSED PARTIAL ROOF REMOVAL
- NEW WINDOWS



NEW WINDOWS PROPOSED
WINDOWS ROOF PROPOSED



2 REAR ELEVATION-(NORTH) BUILDING 01
1 : 100



1 Front Elevation (NW) BUILDING 01
1 : 100

