

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

CHIEF EXECUTIVE'S ORDER

Order No:

PL185/25

Reference Number:

DED 821

Name of Applicants:

James & Monica Duffy

Agent:

James Lohan Consulting Engineers Ltd

WHEREAS a question has arisen as to whether the refurbishment of a derelict house, work 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) re-slate the roof; 7) complete second fix carpentry and internal painting and decoration; 8) construct a 39.5sqm extension for two additional bedrooms and a utility room & 9) install new floors at Aghacurreen, Ballaghaderreen, Co. Roscommon, is or is not development and is or is not exempted development:

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (Exempt Development – General), as amended.
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (e) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed extension to rear of a dwelling house as described in this case is not an exempted development as it exceeds the height restrictions under conditions and limitations no.4 of Class 1 of Part 1 of Schedule 2.
- (c) The proposed refurbishment of the derelict house as above fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:
development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;
- (d) 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 house, work 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) re-slate the roof; 7) complete second fix carpentry and internal painting and decoration; 8) construct a 39.5sqm extension for two additional bedrooms and a utility room & 9) install new floors at Aghacurreen, Ballaghaderreen, Co. Roscommon is a **split decision** with the refurbishment of the derelict house an **exempted development** and the extension to the rear of the dwelling **not an exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.



Signed: _____

Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 20 January, 2025