

ROSCOMMON COUNTY COUNCIL

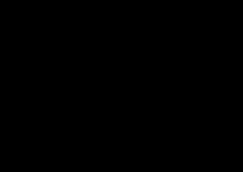
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Christopher Downey,



Reference Number: DED 849
Application Received: 13th March, 2025
Name of Applicant: Christopher Downey
Agent: Pat Glynn

WHEREAS a question has arisen as to whether the renovation of an existing dwelling, with works including 1)re-wiring; 2)re-plumbing; 3)new flooring; 4)dry lining walls; 5)insulate, slab & skim all walls & 6)second fix for doors, architrave, skirting & window boards at Clonohill, Taughmaconnell, Ballinasloe, Co. Roscommon, H53 XH97, is or is not development and is or is not exempted development:

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

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

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed refurbishment of the existing dwelling 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;
- (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 renovate an existing dwelling, with works including 1)re-wiring; 2)re-plumbing; 3)new flooring; 4)dry lining walls; 5)insulate, slab & skim all walls & 6)second fix for doors, architrave, skirting & window boards at Clonohill, Taughmaconnell, Ballinasloe, Co. Roscommon, H53 XH97, 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: 13th March, 2025

cc agent: Pat Glynn,
Carranure, Taughmaconnell, Ballinasloe, Co. Roscommon.

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.

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

Reference Number:	DED 849
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to the renovation of an existing dwelling, with works including 1) re-wiring; 2) re-plumbing; 3) new flooring; 4) dry lining walls; 5) insulate, slab & skim all walls & 6) second fix for doors, architrave, skirting & window boards.
Name of Applicant:	Christopher Downey
Location of Development:	Clonohill, Taughmaconnell, Ballinasloe, Co. Roscommon (H53 XH97)
Site Visit:	13/03/2025

WHEREAS a question has arisen as to whether the following works; to renovate an existing dwelling, with works including 1) re-wiring; 2) re-plumbing; 3) new flooring; 4) dry lining walls; 5) insulate, slab & skim all walls & 6) second fix for doors, architrave, skirting & window boards at the above address is or is not development and is or is not exempted development.

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

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

Site Location & Development Description

The property is a story and a half style dwelling house with a single story pitched roof area to the rear forming an L-shaped house in Clonohill, Taughmaconnell, Ballinasloe, Co. Roscommon. The property is accessed off the L-7575 road. The proposed development consists of the refurbishment of the existing dwelling with works including the re-wiring, re-plumbing, new flooring, dry lining walls, insulate, slab & skim all walls & second fix for doors, architrave, skirting & window boards. Described in the application form as all internal works.

There are no European designated sites in, adjoining or in close proximity to the subject site. There is no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS.

Archaeological and Cultural Heritage

No RMP recorded in the likely zone of influence of the proposed development. No Protected structures or structures listed in the National Inventory of Architectural Heritage the likely zone of influence of the proposed development.

Appropriate Assessment

The closest European site to the site of the proposed development is Castlesampson Esker PNHA/SAC (Site Code 001625) which is located circa .6km to the north of the subject site.

Having regard to the separation distance between the site and the closest Natura 2000 site and the nature of the proposal, there is no real likelihood of significant effects on the conservation objectives of these or other European sites arising from the proposed development. The need for further Appropriate Assessment, therefore, be excluded.

Planning History

As per the Roscommon County Council's Planning Registry, no recent planning history traced to the site.

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3. -(1)

In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1) of the Act defines certain types of development as being 'exempted development'. Of potential relevance is section 4(1)(h) which provides as follows:

development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 4 (2) of the Planning and Development Act provides that the Minister, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations.

Planning and Development Regulations, 2001 as amended

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Article 9 (1) applies;

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

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

Assessment:

In accordance with the Planning and Development Act, 2000 Section 3. (1) development is defined as the following: "In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land". The proposed development is considered to be the carrying out of works. Works are defined in the Act as; "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure....". It is considered that said works constitute development, as defined in Section 3 of the said Act.

The proposal includes the refurbishment of the existing dwelling with works including the re-wiring, re-plumbing, new flooring, dry lining walls, insulate, slab & skim all walls & second fix for doors, architrave, skirting & window boards. Described in the application form as all internal works. 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 neighboring structures. The proposed works are deemed an exempt development.

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

I am satisfied that an Environmental Impact Statement or Appropriate Assessment are not required. It should be noted that any development for which Environmental Impact Assessment or Appropriate Assessment is required shall not be exempted development unless specifically exempted in regulations where there is provision in other legislation for the carrying out of EIA or AA. In addition, the restrictions on exemption Art 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

Recommendation

WHEREAS a question has arisen as to renovate an existing dwelling, with works including 1) re-wiring; 2) re-plumbing; 3) new flooring; 4) dry lining walls; 5) insulate, slab & skim all walls & 6) second fix for doors, architrave, skirting & window boards in Clonohill, Taughmaconnell, Ballinasloe, Co. Roscommon, **is or is not development and is or is not exempted development**, I have considered this question, and I have had regard particularly to –

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

AND WHEREAS I have concluded that

- The works outlined above are development.
- The proposed refurbishment of the existing dwelling 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;

- 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 renovate an existing dwelling, with works including 1) re-wiring; 2) re-plumbing; 3) new flooring; 4) dry lining walls; 5) insulate, slab & skim all walls & 6) second fix for doors, architrave, skirting & window boards in Clonohill, Taughmaconnell, Ballinasloe, Co. Roscommon, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant

Signed:



Date: 13th March 2025

Civil Technician

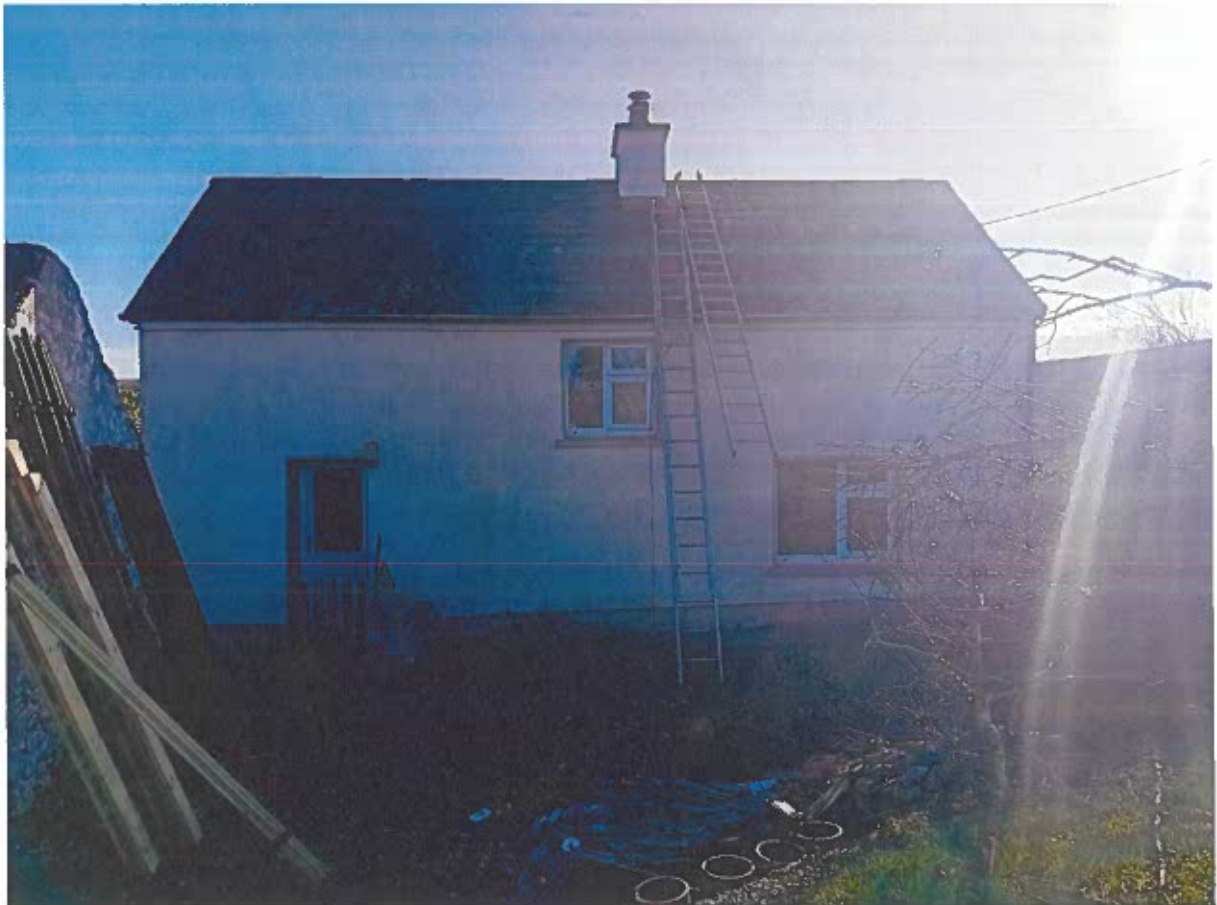
Signed:



Date: 13th March 2025

Senior Executive Planner





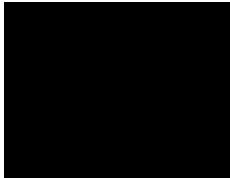




Comhairle Contae
Ros Comáin
Roscommon
County Council



Christopher Downey,



Date: 26th February, 2025
Planning Reference: DED 849

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

Development: Permission for the renovation of an existing dwelling, with works including 1) re-wiring; 2) re-plumbing; 3) new flooring; 4) dry lining walls; 5) insulate, slab & skim all walls & 6) second fix for doors, architrave, skirting & window boards under the Planning & Development Act (Exempt Development) Regulations 2018 at Clonohill, Taughmaconnell, Ballinasloe, Co. Roscommon, H53 XH97

A Chara,

I wish to acknowledge receipt of your application which was received on the 20th February, 2025, 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. L/01/105877/233235 dated 21st February, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 849**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner
Planning Department.

cc agent: Pat Glynn,
Carranure,
Taughmaconnell,
Ballinasloe,
Co. Roscommon.

Aras an Chontae
Roscommon
09066 37100

21-02-2025 09:19:25

Receipt No. : L01/105877/233235
***** REPRINT *****

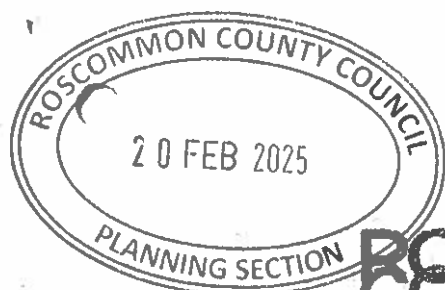
CHRISTOPHER DOWNEY
[Redacted]

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT	0.00
DED 849	

Total 80.00 EUR

Tendered:
Credit/Debit Card 80.00
2957

Issued By : Louis Carroll
From: Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council

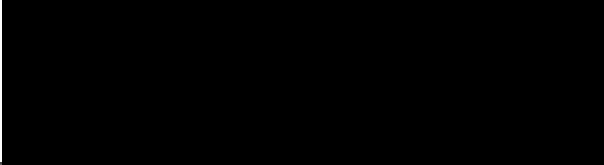
Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the Planning & Development Act 2000, regarding Exempted Development

Name:	Christopher Dorney
Address:	
Name & Address of Agent:	Pat Glynn Carranure, Tanghaconnell, Ballinasloe, Roscommon
Nature of Proposed Works	Electrical re-wire of house Plumbing Insulation New stairs
Location (Townland & O.S No.)	
Floor Area	N/A
Height above ground level	N/A
Total area of private open space remaining after completion of this development	1 acre
Roofing Material (Slates, Tiles, other) (Specify)	N/A
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Plaster, nil change
Is proposed works located at front/rear/side of existing house.	All Internal



Roscommon County Council

Application for a Declaration under Section 5 of the Planning & Development Act 2000,
regarding Exempted Development

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	residential
Proposed use of land or structure	residential
Distance of proposed building line from edge of roadway	N/A
Does the proposed development involve the provision of a piped water supply	No
Does the proposed development involve the provision of sanitary facilities	No

Signature:

Christopher Downey

Date:

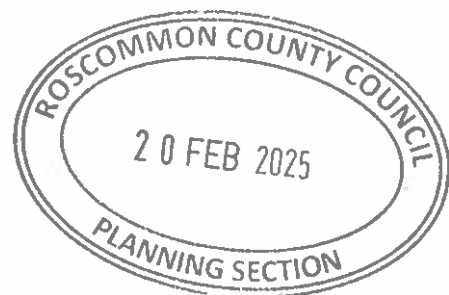
13/2/2025

Note: This application must be accompanied by:-

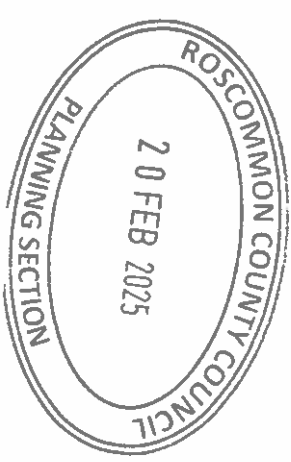
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed

? Electrical re-wire of house to Safty Standards

- Replumbing the house, replace all old radiators and conceal all pipes.
- New Flooring upstairs after concealing pipes under the floor.
- Dryline walls in upstairs bedrooms that have not already been drylined.
- Insulate, slab and skim all walls.
- 2nd Fix for doors, architrave, skirting and window boards.



Proposed Development Area



CLOD

Folio Number: RN18295F

Application Number: D2024LR195697E

593320 mE, 738250 mN



Tailte
Éireann

Clárúcháin, Luchtáil
Suirbhíreacht
Registration, Valuation,
Surveying

Folio: RN18295F

This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold

Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit



A full list of burdens and their symbology can be found at: www.landdirect.ie

Tailte Éireann Registration operates a non-conclusive boundary system. The TÉ Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TÉ Registration map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

592520 mE, 737600 mN
Date Printed: 15/11/2024

Creation Date: 15 November 2024 07:26:06

Application Number: D2024LR195697E

1:2500 Scale



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