

ROSCOMMON COUNTY COUNCIL

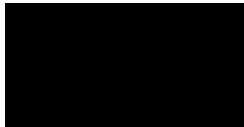
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Eddie & Colette Gallagher,



Reference Number: DED 852
Application Received: 4th March, 2025
Name of Applicants: Eddie & Colette Gallagher
Agent: N/A

WHEREAS a question has arisen as to whether the refurbishment of a derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring at Cortober, Carrick-on-Shannon, 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 and 9 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 development described is not consistent with the definition of 'Development within the curtilage of a house' under the classes of development prescribed under Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended). The existing structure on site does not meet the description of a dwelling therefore the refurbishment of this structure does not fall within the provisions of exempted development as set out in the Planning and Development Regulations 2001, as amended.
- (c) The construction of an extension to the rear of the existing structure on site does not fall within the exemptions of Class 1 of PART 1 - Article 6 - Exempted Development – General of the Planning and Development Regulations 2001, (as amended).
- (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 of a derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension;

8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring at Cortober, Carrick-on-Shannon, Co. Roscommon., 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: 30th May, 2025

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: Friday 30 May 2025 10:55
To: [REDACTED]
Subject: DED 852 - Notification of Decision
Attachments: DED 852 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for your Section 5 Declaration of Exempted Development Application, DED 852.

Mise le meas,

Carmel

**Carmel Curley, 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 852
Re:	Permission for the refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring throughout under the Planning and Development Act (Exempted Development) Regulations 2018
Name of Applicant:	Eddie & Colette Gallagher
Location of Development:	Cortober, Carrick-on-Shannon, Co. Roscommon
Site Visit:	07/04/2025

WHEREAS a question has arisen as to whether the following works for the refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring throughout 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 and 9 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 site consists of a single storey structure, and is accessed off the L 50804 Local Tertiary Road, approximately 1km southwest of Carrick-on-Shannon Town Centre. The proposed development

consists of refurbishing an existing structure including constructing an extension, install new windows and doors and replace existing roof with new corrugated metal roof.

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 in the likely zone of influence of the proposed development. It is noted however that the boundary to the south of the site may be in contact with Zone: R182696 which is the zone of influence surrounding a ringfort.

Appropriate Assessment

The closest European site to the proposed development is Lough Arrow SAC (Site Code: 001673) and Lough Arrow SPA (Site Code: 004050) which is located circa 16km to the north west 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 can, 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,

PART 1 - Article 6 - Exempted Development – General

Development within the curtilage of a house

Column 1 Description of Development	Column 2 Conditions and Limitations
Class 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.	1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres. 2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning

permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

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

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

	<p>(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden.</p>
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Planning Assessment

In accordance with the Planning and Development Act, 2000, as amended 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 stated works for renovating the existing dwelling house include:

- Strip out existing walls and floors
- Install new ceiling joists, internal studwork, plasterboard and skim
- Install wall and attic insulation
- Re-wire the existing property
- Re-plumb the existing property
- Install new windows and doors
- Replace the existing roof with corrugated metal and install new flat roof to proposed extension
- Complete second fix carpentry and internal painting and decoration
- Construct a 33.7sq.m extension for new kitchen, bathroom and utility room
- Install new flooring throughout

These works have been 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.

A copy of documentation from the local St. Michael's Church book published in 2006 has been submitted to demonstrate that the structure on site was once used as a dwelling, the information submitted indicates that the structure was used as a dwelling in the 1900's. Notwithstanding the fact that it is not readily evident that this information pertains to the structure which is the subject of this application, the applicant as requested to submit details and evidence to demonstrate the "previous used of this property as a dwelling." The applicant has stated in their response that "residential

occupation of these structures have not been in use for a considerable period of time” and continues by stating “it is obvious that residential use of the site has been abandoned.”

Having regard to this and how the structure on site presents, the proposed construction of an extension does not fall within the exemptions of Class 1 of PART 1 - Article 6 - Exempted Development – General of the Planning and Development Regulations 2001, (as amended).

Furthermore, having regard to the foregoing, insufficient evidence has been provided for the Planning Authority to regard the existing ruinous structure on site as a dwelling. In this context the subject proposal constitutes the creation of a new dwelling therefore does not fall within the provisions of Exempted Development in the Planning and Development Act 2000, (as amended).

Recommendation

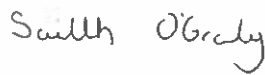
WHEREAS a question has arisen as to whether a proposed development; for the refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring throughout as outlined above at Cortober, Carrick-on-Shannon, 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 and 9 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 development described is not consistent with the definition of ‘Development within the curtilage of a house’ under the classes of development prescribed under Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended). The existing structure on site does not meet the description of a dwelling therefore the refurbishment of this structure does not fall within the provisions of exempted development as set out in the Planning and Development Regulations 2001, as amended.
- The construction of an extension to the rear of the existing structure on site does not fall within the exemptions of Class 1 of PART 1 - Article 6 - Exempted Development – General of the Planning and Development Regulations 2001, (as amended).
- 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 for the refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring throughout as outlined above at Cortober, Carrick-on-Shannon, Co. Roscommon, is not an exempted development. I recommend that a declaration to that effect should be issued to the applicant.



Signed:

Graduate Planner

Date: 8th May 2025



Signed:

Senior Executive Planner

Date: 29th May 2025



22nd April 2025

Mr. Brian Farragher
Senior Executive Planner
Roscommon County Council
Áras an Chontae
Roscommon
Co Roscommon
F42 VR98



Re: Planning Reference Number DED 852

Dear Mr. Farragher,

We refer to your letter of the 8th of April, 2025 in relation to the above matter and now outline our response thereto as follows; -

The structure inspected during the course of a site visit does not demonstrate the characteristics of a dwelling insofar as materials, openings and fenestration provision are considered.

The original window openings are present on the gable walls and the chimney breast remains in its original structure as can be seen from the attached photograph. The large doors to the front of the dwelling were installed by the previous owners. The original main door remains.

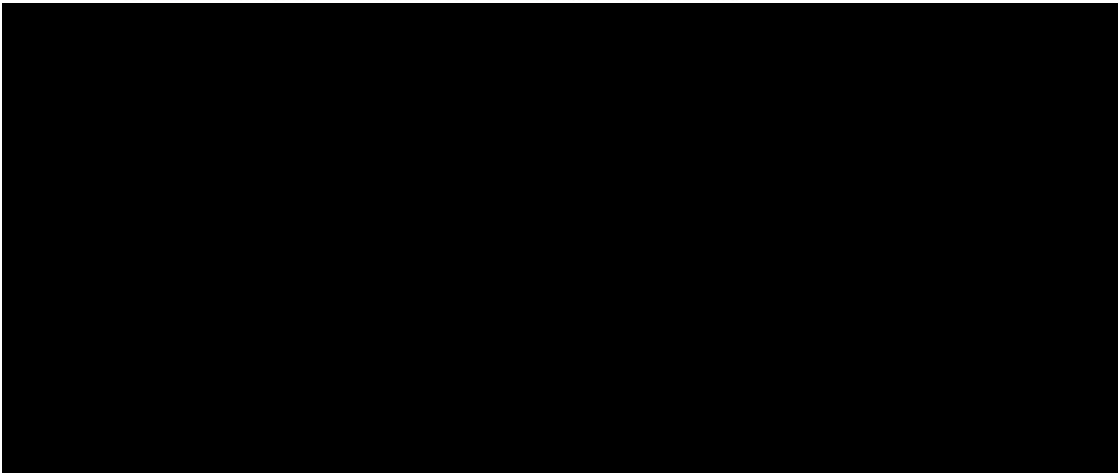
This dwelling along with [REDACTED] former home, situated on the adjoining [REDACTED] are similar in character and typical of the mid to late 1800s. We have attached photographs of the neighbouring house in Fig. 1 & 2.

It is reasonable to suggest that any residential occupation of these structures have not been in use for a considerable period of time and like is the case with any other vacant derelict property that is seeking to undertake refurbishment works, it is obvious that residential use of the site has been abandoned.

Detailed and evidence based response that clearly demonstrates the previous use of this property as a dwelling.

Please find attached copy page 228 from the local St. Michael's Church book published in 2006 in which states in the first paragraph 'Martin Beirne purchased Hurdles house in Cortober in the 1900s'. (original book can be submitted if required).

This house was previously owned and occupied by [REDACTED]. The family are present at this address in the 1901 and 1911 census records in which can be viewed at <https://www.census.nationalarchives.ie/search/>



The structure of this dwelling is in urgent need of remedial works due to the passage of time and the recent storm damage. We would like nothing more than to be given the opportunity to restore this property to its original character and believe that in doing so would greatly enhance and revitalise the area.

Yours faithfully,

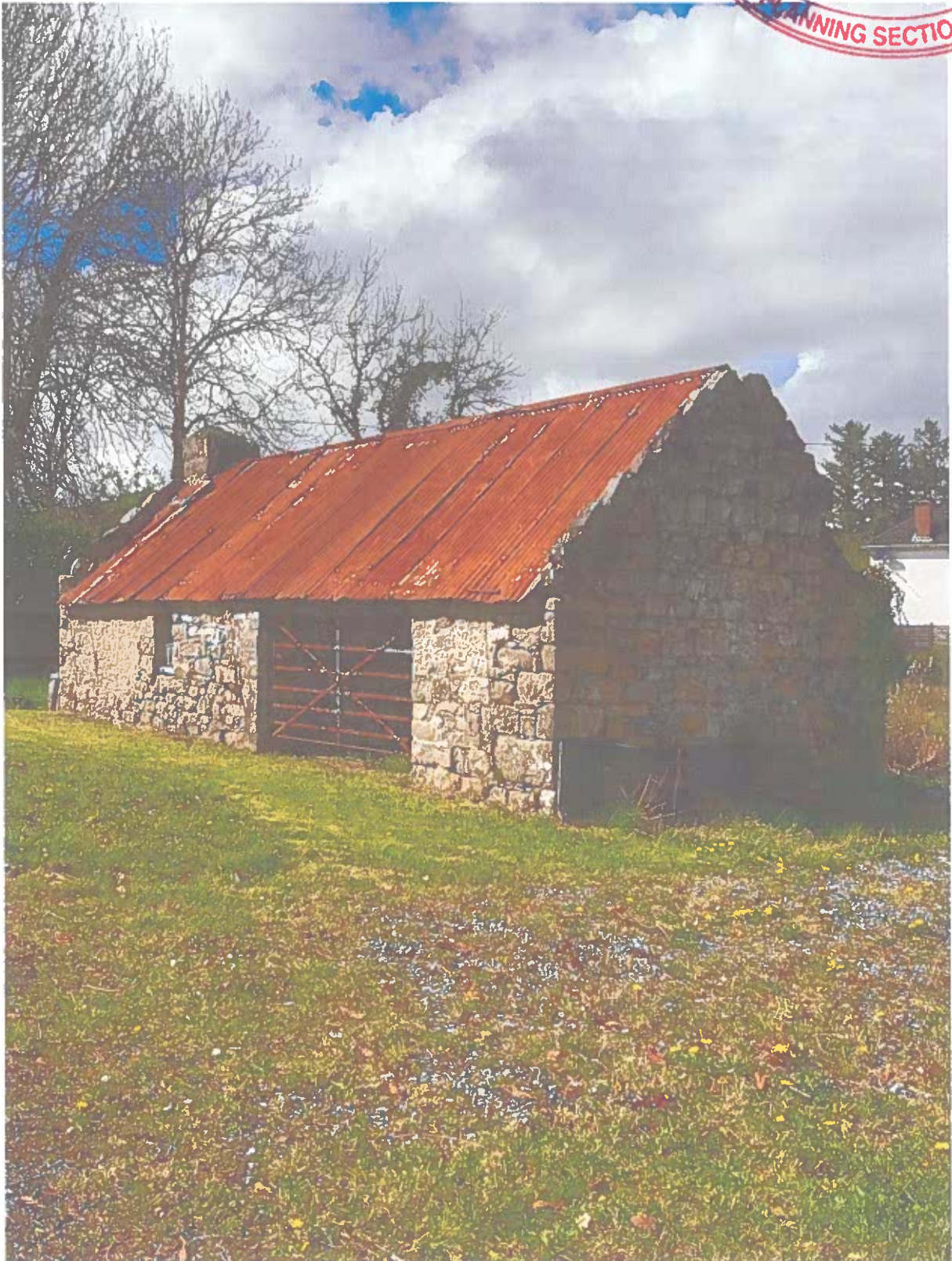
Colette Gallagher
Eddie Gallagher

EDDIE & COLETTE GALLAGHER

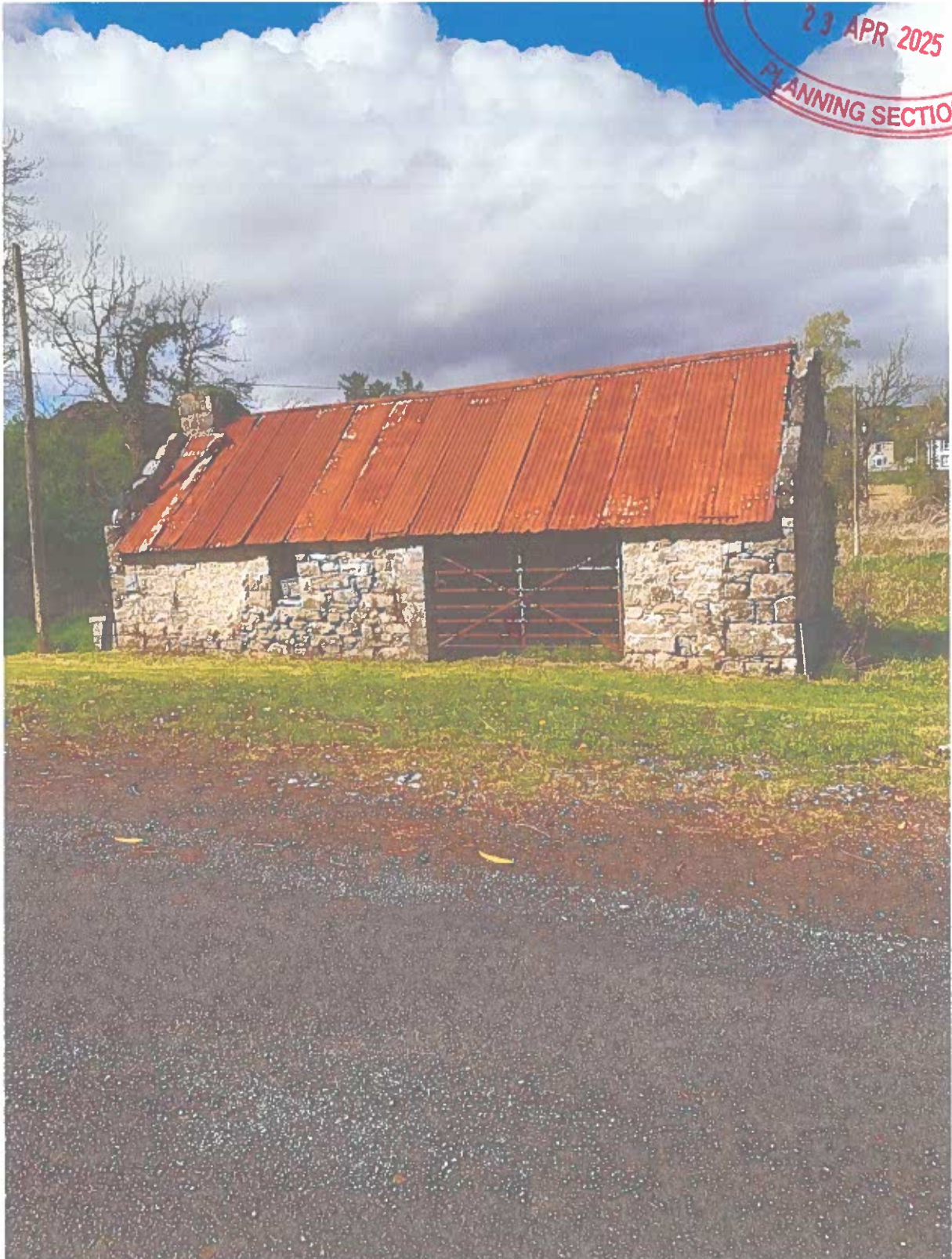




NEIGHBOURS HOUSE FIG. 1



EIGHBOURS HOUSE FIG. 2





St. Michael's Church

Drumlion, Co. Roscommon

1856 - 2006



Church, People and Landscape

Compiled and Edited by John Keenehan



34

Beirne's Egg and Poultry Business

Tom Beirne and John Keenehan

The Beirne family originally from Cornnamuckla, Carrick-on-Shannon, Co. Leitrim, had an egg business, buying and selling eggs in the locality. Their son Martin Beirne, purchased Hurdles house in Cortober in the 1900s. He married Bridget Keogh a native of Hillstreet. They had eight children, some of whom were employed in the family business.

Martin expanded the business collecting eggs and fowl in Roscommon, Leitrim and Sligo. They transported eggs and fowl to Dublin on the train, where whole sale companies purchased the goods and sold them to shops in Dublin.

One such company was Cartron Brothers. At Christmas they bought turkeys at the turkey markets in Leitrim, Sligo and Roscommon and exported them to England. Martin Beirne provided much needed employment in the locality, with as many as thirty people employed during busy periods. It was a thriving industry in Cortober for over forty years.



Fig. 197: Joe and Marty Beirne.

Photo: Courtesy of Rev. Tom Beirne.

CIE, Córas Iompair Éireann, wanted to take control of the transportation of goods in Ireland. CIE purchased a number of Martin Beirne's vehicles that were used to transport poultry, eggs and other goods. An application to CIE for a licence to transport goods became necessary. Farmers stopped rearing hens and selling eggs, this inevitably contributed to the decline in the poultry and eggs business in Cortober.

In the mid 1960s the business began to wind down and by the 1970s, the egg and poultry business ceased to exist. In the late 1970s his son, Marty, began to sell coal and turf, this business also came to an end in the mid 1990s.

The once-thriving business established by Martin Beirne no longer exists, the family home in Cortober lies idle but the sheds and the house stand in testimony to a family and a business that did so much for the Cortober Community.

Acknowledgements

Rev Tom. Beirne, Michael Kelly, JP. Clarke, Aidan Kelleher.



Comhairle Contae
Ros Comáin
Roscommon
County Council



Eddie & Colette Gallagher,

Date: 8th April, 2025
Reference: DED 852

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 refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring at Cortober, Carrick-on-Shannon, Co. Roscommon, is or is not development and is or is not exempted development.

A Chara,

Further to your application received on the 4th March, 2025 and in order for the Planning Authority to determine as to whether the refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring 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:

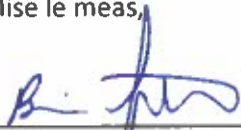
1. The structure inspected during the course of a site visit does not demonstrate the characteristics of a dwelling insofar as materials, openings and fenestration provision are considered more akin to a shed. Furthermore, if there was any residential occupation of this structure, it is clearly evident that such use has not been in effect for a substantial period of time. It is therefore considered reasonable to conclude that any semblance of residential use on this site has been abandoned.

In light of the foregoing considerations, you are invited to submit a detailed and evidence based response that clearly demonstrates the previous use of this property as a dwelling, in order to substantiate your application to refurbish this structure under Section 5 of the Planning and Development Act 2000 (as amended).

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 852**

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

Mise le meas,



**Brian Farragher,
Senior Executive Planner,
Planning.**

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

Reference Number:	DED 852
Re:	Permission for the refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring throughout under the Planning and Development Act (Exempted Development) Regulations 2018
Name of Applicant:	Eddie & Colette Gallagher
Location of Development:	Cortober, Carrick-on-Shannon, Co. Roscommon
Site Visit:	07/04/2025
Amendments to this report have been made electronically (identified in red font) by Brian Farragher SEP	

WHEREAS a question has arisen as to whether the following works for the refurbishment of derelict house with works including 1) strip out existing walls & floors; 2) install new ceiling joists, internal studwork, plasterboard & skim; 3) install wall and attic insulation; 4) re-wire the entire property; 5) re-plumb the existing property; 6) install new windows and doors; 7) replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8) complete second fix carpentry and internal painting and decoration; 9) construct a 33.7sq.m extension for new kitchen, bathroom & utility room & 10) install new flooring throughout **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 and 9 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 site consists of a single storey structure, and is accessed off the L 50804 Local Tertiary Road, approximately 1km southwest of Carrick-on-Shannon Town Centre. The proposed development

consists of refurbishing an existing structure including constructing an extension, install new windows and doors and replace existing roof with new corrugated metal roof.

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 in the likely zone of influence of the proposed development. It is noted however that the boundary to the south of the site may be in contact with Zone: R182696 which is the zone of influence surrounding a ringfort.

Appropriate Assessment

The closest European site to the proposed development is Lough Arrow SAC (Site Code: 001673) and Lough Arrow SPA (Site Code: 004050) which is located circa 16km to the north west 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 can, 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,

PART 1 - Article 6 - Exempted Development – General

Development within the curtilage of a house

Column 1 Description of Development	Column 2 Conditions and Limitations
<p>Class 1</p> <p>The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.</p>	<p>1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</p> <p>(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.</p> <p>(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.</p> <p>2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning</p>

permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

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

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

	<p>(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden.</p>
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Initial Planning Assessment

In accordance with the Planning and Development Act, 2000, as amended 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 stated works for renovating the existing dwelling house include:

- Strip out existing walls and floors
- Install new ceiling joists, internal studwork, plasterboard and skim
- Install wall and attic insulation
- Re-wire the existing property
- Re-plumb the existing property
- Install new windows and doors
- Replace the existing roof with corrugated metal and install new flat roof to proposed extension
- Complete second fix carpentry and internal painting and decoration
- Construct a 33.7sq.m extension for new kitchen, bathroom and utility room
- Install new flooring throughout

These works have been 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.

However, based on a site inspection I am not satisfied that the existing structure could be considered an existing dwelling. Following review of historic ortho photographic imagery and based on a site inspection I have concluded that the existing structure is in an advanced state of dereliction, and the planning authority has concerns regarding the previous use of the structure. The applicant will need to clarify this before an assessment can be made on this application.

Recommendation

Request the following further information:

The structure inspected during the course of a site visit does not demonstrate the characteristics of a dwelling insofar as materials, openings and fenestration provision are considered more akin to a shed. Furthermore, if there was any residential occupation of this structure, it is clearly evident that such use has not been in effect for a substantial period of time. It is therefore considered reasonable to conclude that any semblance of residential use on this site has been abandoned.

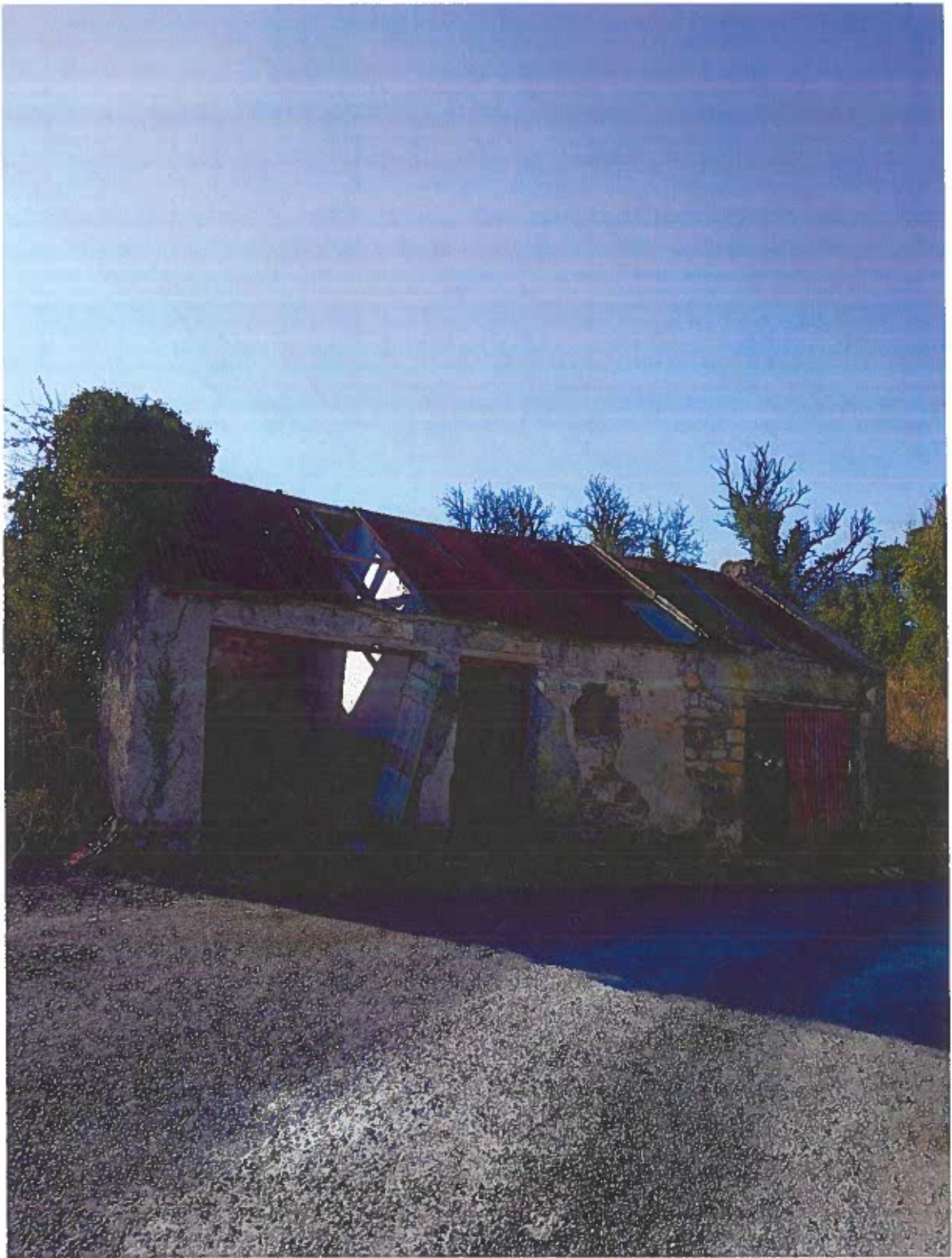
In light of the foregoing considerations, you are invited to submit a detailed and evidence based response that clearly demonstrates the previous use of this property as a dwelling, in order to substantiate your application to refurbish this structure under Section 5 of the Planning and Development Act 2000 (as amended).

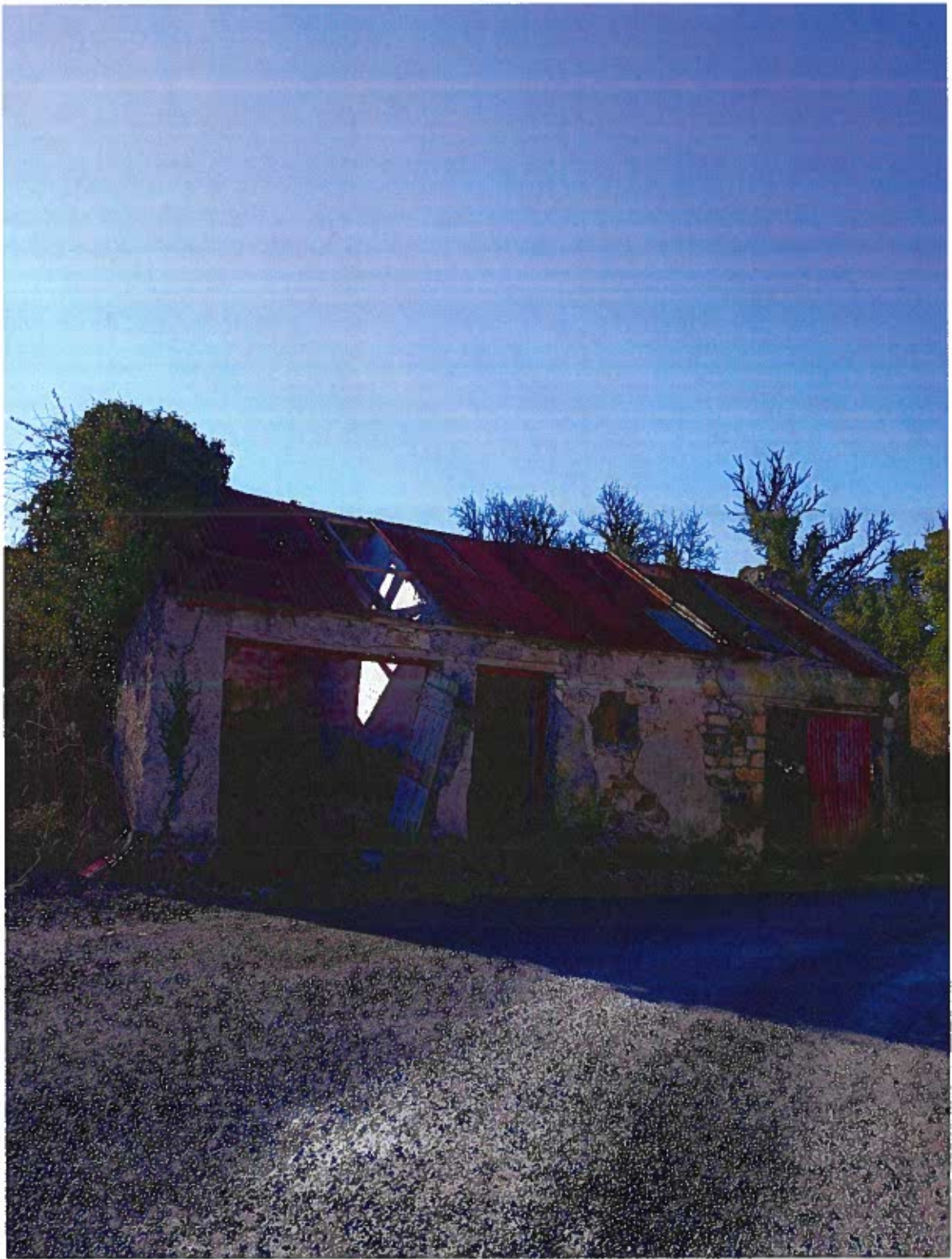
Signed: 
Graduate Planner

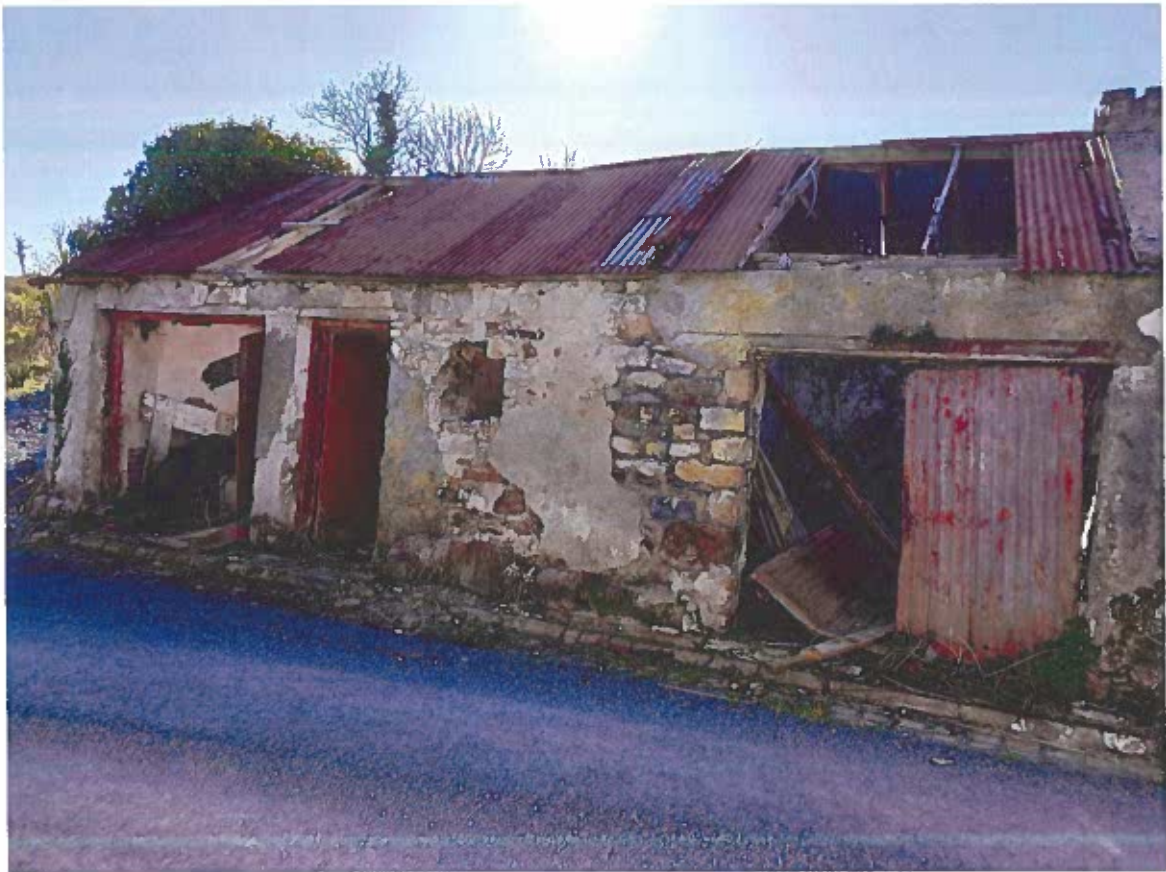
Date: 7th April 2025

Signed: 
Senior Executive Planner

Date: 8th April 2025





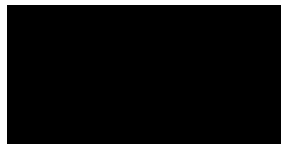




Comhairle Contae
Ros Comáin
Roscommon
County Council



Eddie & Colette Gallagher,



Date: 5th March, 2025

Planning Reference: DED 852

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

Development: Permission for the refurbishment of derelict house with works including 1)strip out existing walls & floors; 2)install new ceiling joists, internal studwork, plasterboard & skim; 3)install wall and attic insulation; 4)re-wire the entire property; 5)re-plumb the existing property; 6)install new windows & doors; 7)replace the existing roof with corrugated metal and install new flat roof to proposed extension; 8)complete second fix carpentry and internal painting & decoration; 9)construct a 33.7sqm extension for new kitchen, bathroom & utility room & 10)install new flooring throughout under the Planning & Development Act (Exempt Development) Regulations 2018 at Cortober, Carrick-on-Shannon, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of the application which was received on the 4th March, 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/01/0/233439 dated 4th March, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is DED 852
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner
Planning Department.

Roscommon County Council
Aras an Chontae
Roscommon
09086 37100

04/03/2025 15:01:10

Receipt No.: L01/0/233439

EDDIE & COLETTE O'LAGHER

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-variable	
DED852	

Total :	80.00 EUR
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Tendered :	
Cheque	80.00
500133	

Change :	0.00
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Issued By : Louis Carroll
From : Central Cash Office

DEC 822

[REDACTED]

3rd March 2025

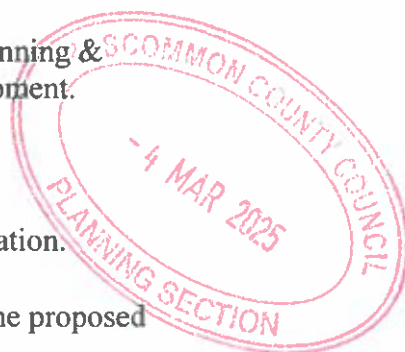
Planning Department
Roscommon County Council
Áras an Chontae
Roscommon
Co Roscommon
F42 VR98

Re: Refurbishment of existing dwelling and proposed new extension to rear of dwelling at Cortober Td, Carrick-on-Shannon, Co. Roscommon.

Dear Sir/Madam,

Please find attached the following documentation in relation to the above proposed works;-

- Completed Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
- €80 Application Fee.
- Site Location Map to the scale of 1:2500 clearly identifying the location.
- Site Layout Plan to the scale of 1:500 indicating exact location of the proposed development.
- Detailed specification of development proposed.



I trust this is in order.

Yours sincerely,

Colette Gallagher
Eddie Gallagher

EDDIE & COLETTE GALLAGHER



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)	Eddie & Colette Gallagher 
Name of Agent	None
Nature of Proposed Works	Refurbish derelict house and add a small extension under 40sqm in accordance with the Planning and Development Act (Exempt Development) Regulations 2018, as per the Vacant Property Refurbishment Grant Croi Cónaithe Towns Fund.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Cortober, Carrick-on-Shannon, Co. Roscommon (Adjacent to N41 Y9A2)
Floor Area: a) Existing Structure b) Proposed Structure	a) 35.36 sqm b) 33.70 sqm
Height above ground level:	4.2m
Total area of private open space remaining after completion of this development	856 sqm
Roofing Material (Slates, Tiles, other) (Specify)	Corrugated metal pitched roof to existing dwelling. Proposed new flat roof to rear 33.7 sqm extension.



Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Plaster
Is proposed works located at front/rear/side of existing house.	Rear
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 dwellinghouse currently used for storage.
Proposed use of land or structure	Refurbish dwellinghouse.
Distance of proposed building line from edge of roadway	Existing -1.25 from edge of road. Extension -5.85 from edge of road.
Does the proposed development involve the provision of a piped water supply	Yes- existing water supply on land.
Does the proposed development involve the provision of sanitary facilities	Yes - Proposed new wastewater connection to public supply granted under Irish Water Connection Reference No [REDACTED] pre-connection enquiry

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

Signature: Lolette Gallagher
Eddie Gallagher

Date: 03.03.2025

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

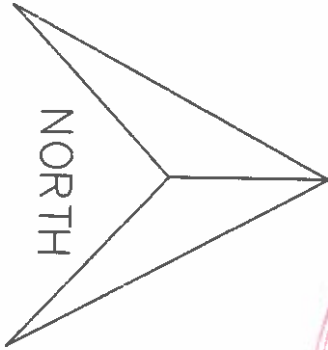
DETAILED SPECIFICATION OF DEVELOPMENT PROPOSED

- Strip out existing walls and floors.
- Install new ceiling joists, internal studwork, plasterboard and skim.
- Install wall and attic insulation.
- Rewire the existing property.
- Replumb the existing property.
- Install new windows and doors.
- Replace the existing roof with corrugated metal and install new flat roof to proposed extension.
- Complete second fix carpentry and internal painting and decoration.
- Construct a 33.7 sqm extension for new kitchen, bathroom and utility room.
- Install new flooring throughout.

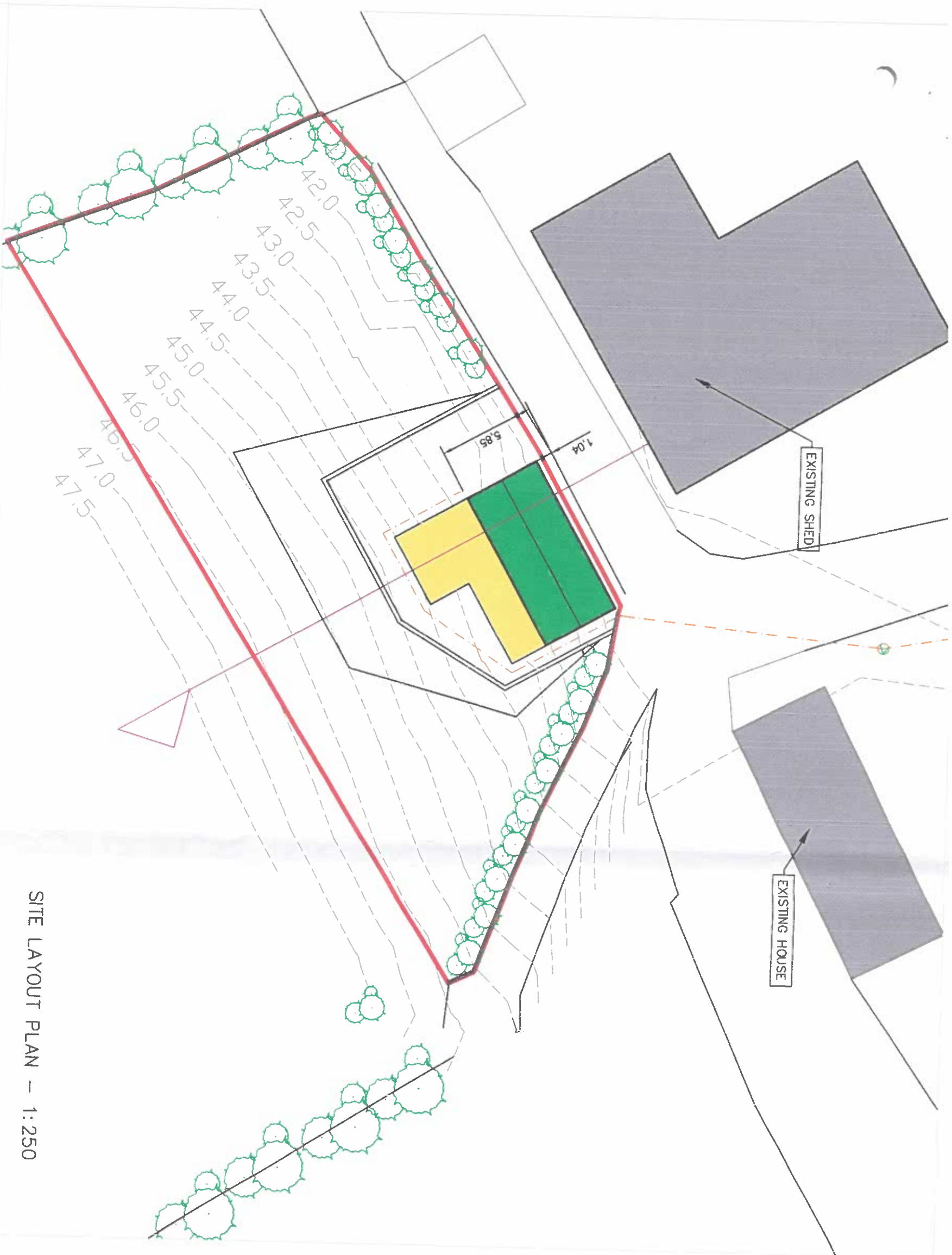




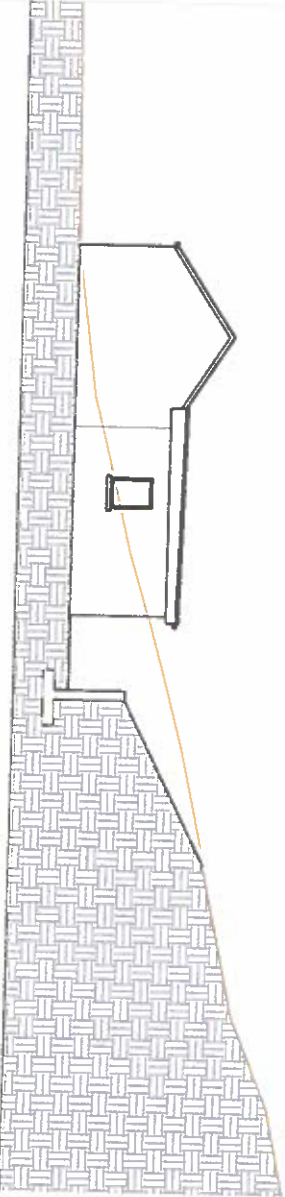
Site Outline in Red



PROJECT			
REFURBISHMENT & EXTENSION TO HOUSE AT, CORTOBER TD, CARRICK ON SHANNON, CO ROSCOMMON FOR EDDIE & COLETTE GALLAGHER			
TITLE	SITE LOCATION MAP		
DRAWING No	03	SCALE	1:2500
DRAWN BY	E GALLAGHER	DATE	FEB 2025

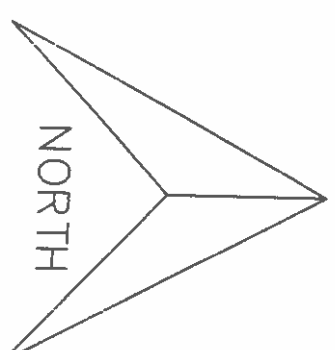


SITE SECTION - 1:200

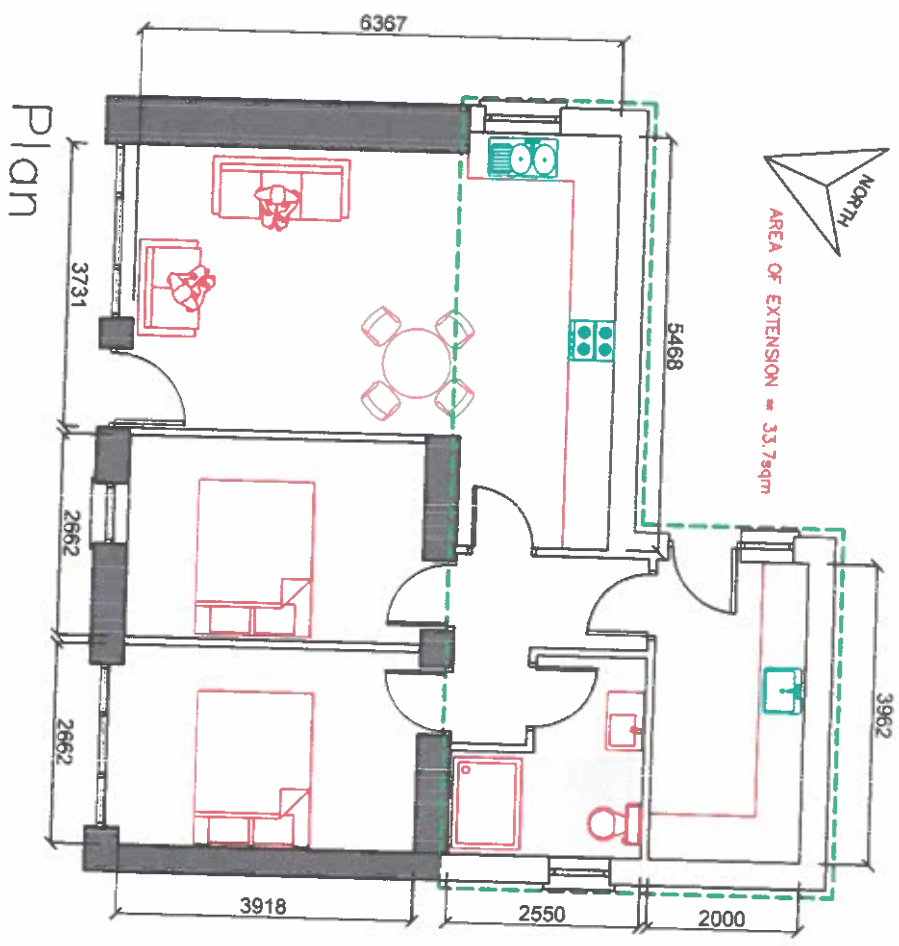


SITE LAYOUT PLAN - 1:250

- SITE OUTLINED IN RED
- EXISTING DWELLING HOUSE
FFL 41.465
- PROPOSED EXTENSION
FFL 41.465
- EXISTING NEARBY BUILDINGS
- SURFACE WATER DRAINAGE
- FOUL WATER DRAINAGE
- CONTOUR LINE
- EXISTING TREES/HEDGE

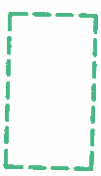
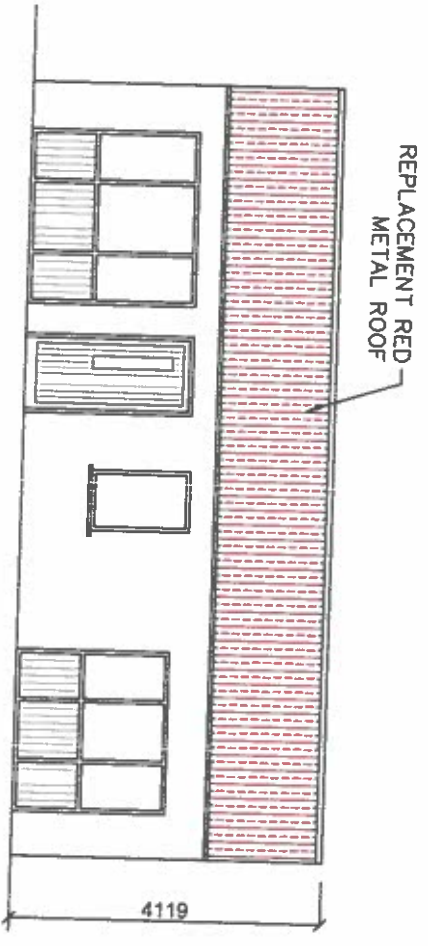


PROJECT			
REFURBISHMENT & EXTENSION TO HOUSE A1, CORTOBER TD, CARRICK ON SHANNON, CO ROSCOMMON FOR EDDIE & COLETTE GALLAGHER			
TITLE	SITE LAYOUT PLAN & SECTION		
DRAWING No	02	SCALE	1:250 & 1:200
DRAWN BY	E GALLAGHER	DATE	FEB 2025



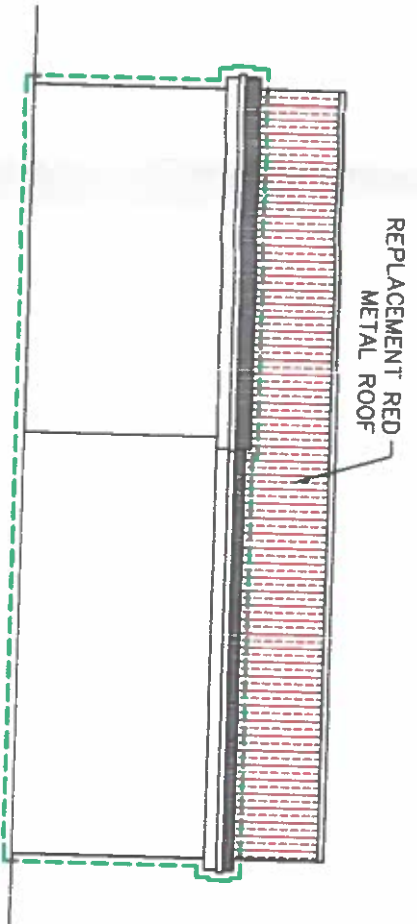
Plan

Front Elevation



New Extension Outlined
in Green

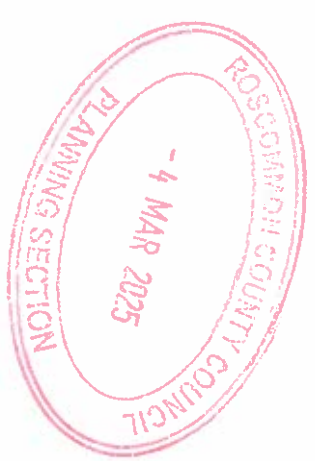
Rear Elevation



Side Elevation



Side Elevation



PROJECT			
REFURBISHMENT & EXTENSION TO HOUSE AT, CORTOBER TD, CARRICK ON SHANNON, CO ROSCOMMON FOR EDDIE & COLETTE GALLAGHER			
TITLE	PLAN & ELEVATIONS OF HOUSE		
DRAWING NO	01	SCALE	1:100
DRAWN BY	E GALLAGHER	DATE	FEB 2025