

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Bernard & Caroline Pease,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Reference Number: DED 856
Application Received: 5th March, 2025
Name of Applicants: Bernard & Caroline Pease
Agent: N/A

WHEREAS a question has arisen as to whether the extension of the current back kitchen to larger wrap around kitchen/diner with utility & to add ensuite/WIR to master bedroom at Castlecole, Castlerea, Co. Roscommon, F45 WP46, 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.

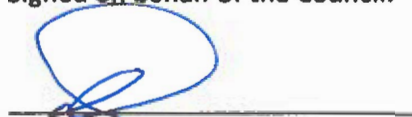
AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed 2no. extensions to rear of a dwelling house as described in this case is 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 extend current back kitchen to larger wrap around kitchen/diner with utility & to add ensuite/WIR to master bedroom at Castlecole, Castlerea, Co. Roscommon, F45 WP46, 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: 12th March, 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.

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

Reference Number:	DED 856
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding exempted development of permission to extend current back kitchen to larger wrap around kitchen/diner with utility & to add ensuite/WIR to master bedroom.
Name of Applicant:	Bernard & Caroline Pease
Location of Development:	Castlecole, Castlerea, Co. Roscommon. (F45 WP46)
Site Visit:	10/03/2025

WHEREAS a question has arisen as to whether the following works; to extend current back kitchen to larger wrap around kitchen/diner with utility & to add ensuite/WIR to master bedroom 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) 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

Site Location & Development Description

The subject site is located in Castlecole, Castlerea, Co. Roscommon and is accessed via a laneway of the L-1613 road. The subject site contains a single story cottage with a flat roof annex to the side. There's a garage/store to the rear of the site with large garden areas to the front side and rear of the existing house. The proposed works is the construction of an extension to the rear of the dwelling to form a larger kitchen and a separate extension also to the rear to form an ensuite to a bedroom.

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

Appropriate Assessment

The closest European site to the site of the development is Bellanagare Bog PNHA/SAC/SPA (Site Code 000592/ 004105) which is located circa .5km to the west and 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 has been traced relating to the subject 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,

Class 1 of Part 1 of Schedule 2: Exempted development - General

Description of Development	Conditions and Limitations
<p><i>Development within the curtilage of a house</i></p> <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 permission has been obtained, shall not exceed 40 square metres.</p> <p>(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.</p> <p>(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.</p> <p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p> <p>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.</p> <p>(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.</p> <p>(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.</p> <p>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.</p> <p>6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.</p> <p>(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.</p> <p>388 (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>

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 proposed development of 2no. extensions to the rear of a dwelling house which, it is stated as having a combined floor space of 36.37m².

With regard to the compliance with the conditions and limitations of Class 1 of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

1. a. Proposed work is stated as 36.37m².
b. Proposed extension is on ground floor only, therefore N/A.
c. Proposed work is only on ground floor level.
2. Annex to the side appears to be part of the original build and is stated as built pre 1963, therefore N/A.
3. Proposed work is only on ground floor level.
4. a. Rear wall does not exceed this height.
b. Rear wall does not include a gable, therefore N/A.
c. Proposed flat roof extension does not exceed the height of the eaves of the existing dwelling.
5. Extension does not reduce the open space to less than 25m²
6. a. Windows are greater than 1m from the boundary it faces.
b. Proposed work is only on ground floor level.
c. Proposed work is only on ground floor level.
7. Existing house is single story and no access is indicated.

Having reviewed the existing works in the context of the Conditions and Limitations associated with Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the 2no. extensions to rear of a dwelling house as described in this case is considered an exempted 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 extend current back kitchen to larger wrap around kitchen/diner with utility & to add ensuite/WIR to master bedroom in Castlecole, Castlerea, 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) 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 I have concluded that

- The works outlined above are development.
- The proposed 2no. extensions to rear of a dwelling house as described in this case is 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 extend current back kitchen to larger wrap around kitchen/diner with utility & to add ensuite/WIR to master bedroom in Castlecole, Castlerea, Co. Roscommon is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.



Signed:

Date: 10th March 2025

Civil Technician



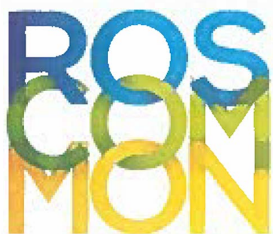
Signed:

Date: 10th March 2025

Senior Executive Planner







Comhairle Contae
Ros Comáin
Roscommon
County Council



Bernard & Caroline Pease,

Date: 5th March, 2025
Planning Reference: DED 856

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

Development: Permission to extend current back kitchen to larger wrap around kitchen/diner with utility & to add ensuite /WIR to master bedroom under the Planning & Development Act (Exempt Development) Regulations 2018 at Castlecole, Castlereagh, Co. Roscommon, F45 WP46.

A Chara,

I wish to acknowledge receipt of the application which was received on the 5th 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/01/0/233483** dated 5th March, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 856**
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
09066 37100

05/03/2025 14:21:55

Receipt No : L01/0/233483

CAROLINE PEASE



EXEMPTED DEVELOPMENT

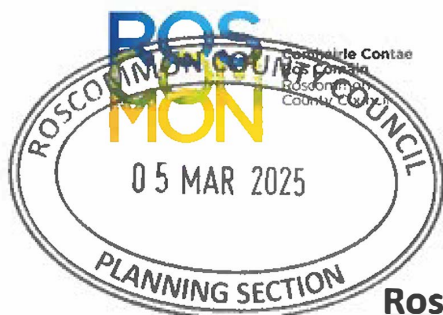
PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 856	

Total : 80.00 EUR

Tendered
Credit/Debit Card 80.00
1854

Change : 0.00

Issued By : Louis Carroll
From : Central Cash Office



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)	Bernard & Caroline Pease
Name of Agent	N/A
Nature of Proposed Works	<ol style="list-style-type: none"> 1. Extend current back kitchen to larger wrap around kitchen/diner with utility. 2. Add ensuite/WIR to master bedroom.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Castlecole, Castlerea, Co. Roscommon F45 WP46
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>101.95 m²</u> b) <u>36.37m²</u>
Height above ground level:	5.2m
Total area of private open space remaining after completion of this development	2112.68 m ²
Roofing Material (Slates, Tiles, other) (Specify)	Existing slates. Flatroof extension to be zinc cladding.

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Same as existing pebbledash.
Is proposed works located at front/rear/side of existing house.	Side and rear
Has an application been made previously for this site	No - house built pre-1964, no extensions.
If yes give ref. number (include full details of existing extension, if any)	N/A
Existing use of land or structure	Residential/agricultural
Proposed use of land or structure	Residential/agricultural
Distance of proposed building line from edge of roadway	19.15m
Does the proposed development involve the provision of a piped water supply	Already existing.
Does the proposed development involve the provision of sanitary facilities	Already existing.

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

Signature:

C. Pease

Date:

05/03/2025

Note: This application must be accompanied by: -

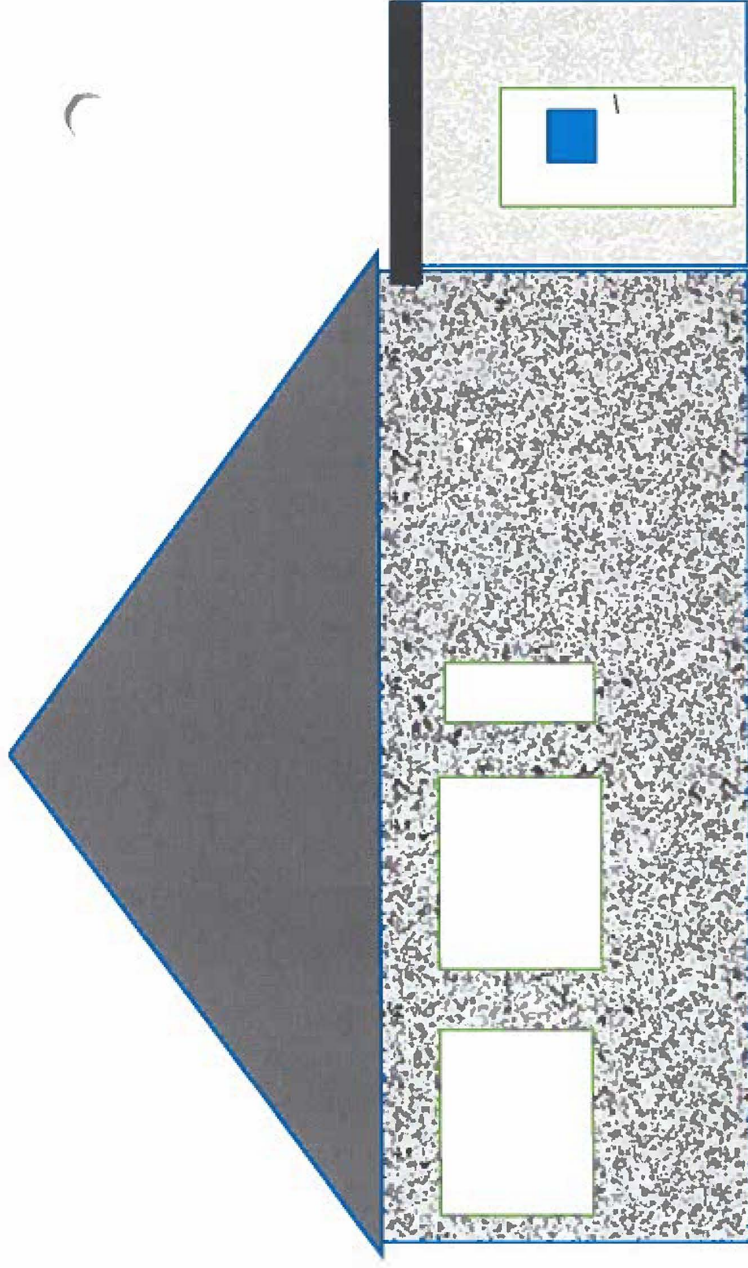
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed



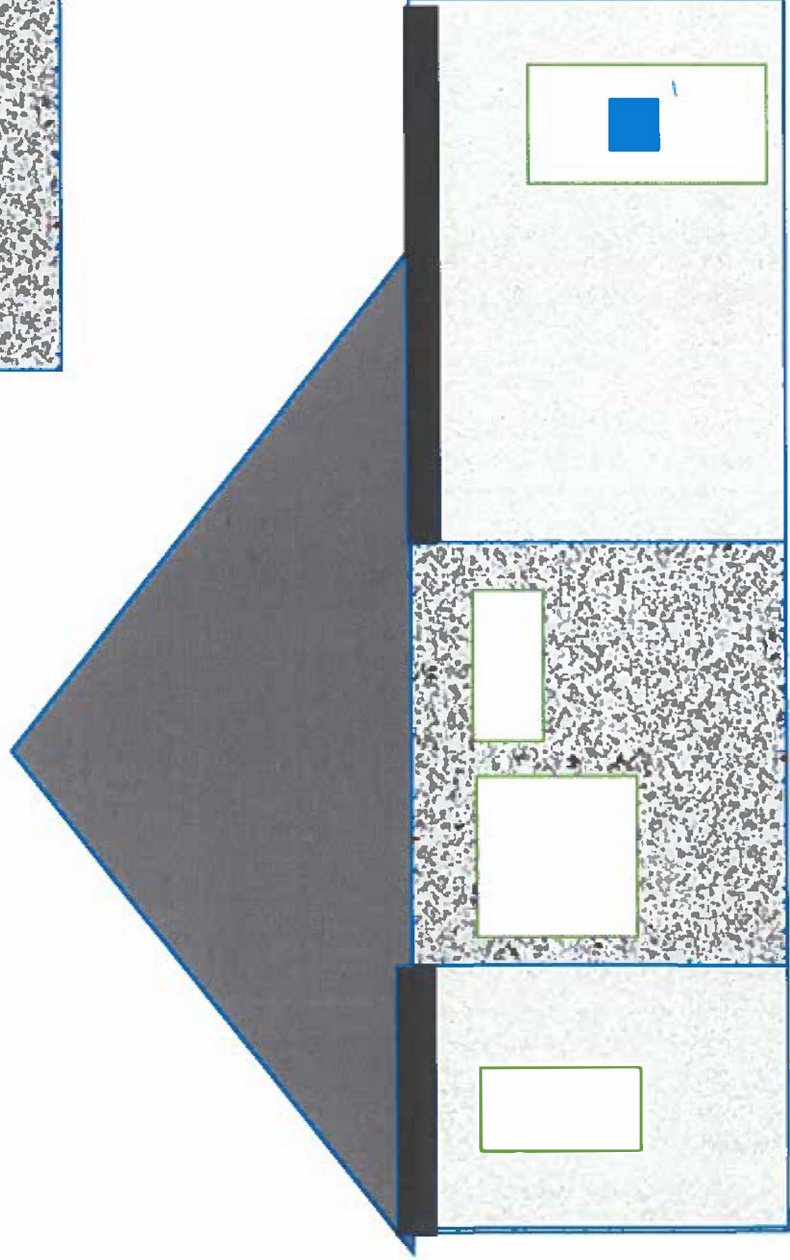
Site Location Map



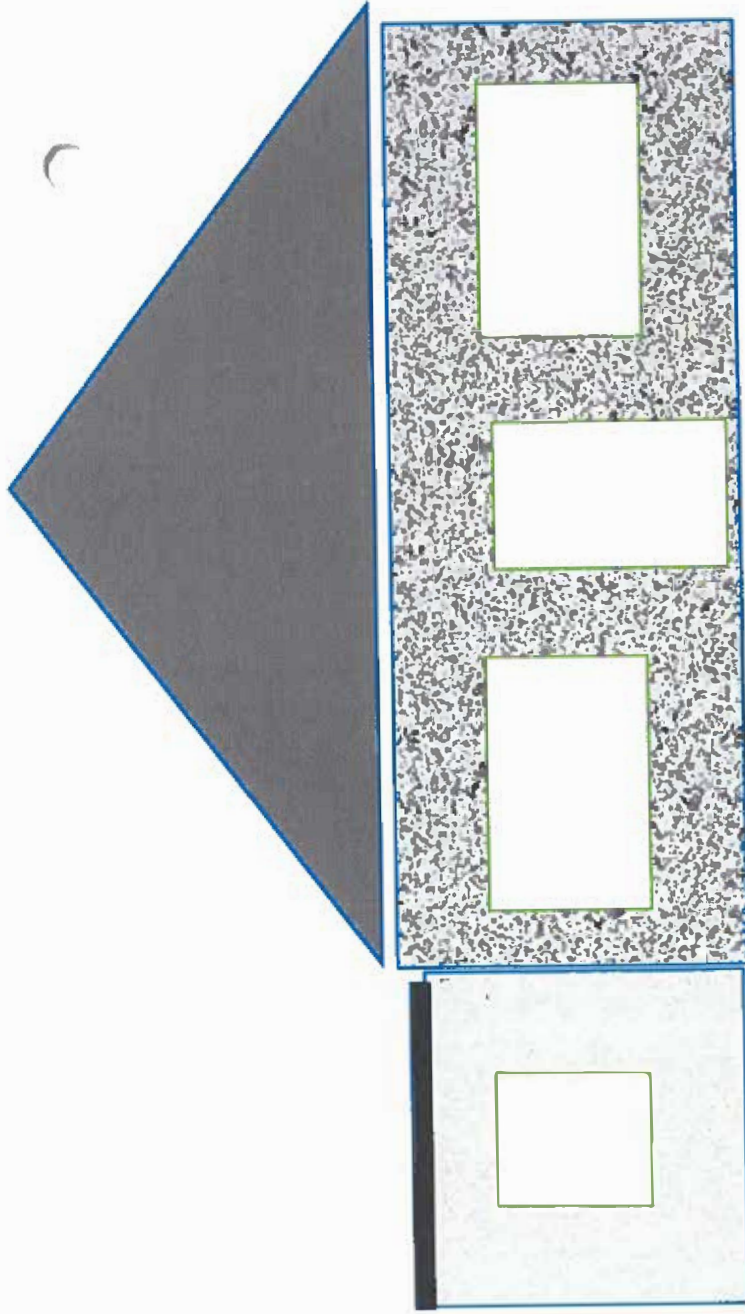
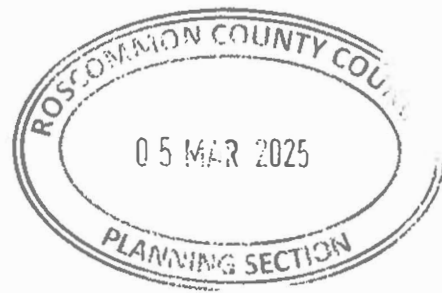
East Elevation - Existing



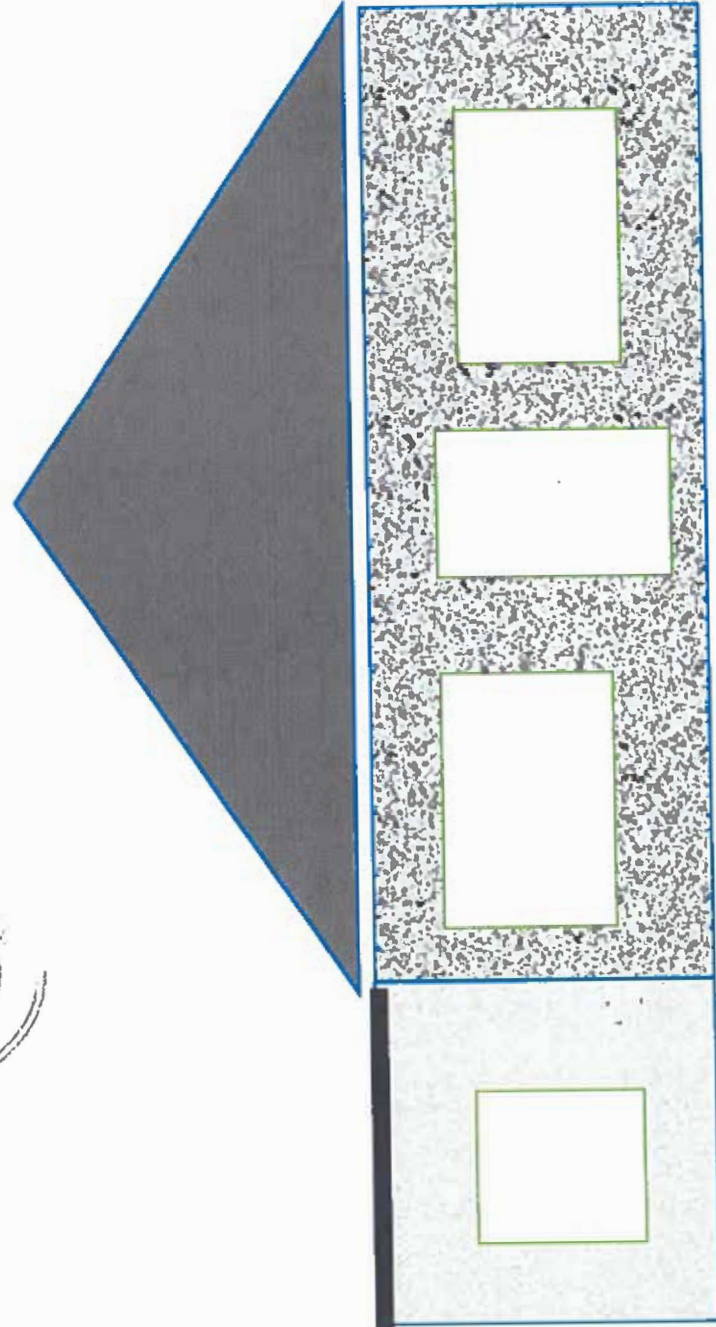
East Elevation - Proposed



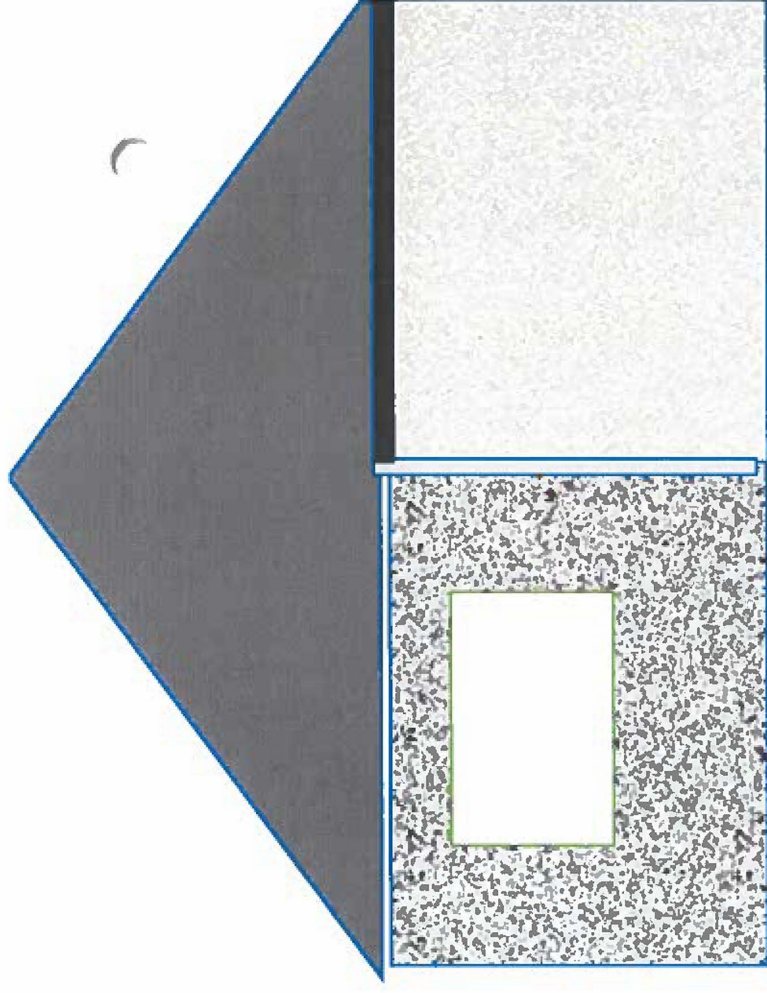
West Elevation - Existing



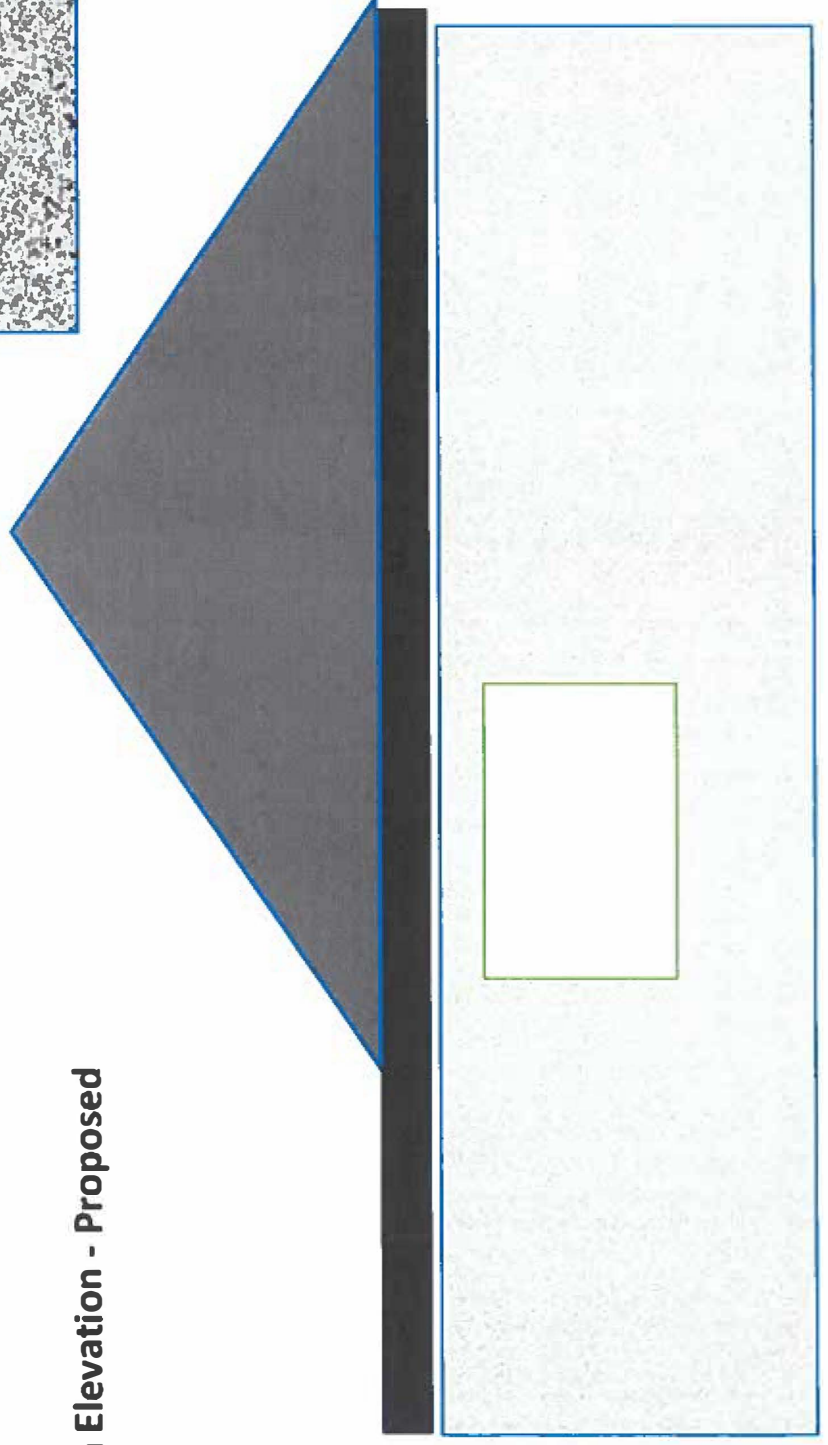
West Elevation - Proposed



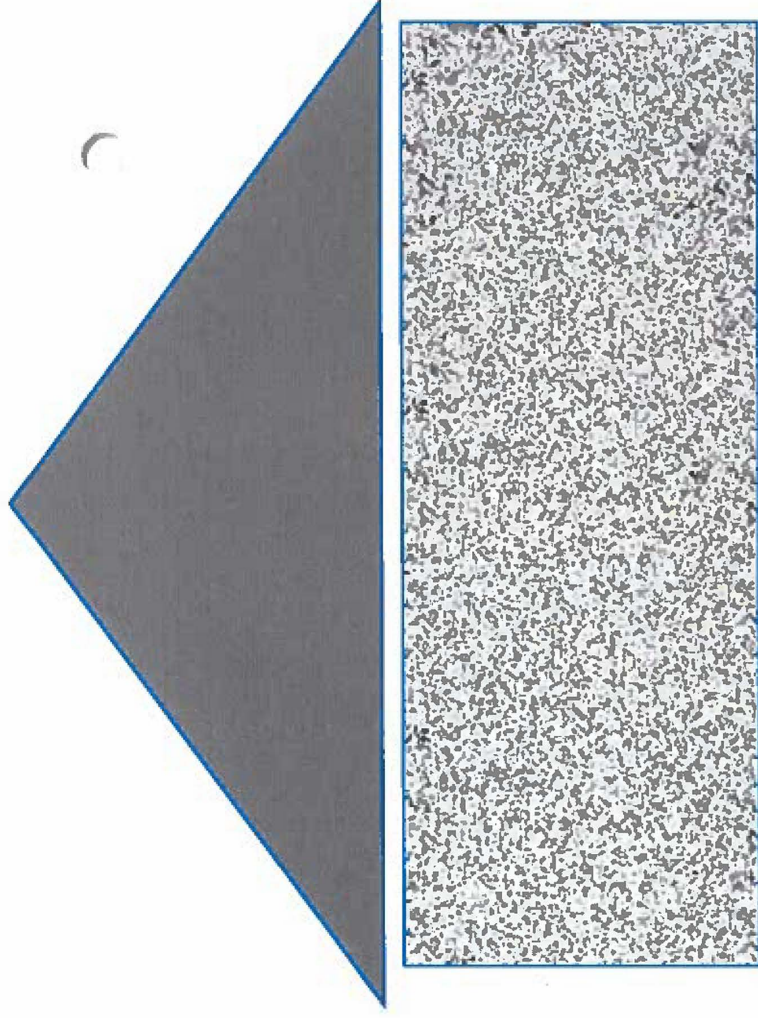
South Elevation - Existing



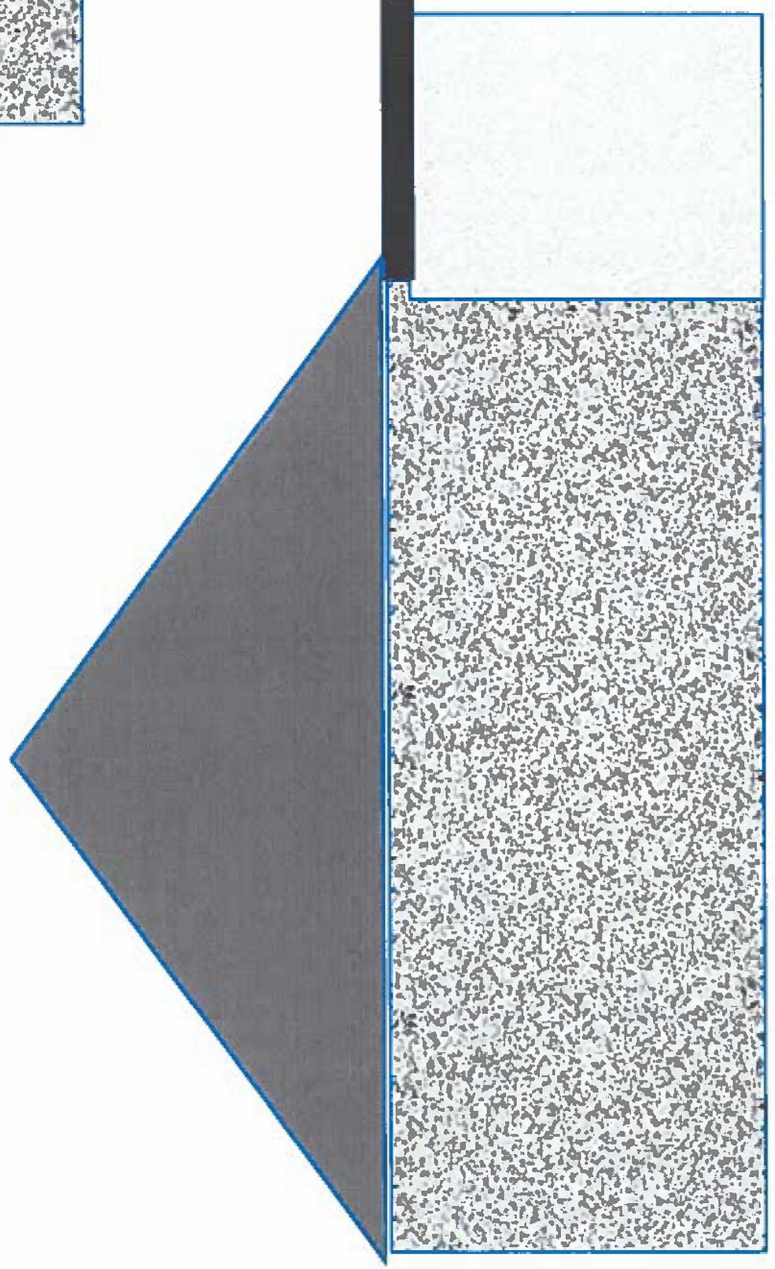
South Elevation - Proposed



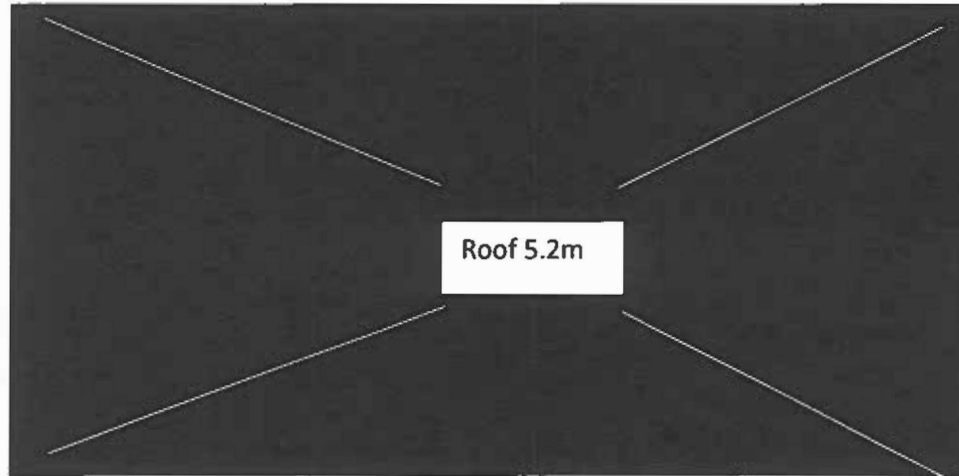
North Elevation - Existing



North Elevation - Proposed



Front Boundary (West)
13.5m



Roof 2.4m

Side Boundary (South)
24.5

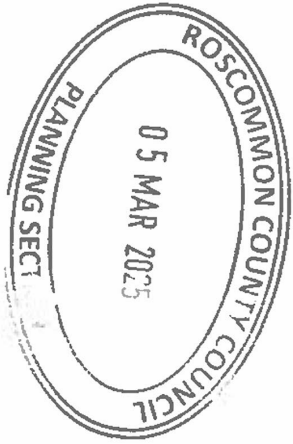
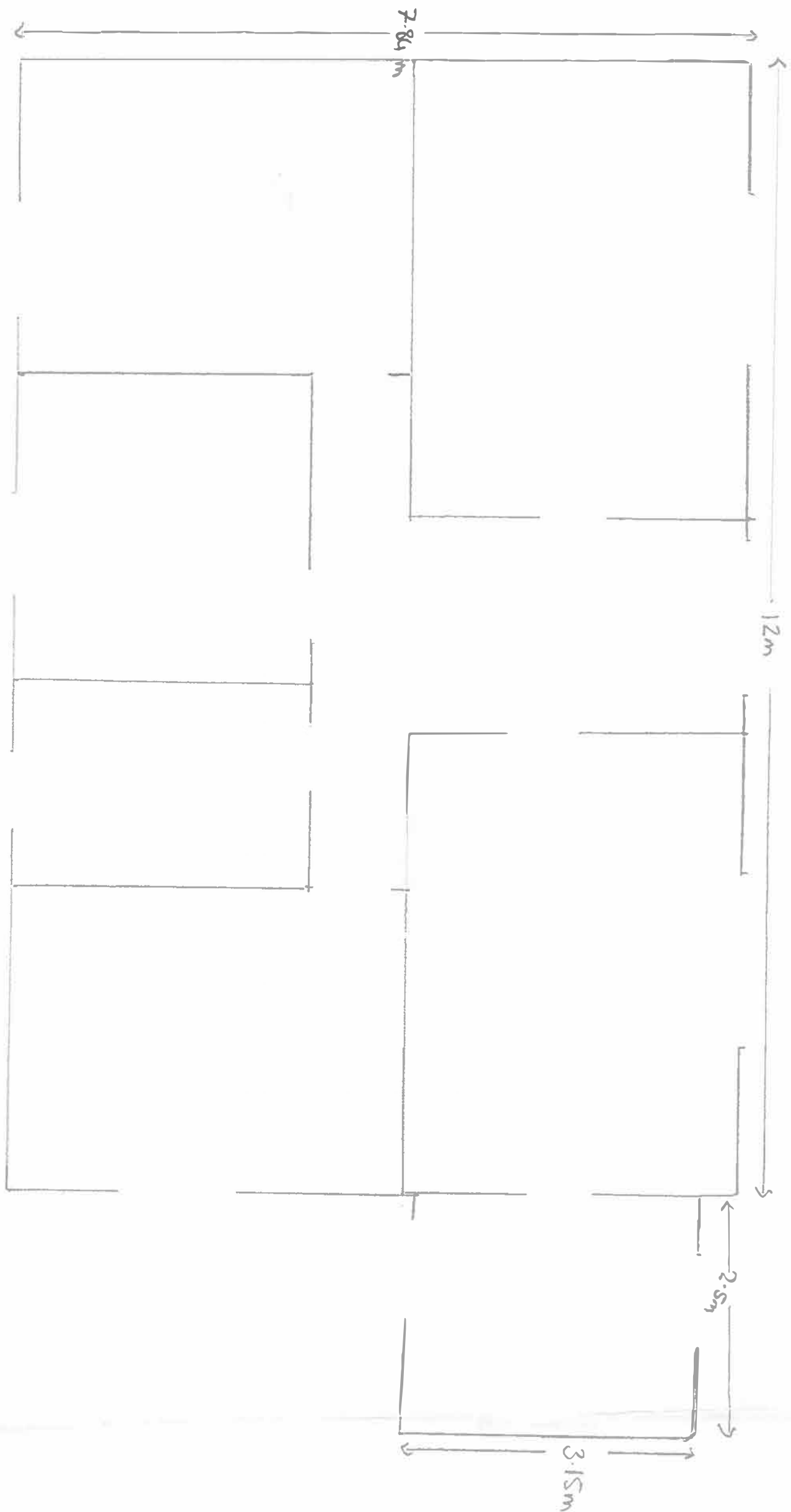


Back Boundary (North)
23m



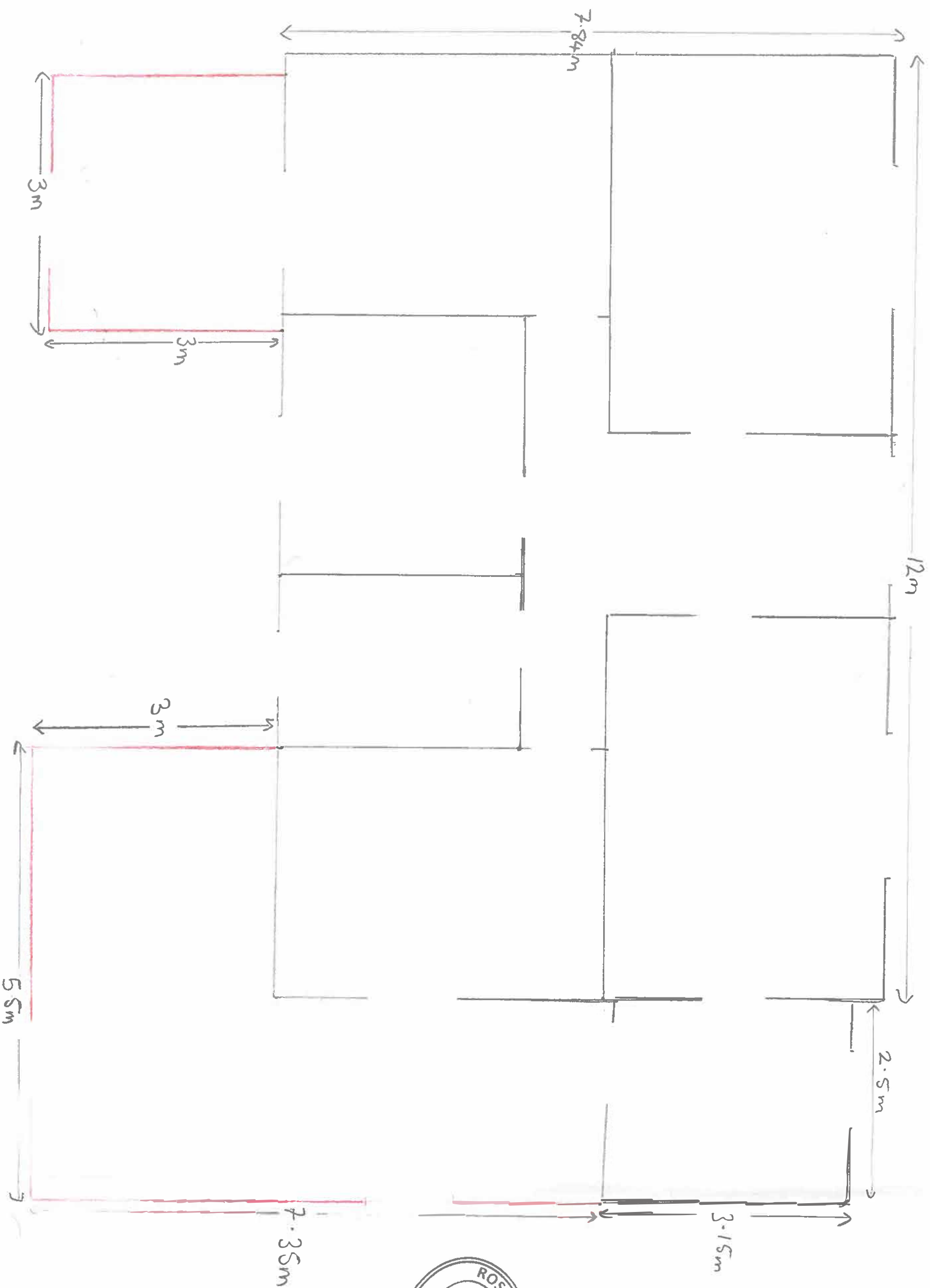
Side Boundary (East)
16.5m





2cm = 1m

Proposed Plan



2cm = 1mtr

