

ROSCOMMON COUNTY COUNCIL

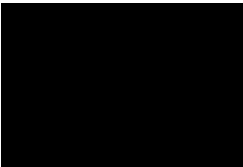
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Suryanarayan Patra,



Reference Number: DED 861
Application Received: 18th March, 2025
Name of Applicant: Suryanarayan Patra
Agent: T & R Designs

WHEREAS a question has arisen as to whether the internal layout changes to an existing first floor office space at First Floor Unit, Inver Geal Medical Centre, 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 proposed development i.e. internal layout changes to an existing first floor office space as described relate to commercial floorspace the use of which has changed materially from a medical centre (Planning Reg. Ref. PD/99/1451 Refers) without the benefit of planning permission. Planning consent would have been required in order to materially change the use from Class 8 medical centre to Class 3 office use of the Classes of Use set out in Part 4 Article 10 of the Planning and Development Regulations 2001 (as amended).
- (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 for internal layout changes to an existing first floor office space at First Floor Unit, Inver Geal Medical Centre, Cortober, Carrick-on-Shannon, Co. Roscommon, N41 T6D7., 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: 29th May, 2025

cc agent via email: T & R Designs
info@tandrdesigns.ie

ADVICE NOTE

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

Carmel Curley

From: Carmel Curley
Sent: Friday 30 May 2025 10:38
To: Surya Patra
Cc: info@tandrdesigns.ie
Subject: DED 861 - Notification of Decision
Attachments: DED 861 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for the Section 5 Declaration of Exempted Development Application, DED 861.

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 861
Re:	Permission for internal layout changes to existing first floor office spaces under the Planning and Development Act (Exempted Development) Regulations 2018
Name of Applicant:	Suryanarayan Patra
Location of Development:	First Floor Unit, Inver Geal Medical Centre, Cortober, Carrick-on-Shannon, Roscommon, N41 T6D7.
Site Visit:	07/04/2025

WHEREAS a question has arisen as to whether the following works for internal layout changes to existing first floor office spaces 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 is located in the Inver Gael Housing Estate in Cortober, just outside Carrick-on-Shannon, and is accessed off the N4. The proposed development consists of completing internal alterations to an existing office building.

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.

Appropriate Assessment

The closest European site to the proposed development is Annaghmore Lough SAC (Site Code: 001626) which is located circa 15.5km to the south 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

05/1286: Incomplete application.

02/1248: Permission granted for the use of Units 8 & 9 as Sports Clothing & Equipment Shop (as required by Condition No. 40 of PL. Ref. PD/99/1451).

02/108: Permission granted for 1 no. two-storey townhouse in Block T1 to be amended to a three storey townhouse.

01/1420: Permission granted for 5 no. 2 storey townhouses amended to 3 storey and 10 no. penthouse apartments to be amended to 20 no. standard apartments, planning permission & retention of 3 no. three story townhouses from planning permission PD/99/1451.

99/1451: Permission granted for residential, retail and leisure housing apartments, Marine Medical Centre, Travel Lodge, petrol filling station, 4 screen cinema and Leisureplex.

PP 4698: The meeting occurred on 6th March 2025 and the following conclusions were made:

- Planning permission would be required for a change of use;
- The proposal is acceptable in principle;
- The applicant was requested to submit details to demonstrate that no intensification of use will occur as a result of the proposed development.

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 (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, 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 proposal is for internal layout changes to an existing first floor office space. These works have been considered in the context of Section 4 (1)(h) of the Act, which consists of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The proposed works appear to be of such nature as to be consistent with this provision of the Planning and Development Act. In this instance however the said development relates to commercial space the use of which appears to have changed materially without the benefit of planning permission.

Following a review of the file it is noted that under Planning Ref. PD/99/1451 pertains to the use of the building as a medical centre. It is noted that a Fire Safety Certificate dated 20th July 2020 is on file which pertains to the 'Change of use to Office Unit on First Floor at Block A3, Inver Geal, Cortober, Carrick-on-Shannon, Co. Roscommon' however no planning permission has been traced to this change of use. This fire safety certificate states that following works the building will comply with Part B of Schedule 2 of the Building Regulation 1997 to 2019 and does not confer grant of planning permission for the change of use of the building. Therefore planning consent is required in order to materially change the use of the first floor space from Class 8 medical centre to Class 3 office use of the Classes of Use set out in Part 4 Article 10 of the Planning and Development Regulations 2001 (as amended).

With Regard to Article 9 (1)(a) of the Planning and Development Regulations 2001 (as amended), 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 whether a proposed development; for internal layout changes to existing first floor office spaces as outlined above at First Floor Unit, Inver Geal Medical Centre, Cortober, Carrick-on-Shannon, Roscommon, N41 T6D7 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 proposed development i.e. internal layout changes to an existing first floor office space as described relate to commercial floorspace the use of which has changed materially from a medical centre (Planning Reg. Ref. PD/991451 Refers) without the benefit of planning permission. Planning consent would have been required in order to materially change the use from Class 8 medical centre to Class 3 office use of the Classes of Use set out in Part 4 Article 10 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 to for internal layout changes to an existing first floor office space as outlined above at First Floor Unit, Inver Geal Medical Centre, Cortober, Carrick-on-Shannon, Roscommon, N41 T6D7, is not an exempted development and I recommend that a declaration to that effect should be issued to the applicant.

Signed:

Smith O'Grady

Graduate Planner

Date: 9th May 2025

Signed:

[Signature]

Senior Executive Planner

Date: 29th May 2025









Comhairle Contae
Ros Comáin
Roscommon
County Council



Suryanarayan Patra,

Date: 20th March, 2025
Planning Reference: DED 861

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

Development: Permission for internal layout changes to existing first floor office spaces under the Planning & Development Act (Exempt Development) Regulations 2018 at First Floor Unit, Inver Geal Medical Centre, Cortober, Carrick-on-Shannon, Co. Roscommon, N41 T6D7.

A Chara,

I wish to acknowledge receipt of the application which was received on the 18th 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/01/0/233712 dated 19th March, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 861**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell,
A/Senior Planner,
Planning Department.

cc agent via email: T & R Designs
info@tandrdesigns.ie

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

19/03/2025 10:45:51

Receipt No : L01/0/233712

SURYA PATRA

PLANNING APPLICATION FEES 80.00
GOODS 80.00
VAT Exempt/Non-vatable
DED061

Total : 80.00 EUR

Tendered :
Credit/Debit Card 80.00
9187

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)	Suryanarayan Patra
Name of Agent	Tony McManus, T & R Designs
Nature of Proposed Works	Only internal layout changes are proposed to the existing first-floor office space. The unit has been registered for office use since 2020. No structural or external alterations are required.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	FIRST FLOOR unit, INVER GEAL MEDICAL CENTRE CORTOB195.ER, CARRICK-ON-SHANNON Co. ROSCOMMON, Eircode: N41 T6D7
Floor Area: a) Existing Structure b) Proposed Structure	a) 195.50 sq. mtr. (first floor area) b) No new structure proposed. Only internal changes to the existing office space is in scope..
Height above ground level:	3.2 m
Total area of private open space remaining after completion of this development	The proposed development is entirely internal to the 1st floor of the building. No external work is proposed. The private open space will remain the same as currently.
Roofing Material (Slates, Tiles, other) (Specify)	Tiles

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	NA - No external changes are in the scope of new development.
Is proposed works located at front/rear/side of existing house.	None - only internal work is proposed
Has an application been made previously for this site	Pre-planning meeting was completed on 6th March 2025. Decision was no detailed planning application is required.
If yes give ref. number (include full details of existing extension, if any)	NA
Existing use of land or structure	OFFICE
Proposed use of land or structure	OFFICE
Distance of proposed building line from edge of roadway	No new building or structure is in scope of this development
Does the proposed development involve the provision of a piped water supply	Water supply is already provisioned in the first floor unit. There is no new water supply required.
Does the proposed development involve the provision of sanitary facilities	Sanitary provision already exists in the unit. Layout changes of the existing kitchen and toilet are proposed.

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

Signature: 

Date: 18/03/2025

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





Comhairle Contae
Ros Comáin
Roscommon
County Council



Building Control Acts 1990 and 2014

Fire Safety Certificate

Building Control Authority:

OFFICIAL USE

ROSCOMMON COUNTY COUNCIL

Register Ref. FSC 20/20

To (Agent): **Maurice Johnson & Partners**

Address at: **Unit 1, Letterkenny IT, Port Road, Letterkenny Co. Donegal**

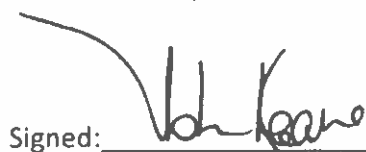
Application for a Fire Safety Certificate (Ref. No. FA 20/20) for:

Change of Use to Office Unit on First Floor at Block A3, Inver Geal, Cortober, Carrick-On-Shannon, Co. Roscommon.

Applicant: Surya Patra.

Roscommon County Council **Hereby Certify** that the works or building to which the application relates, will, if constructed in accordance with the plans, calculations, specifications and particulars submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997 to 2019. In considering this application no assessment has been made to whether the works or building will comply with the other requirements of the Second Schedule to the Building Regulations 1997 to 2019. This Certificate is granted subject to no conditions.

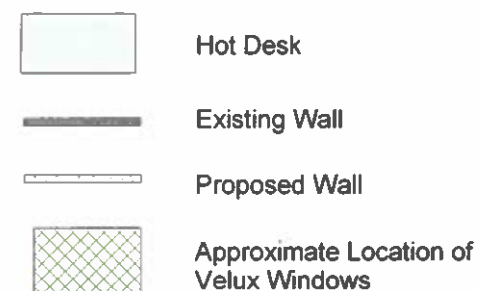
Dated: 20th July 2020

Signed: 

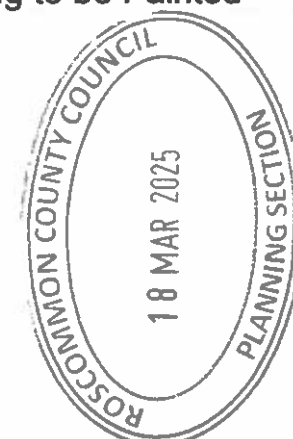
John Keane

Chief Fire Officer,

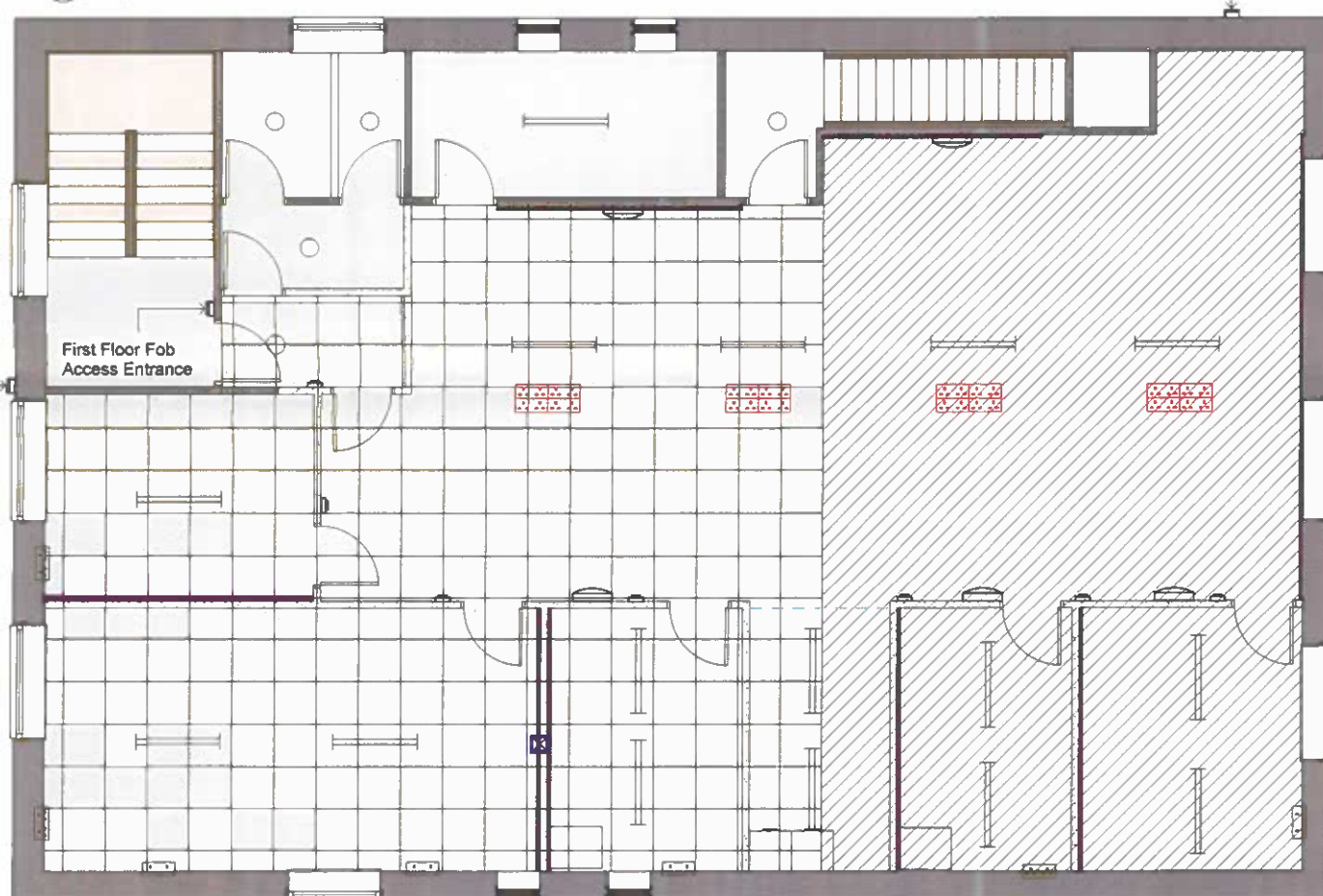
Roscommon County Council (The Building Control Authority)



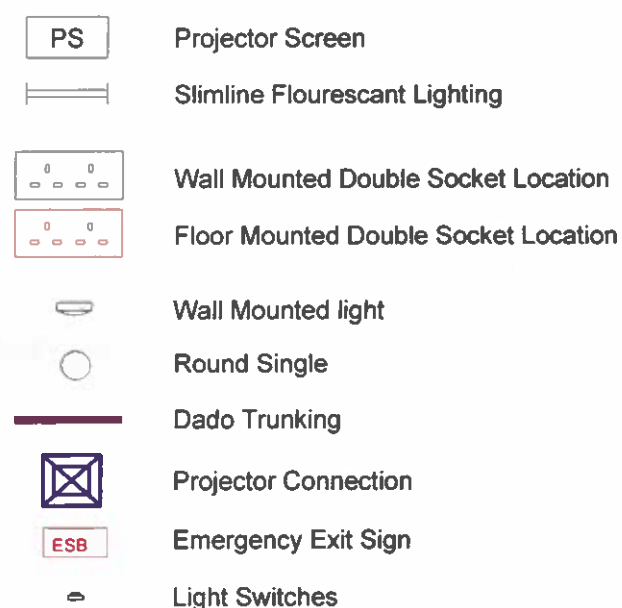
Note: Building to be Painted Externally



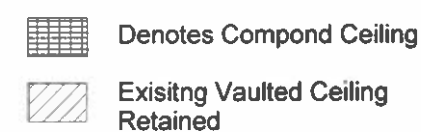
1 FFL
1 : 50



Electrical Legend:



Ceiling Plan:

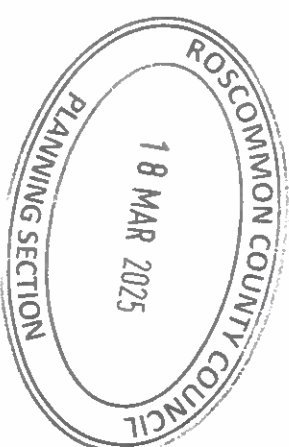


2 FFL Ceiling and Electrical Plan
1 : 50



NOTES

AREA TO BE TRANSFERRED OUTLINED IN RED
ESTATE OUTLINED IN BLUE
RIGHT-OF-WAY SHADED IN YELLOW



Knox & Clayton ARCHITECTS

PROJECT
INVER GEAL
BOYLE ROAD, CORTOBER
CARRICK-ON-SHANNON
CLIENT
CAPERCROSS INVESTMENTS LTD

PROJECT No. 99028
DRAWING No. L01-MC
REVISION

DRAWING TITLE
SCHEME MAP

- MEDICAL CENTRE

DATE SCALE DRAWN BY CHECKED BY
JULY 02 1:1000 P.C. P.C.

2A WALLACE AVENUE, LISBURN BT27 4AA TEL 028-9263-4312 FAX 028-9260-7500
E-MAIL: arch@knox-clayton.co.uk WEB SITE: www.knox-clayton.co.uk

