

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Kevin Hession,

Reference Number: DED 880

Application Received: 16th April, 2025

Name of Applicant: Kevin Hession

Agent: James Lohan Consulting Engineers Ltd

WHEREAS a question has arisen as to whether the refurbishment of an existing dwelling with works including 1) strip out walls, floors and ceiling; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows; 4) re-slate the roof; 5) second fix carpentry, paint & decorate internally; 6) upgrade plumbing/ heating system; 7) upgrade electrical system & 8) install new floors at Lisheen, Strokestown, Co. Roscommon., is or is not development and is or is not exempted development:

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

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) 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 are development.
- (b) The proposed refurbishment of the existing dwelling as above fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:
development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;
- (c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development to refurbish an existing dwelling with works including 1) strip out walls, floors and ceiling; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows; 4) re-slate the roof; 5) second fix carpentry, paint & decorate internally; 6) upgrade plumbing/ heating system; 7) upgrade electrical system & 8) install new floors at Lisheen, Strokestown, Co. Roscommon., 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: 10th June, 2025

cc agent via email: James Lohan Consulting Engineers Ltd
james@jlce.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: Wednesday 11 June 2025 14:00
To: [REDACTED]
Cc: James Lohan; Camila Zen
Subject: DED 880 - Notification of Decision
Attachments: DED 880 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for your Section 5 Declaration of Exempted Development Application – DED 880.

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 880
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to refurbish an existing dwelling with works including, 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows; 4) re-slate the roof; 5) second fix carpentry & paint and decorate internally; 6) upgrade plumbing/heating system; 7) upgrade electrical system & 8) install new floors
Name of Applicant:	Kevin Hession
Location of Development:	Lisheen, Strokestown, Co. Roscommon
Site Visit:	03/06/2025

WHEREAS a question has arisen as to whether the following works; refurbish an existing dwelling with works including, 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows; 4) re-slate the roof; 5) second fix carpentry & paint and decorate internally; 6) upgrade plumbing/heating system; 7) upgrade electrical system & 8) install new floors **at the above address is or is not development and is or is not exempted development.**

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

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

Site Location & Development Description

The property is a single story dwelling house with a small flat roof area to the rear. There is a garden and existing sheds to the sides of the property in Lisheen, Strokestown, Co. Roscommon. The property is accessed off the L-14102 road. The proposed development consists of the refurbishment of the existing dwelling with works including the installation of new windows, re-slating the roof as well as various other internal works.

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

Archaeological and Cultural Heritage

No RMP recorded in the likely zone of influence of the 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 sites to the site of the proposed development are Kilglass And Grange Loughs PNHA (Site Code 000608) which is located circa 2km to the north east and Annaghmore Lough (Roscommon) PNHA/SAC (Site Code 001626) which is located circa 2.7km to the south 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, therefore, be excluded.

Planning History

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

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

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

Section 3. -(1)

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

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

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

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

Planning and Development Regulations, 2001 as amended

Article 6 (1)

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

Article 9 (1) applies;

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

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

Assessment:

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

The proposal includes the refurbishment of the existing dwelling with works including the installation of new windows, alterations to 2no. window openings to form 2 windows and 1 double door on the rear elevation, re-slatting the roof as well as various other internal works. 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 neighboring structures. The proposed works are deemed an exempt development.

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

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

Recommendation

WHEREAS a question has arisen as to the refurbish an existing dwelling with works including, 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows; 4) re-slate the roof; 5) second fix carpentry & paint and decorate internally; 6) upgrade plumbing/heating system; 7) upgrade electrical system & 8) install new floors in Lisheen, Strokestown, Co. Roscommon is or is not development and is or is not exempted development, I have considered this question, and I have had regard particularly to –

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

AND WHEREAS I have concluded that

- The works outlined above are development.
- The proposed refurbishment of the existing dwelling as above fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:

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

- The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

AND WHEREAS I have concluded that the said development to the refurbish an existing dwelling with works including, 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows; 4) re-slate the roof; 5) second fix carpentry & paint and decorate internally; 6) upgrade plumbing/heating system; 7) upgrade electrical system & 8) install new floors in Lisheen, Strokestown, Co. Roscommon, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Date: 03rd June 2025

Civil Technician

Signed:



Date: 03rd June 2025

Senior Executive Planner









Comhairle Contae
Ros Comáin
Roscommon
County Council



Kevin Hession,


Date: 29th April, 2025
Planning Reference: DED 880

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

Development: Permission to refurbish an existing dwelling with works including, 1) strip out walls, floors & ceilings; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows; 4) re-slate the roof; 5) second fix carpentry & paint and decorate internally; 6) upgrade plumbing/heating system; 7) upgrade electrical system & 8) install new floors under the Planning & Development Act (Exempted Development) regulations 2018 at Lisheen, Strokestown, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of the application which was received on the 16th April, 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/01/0/234218 dated 16th April, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 880**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell,
Senior Executive Planner,
Planning Department.

cc agent via email: James Lohan Consulting Engineers Ltd
james@lce.ie

Roscommon County Council
Aras an Chontae
Roscommon
C90668 37100

16/04/2025 14.11.31

Receipt No : L01/0/234218

KEVIN HESSION
C/O JAMES LOHAN CONSULTING ENGINEERS LTD
UNIT 5, BALLYPHEASON HOUSE
CIRCULAR RD, ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DEDUCTION	

Total : 80 00 EUR

Tendered :	
Cheque	80.00
500398	

Change : 0.00

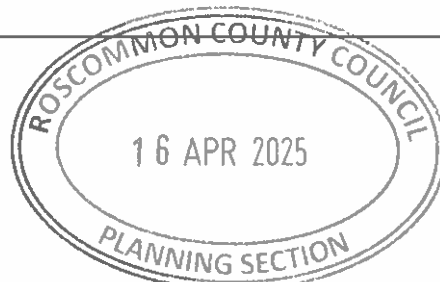
Issued By : Louis Carroll
From : Central Cash Office

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)	KEVIN HESSION
Name of Agent	James Lohan Consulting Engineers Ltd, Unit 5, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	Refurbish derelict in accordance with the Planning and Development Act (Exempt Development) Regulations 2018, as per the Vacant Property Refurbishment Grant Croí Cónaithe Towns Fund
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	LISHEEN, STROKESTOWN, CO. ROSCOMMON F42 W273 O.S No. 2102 XY: 593621, 784973 Townland Lisheen
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>79 Sqm</u>
Height above ground level:	Floor level- between 150mm – 300 mm above ground level (Ridge height existing 4812mm above ground level)
Total area of private open space remaining after completion of this development	0.37 Hectares
Roofing Material (Slates, Tiles, other) (Specify)	Existing Slates to roof



Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Nap Plaster to match existing
Is proposed works located at front/rear/side of existing house.	N/A
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 Dwelling House
Proposed use of land or structure	Refurbish House
Distance of proposed building line from edge of roadway	Existing -10.6 from edge of existing road
Does the proposed development involve the provision of a piped water supply	Existing water mains
Does the proposed development involve the provision of sanitary facilities	Existing Septic Tank and Percolation area

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

Signature:

Canice

Date:

09/04/2025

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



Planning Dept,
Roscommon Co.Co.
Aras An Chontae,
Roscommon.

Detailed Specification Of The Development Proposed

Ref: Kevin Hession for Property at Lisheen, Strokestown, Co. Roscommon, F42 W273

The property is being stripped back to its original walls and will be renovated and put back into use as it was originally a three-bed dwelling house. The works involved are as follows:


1. Strip out walls, floors, and ceilings.
2. Install new ceiling joists and internal stud work, plasterboard, and skim.
3. Install new windows
4. Re-slate the roof.
5. Second fix carpentry and paint and decorate internally.
6. Upgrade plumbing/heating system.
7. Upgrade electrical systems.
8. Install new floors.

Kind Regards


Camila Zen 09/04/2025

James Lohan Consulting Engineer Ltd,
Unit 6, Ballypheason House, Circular Road
Roscommon F42 T384





 SITE BOUNDARY OUTLINED IN RED
(0.369 HECTARES)

 LAND HOLDINGS OUTLINED IN
BLUE


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CYAL5035888
COPYRIGHT LICENCE

James Lohan
Planning & Design Consulting Engineers

DO NOT SCALE FROM THIS DRAWING WORK ONLY FROM NOTED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STANDARD A/E/C SKETCH DESIGN PRELIMINARY FOR TENDER FOR CONSTRUCTION AS SUPERSEDED

EXEMPT
DEVELOPMENT

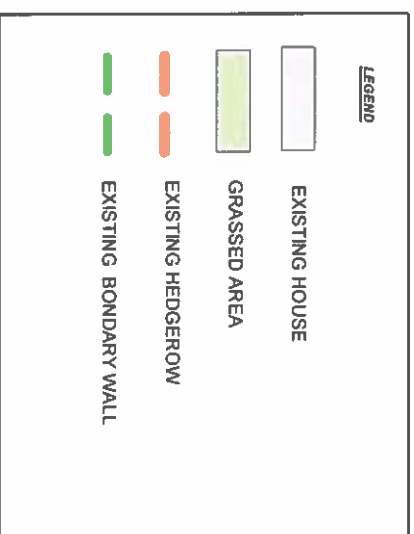
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	James Lohan		Civ. Eng. Reg. No. 10045, 100 Mullingar Rd, St. Marys, Dublin 6	Unit 5, Carrigrohane Road, Roscommon, F52 8B2	E-mail: James@xcl.ie Tel: (090) 153-3155
	CITIZEN RESIDENT FISHERMAN STREETWORKMAN C/O. ROSCOMMON	JO B Project Status	JO B N O D.R. # Site Location Plan	JO B N O D.R. # Scale	DATE 04/04/2025

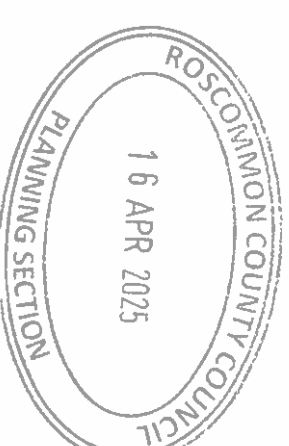
54292

EXISTING NATIVE
HEDGEROW AND
TREES TO BOUNDARY

EXISTING NATIVE
HEDGEROW AND
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1 0 Site Layout Plan
1 : 500




James Lohan
Planning & Design Consulting Engineers

DO NOT SCALE FROM THIS DRAWING. WORK ONLY FROM NOTED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANTS' DRAWINGS.
STATUS: 45% SKETCH DESIGN. DRAWING NUMBER: 10. FOR TENDER TO FOR CONSTRUCTION. SS SUPERSEDED.

EXEMPT
DEVELOPMENT

[illegible]

 James Lohan <small>City Council Member 1st District 1997-2001</small>	City Council Member 1st District 1997-2001		City Council Member 1st District 1997-2001	
	City Council Member 1st District 1997-2001		City Council Member 1st District 1997-2001	
CLIENT KEVIN HESSEN CITY LISHHEEN STROKETTOWN CO. ROSCOMMON -F42 W273-	JOB PROBLE STATUS DRAINING Soil Layoff Plan	JOB NO 24-582	DATE 04/04/2005	E-mail jlohan@cityofroscommon.com Tel: (909) 664-165
SCALE As indicated @ A3		DRAWN BY JCL	DATE 04/04/2005	E-mail jlohan@cityofroscommon.com Tel: (909) 664-165

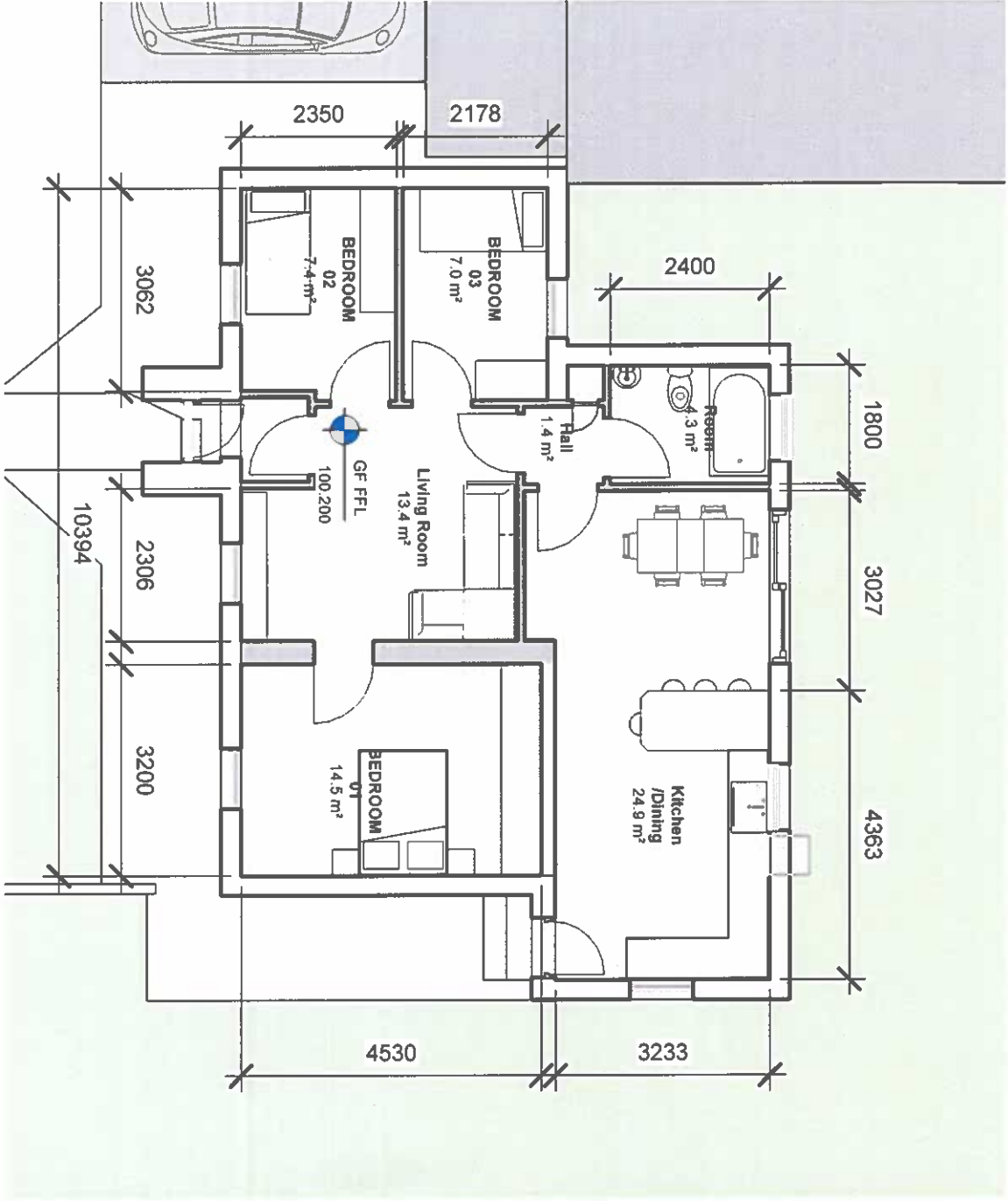
AREASCHEDULE

GROUND FLOOR AREA : 79m2

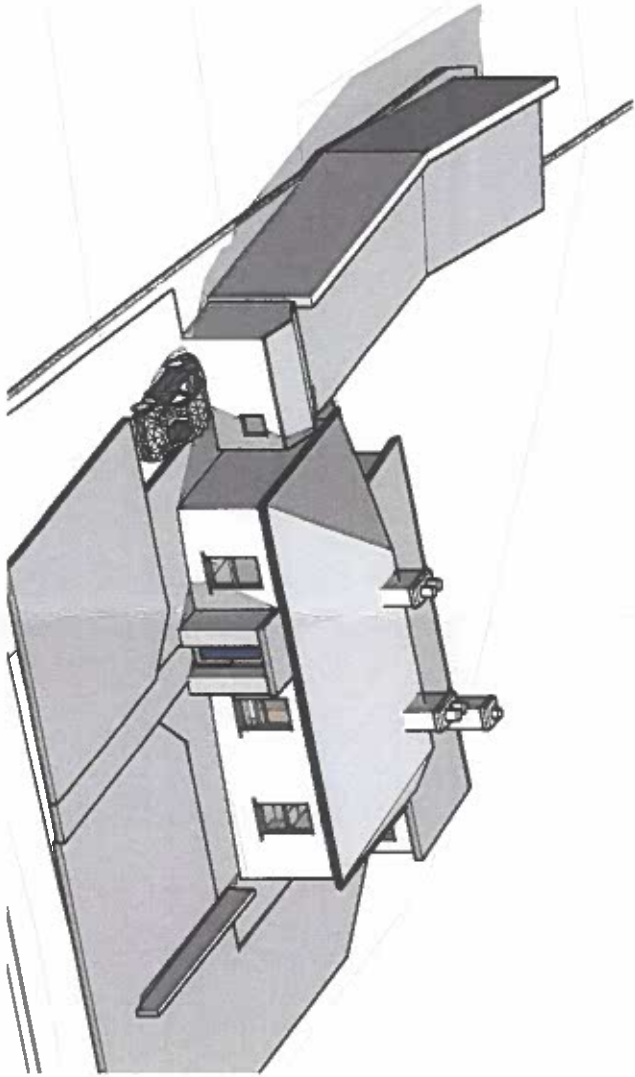
LEGEND

ORIGINAL WALLS OF EXISTING HOUSE

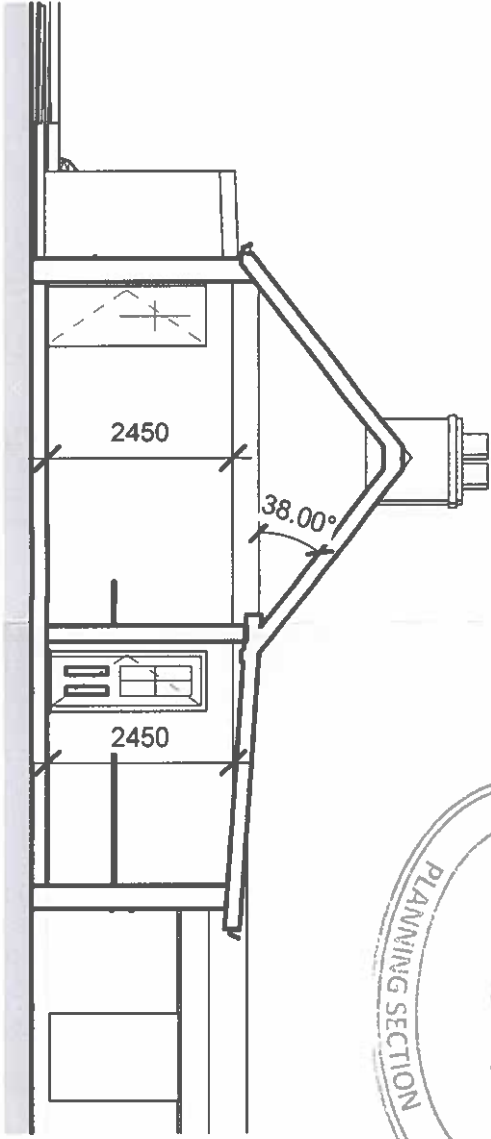
PROPOSED NEW WALLS TO BE BUILT



1 01-Proposed Ground Floor Plan
1 : 100



3 3D VIEW



2 Proposed Section 1
1 : 100



DATE	REV	BY	CHK
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/ /	/E	/	/E
/ /	/D	/	/D
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/ /	/A	/	/A

James Lohan Civil Engineering 100 West Street Roscommon V42C9K2	James Lohan Civil Engineering 100 West Street Roscommon V42C9K2	1st (090) 653365
CLIENT KEVIN HESSON	JOB Proposed Status	JOB No 24-582
SITE LISHEEN STROKESTOWN CO. ROSCOMMON F42 W73	DRAWING Ground Floor Plan, Section & 3D View	DATE 04/04/2025
		DESIGNED BY C.Zen

