

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Jenny Lohan,

Reference Number: DED 881
Application Received: 22nd April, 2025
Name of Applicant: Jenny Lohan
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 & ceilings; 2) install new ceiling joists and internal stud work, plasterboard & skim; 3) install new windows & doors; 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 Ogulla, Tulsk, 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) Class 5 and 6 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 driveway and fence as described in this case are exempted developments.
- (c) The proposed refurbishment of the derelict house as above falls 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;
- (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 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 & doors; 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 Ogulla, Tulsk, 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:



Brian Farragher,
Senior Executive Planner,
Planning.

Date: 11th July, 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: Friday 11 July 2025 12:37
To: James Lohan
Cc: Camila Zen
Subject: DED881 - Notification of Decision
Attachments: DED 881 - Notification of Decision.pdf

Hi James,

Please find attached Notification of Decision for the Section 5 Declaration of Exempted Development submitted for Jenny Lohan – DED 881.

Regards,

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 881
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:	Jenny Lohan
Location of Development:	Ogulla, Tulsk, Co. Roscommon
Site Visit:	16/06/2025

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) Class 5 and 6 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 property is an overgrown pitched roof single story house with a small flat roof porch to the front and a pitched roof extension to the rear. There is a garden and existing sheds to the side and front of the property in Ogulla, Tulsk, Co. Roscommon. The property is accessed off the L-60584 road, with no formal front boundary or entrance, it is noted there is what appears to be an agricultural entrance to the north of the proposed site. 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. Externally it is proposed to form a boundary fence to the north and east boundaries, entrance off the road and hard standing area to the front of the property.

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 Corbally Turlough PNHA (Site Code 001627) which is located circa 2.1km to the east and Mullygollan Turlough PNHA/SAC (Site Code 000612) which is located circa 2.5km 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, recent planning history traced to the site.

- 05/1038 - Permission granted to renovate granary building to 1 dwelling, demolish derelict houses and construct 1 no. dwelling (only), provide effluent treatment system, access onto the public road, connection to existing services and all associated site development works - Conditional

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

Description of Development	Conditions and Limitations
<p>CLASS 5</p> <p>The construction, erection or alteration, within or bounding the curtilage of a house, of a gate, gateway, railing or wooden fence or a wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.</p>	<ol style="list-style-type: none">1. The height of any such structure shall not exceed 2 metres or, in the case of a wall or fence within or bounding any garden or other space in front of a house, 1.2 metres.2. Every wall other than a dry or natural stone wall bounding any garden or other space shall be capped and the face of any wall of concrete or concrete block (other than blocks with decorative finish) which will be visible from any road, path or public area, including public open space, shall be rendered or plastered.3. No such structure shall be a metal palisade or other security fence.

Class 6 of Part 1 of Schedule 2: Exempted development - General

Description of Development	Conditions and Limitations
<p>CLASS 6</p> <p>a) The construction of any path, drain or pond or the carrying out of any landscaping works within the curtilage of a house.</p>	<p>The level of the ground shall not be altered by more than 1 metre above or below the level of the adjoining ground.</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 includes the construction of a 1.2m high post and rail fence to the side and front of the existing dwelling, with regard to the compliance with the conditions and limitations of Class 5 of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

1. Following FI received the fence is to be 1.2m high and to the side and front of the property.
2. N/A as proposed post and rail fence.
3. N/A as proposed post and rail fence.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 5 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the construction of a 1.2m high post and rail fence to the side and front of the existing dwelling as described in this case is considered an exempted development.

The proposed development includes the forming of a driveway to the front of the existing dwelling, with regard to the compliance with the conditions and limitations of Class 6 of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

1. Following FI response the proposed levels will be aprox. 200mm below the existing dwelling.
2. Following FI response the new driveway is made up of stone and drainage will be natural drainage through surrounding soil.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 6 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the forming of a driveway to the front of the existing dwelling as described in this case is considered an exempted development.

The proposal includes the renovation of an existing house. Works include the installation of new windows/doors in the existing openings and the addition of a new doorway to the rear, the re-slating of roof with existing slates along with various internal works. These works have considered in the context of Section 4 (1)(h) of the Act, consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The proposed works are deemed an exempt development.

The proposal includes the forming of an entrance onto a public road. These works have considered in the context of Article 9 (1)(a)(ii) of the Planning and Development Regulations, "consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,". The existing public road is 3.3m in width and 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 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 Ogulla, Tulsk, 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 5 and 6 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 driveway and fence as described in this case are exempted developments.
- The proposed refurbishment of the derelict house 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 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 Ogulla, Tusk, Co. Roscommon is an exempted development.

Signed: 

Date: 3rd July 2025

Civil Technician



Signed:

Date: 11th July 2025

Senior Executive Planner

Carmel Curley

From: Camila Zen <camila@jlce.ie>
Sent: Thursday 26 June 2025 10:47
To: Carmel Curley; James Lohan
Subject: Re: DED 881 - Jenny Lohan
Attachments: Further Information response.pdf; Septic Tank Report.pdf; 25-132-FI01-SITE LAYOUT.pdf

Hi Carmel,

Please find attached the response to the Further Information Request for DED Application 881, submitted on behalf of Jenny Lohan.
Let me know if you need anything else.

Kind regards,
Camila

Camila Zen, Architectural Designer
B.Arch (Hons)
James Lohan Consulting Engineer Ltd,
Unit 6, Ballypheason House, Circular Road
Roscommon F42 C982
Ph: 085 1756190
E: camila@jlce.ie
Web: www.jlce.ie



From: Carmel Curley <CCurley@roscommoncoco.ie>
Sent: Friday, June 20, 2025 12:52 PM
To: James Lohan <james@jlce.ie>
Cc: Camila Zen <camila@jlce.ie>
Subject: DED 881 - Jenny Lohan

Hi James,

Please find attached Further Information Request Letter for DED Application 881 submitted on behalf of Jenny Lohan.

Regards,

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](#)

Response to Further Information Request

DED Ref: DED881

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 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 & doors; 4) re-slate the roof; 5) second fix carpentry & paint and decorate internally; 6) upgrade plumbing/heating system; 7) upgrade electrical system; and 8) install new floors at Ogulla, Tulsk, Co. Roscommon is or is not development and is or is not exempted development.

Dear Planner

Further to the Further Information we received dated 20/06/2025, we hereby supply our FI response:

1. Provide the height of the proposed fence to the north and east boundaries, clarify if the south boundary is proposed post and rail fence or the existing fence is to be retained as following a site inspection the existing fence isn't a post and rail fence as stated on the site layout provided.

Response to 1: The proposed north and east fences are 1.2m high.

The south fence will be retained and is post and wire, not post and rail as previously shown. This is corrected on the updated site layout.

2. Provide information in relation to the proposed material for the driveway, existing and proposed levels and how is it proposed to drain such.

Response to 2 The proposed driveway will be finished with stone chippings. The level of the driveway is proposed at 99.80, in line with a gentle fall from the house level at 100.00. Surface water will drain naturally through the permeable finish.

3. Provide documentation showing the existing wastewater treatment system is in adequate working order for the proposed works.

Response to 3: A report confirming that the existing septic tank system is in proper working order is attached.

Additionally, the updated site layout now includes the proposed levels and the newly requested fencing information, while retaining the previously shown location of the wastewater treatment system.

We look forward to hearing from you and sincerely hope that there is a positive decision in relation to this application.

Kind Regards,



Camila, B. Arch (Hons)





Wastewater Treatment Report

This proposal is to renovate an existing 2 bedroom derelict cottage. A site visit and septic tank inspection was carried out on Tuesday 18th November 2024 prior to purchase. The purpose of the visit was to determine the type of system serving the existing dwelling and whether it was functioning in a satisfactory manner.

Septic Tank

The septic tank was constructed in or around 1960 and has been in operation in excess of 50 years and predates current EPA Requirements, EPA 200, EPA 2009 and the previous SR6:1991 standards for wastewater treatment. It would be anticipated that the system installed would have comprised of a septic tank and soakpit which was standard practice for that time..

The existing septic tank is a concrete block twin chamber tank measuring 1.2m in width and 2.5m in Length and 1.0m in depth with a concrete lid. The gross capacity (volume) of the tank is capacity with regard to wastewater retention capacity is 4.00m³. This figure is derived from a calculation where the measurement is taken from the tank floor to the outlet level.

The septic tank is located to the rear of the dwelling in the middle of the site to the east of the existing house and is well in excess of 20m from said dwelling. The septic tank appears to have been installed in a satisfactory manner. The visual inspections did not identify any issues with the septic tank in terms of leaks, cracks, foul odours, grey water, ponding, greying of soils or extra grass growth due to fertilization from effluent.

I am of the opinion that as the septic tank is located below ground level and our inspection was a visual one, it appears to be in a very good working condition and is adequate in terms of size in catering for the dwelling into the future. The visual inspection included opening the tank, taking measurements and a dye test. Photos of the tank are included below.

The continued operation of the tank shall require routine maintenance in the form of de-sludging on an annual basis and ensuring that both the inlet and outlet remain clear and in position. It must also be ensured that no surface water shall enter the tank through the lids and covers. Storm or rain water shall not enter the tank and will be disturbed through the soakaways on site.

If you require any further information or clarification in relation to the above, please do not hesitate to contact me.

I look forward to your decision in due course.

Yours sincerely,



James Lohan BEng MIEI C.Build E MCABE
James Lohan Consulting Engineer Ltd,



Appendix 01

Calculation:

By using the septic tank capacity formula, as per Section 7.1.1 of the CoP: Wastewater treatment systems serving single homes : (Population Equivalent < 10)

$$C = 150 \times PE + 2000$$

Where

C = Capacity

PE = Population Equivalent

Therefore, in this case:

$$C = 150 \times 6 + 2000 = 2900 \text{ Litres}$$

This Calculation enables us to prove that the existing septic tank has sufficient capacity to serve the existing dwelling house.



Appendix 02

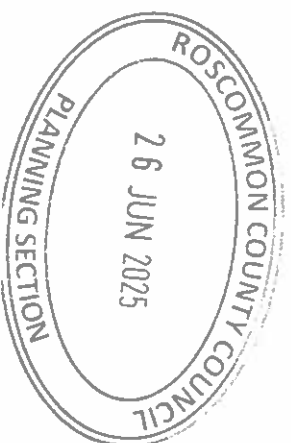


Lids in good order - inspection chamber is clear.



SITE BOUNDARY OUTLINED IN RED
(0.26 HECTARES)

LAND HOLDINGS OUTLINED IN
BLUE



1 0 Site Layout Plan
1 : 500



James Lohan
Planning & Design Consulting Engineers

DO NOT SCALE FROM THIS DRAWING. MARK ONLY FROM FIELDED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STATUS KEY: SK, SKETCH; DESIGN PRELIMINARY; FT FOR TENDER; PC FOR CONSTRUCTION; SS SUPERSEDED

FURTHER INFORMATION

[illegible][illegible]



Comhairle Contae
Ros Comáin
Roscommon
County Council



Jenny Lohan,

Date: 20th June, 2025
Reference: DED 881

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 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 & doors; 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 Ogulla, Tulsk, Co. Roscommon is or is not development and is or is not exempted development.

A Chara,

Further to your application received on the 22nd April, 2025 and in order for the Planning Authority to determine as to whether the refurbishment 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 & doors; 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, you are requested to submit the following further information:

1. Provide the height of the proposed fence to the north and east boundaries, clarify if the south boundary is proposed post and rail fence or the existing fence is to be retained as following a site inspection the existing fence isn't a post and rail fence as stated on the site layout provided.
2. Provide information in relation to the proposed material for the driveway, existing and proposed levels and how is it proposed to drain such.
3. Provide documentation showing the existing wastewater treatment system is in adequate working order for the proposed works.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 881**

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

M...e meas,



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

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

From: Carmel Curley
Sent: Friday 20 June 2025 12:52
To: James Lohan
Cc: Camila Zen
Subject: DED 881 - Jenny Lohan
Attachments: DED 881 - Further Information Request.pdf

Hi James,

Please find attached Further Information Request Letter for DED Application 881 submitted on behalf of Jenny Lohan.

Regards,

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 881
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:	Jenny Lohan
Location of Development:	Ogulla, Tulsk, Co. Roscommon
Site Visit:	16/06/2025

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 an overgrown pitched roof single story house with a small flat roof porch to the front and a pitched roof extension to the rear. There is a garden and existing sheds to the side and front of the property in Ogulla, Tulsk, Co. Roscommon. The property is accessed off the L-60584 road, with no formal front boundary or entrance, it is noted there is what appears to be an agricultural entrance to the north of the proposed site. 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. Externally it is proposed to form a boundary fence to the north and east boundaries, entrance off the road and hard standing area to the front of the property.

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 Corbally Turlough PNHA (Site Code 001627) which is located circa 2.1km to the east and Mullygollan Turlough PNHA/SAC (Site Code 000612) which is located circa 2.5km 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, recent planning history traced to the site.

- 05/1038 - Permission granted to renovate granary building to 1 dwelling, demolish derelict houses and construct 1 no. dwelling (only), provide effluent treatment system, access onto the public road, connection to existing services and all associated site development works - Conditional

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,

Initial Planning Assessment:

It is unclear from the documentation submitted and site inspection, there are various elements of the proposed external works that require further information such as the proposed fence/boundary to the north and east of the site, the material/drainage/level of the driveway and the wastewater treatment system.

Accordingly, a further Information request will be made in this regard.

Recommendation:

Please provide the below information:

- Provide the height of the proposed fence to the north and east boundaries, clarify if the south boundary is proposed post and rail fence or the existing fence is to be retained as following a site inspection the existing fence isn't a post and rail fence as stated on the site layout provided
- Provide information in relation to the proposed material for the driveway, existing and proposed levels and how is it proposed to drain such.
- Provide documentation showing the existing wastewater treatment system is in adequate working order for the proposed works.

Signed:



Date: 17th June 2025

Civil Technician

Signed:



Date: 17th June 2025

Senior Executive Planner













Carmel Curley

From: Carmel Curley
Sent: Tuesday 29 April 2025 14:57
To: James Lohan
Cc: Camila Zen
Subject: DED881 - Jenny Lohan
Attachments: DED 881 -Ack letter & receipt.pdf

Hi James,

Please find attached Acknowledgement Letter & Receipt for DED Application 881 submitted on behalf of Jenny Lohan.

Regards,

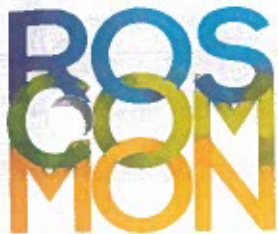
Carmel

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](#)





Comhairle Contae
Ros Comáin
Roscommon
County Council



Jenny Lohan,



Date: 29th April, 2025
Planning Reference: DED 881

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 & doors; 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 Ogulla, Tulsk, Castlerea, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of the application which was received on the 22nd 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/01/0/234379** dated 28th April, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 881**
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@jlce.ie

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

28/04/2025 14:59:13

Receipt No : L01/0/234379

JENNY LOHAN
C/O JAMES LOHAN CONSULTING ENGINEER LTD
BALLYPHEASON HOUSE
CIRCULAR RD
ROSCOMMON
EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED881	

Total	80.00 EUR
-------	-----------

Tendered	
Cheque	80.00
500399	

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)	Jenny Lohan
Name of Agent	James Lohan Consulting Engineers Ltd, Unit 6, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	Refurbish derelict house 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.	OGULLA, TULSK, CASTLEREA, CO. ROSCOMMON O.S No. 2161-D XY: 582561, 780567 Townland Ogulla
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>63 Sqm</u>
Height above ground level:	Floor level- between 100mm – 350 mm above ground level (Ridge height existing 5007mm above ground level)
Total area of private open space remaining after completion of this development	0.26 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 -15.5 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:



Date:

14/04/2025

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

22 APR 2025

PLANNING SECTION

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

Detailed Specification Of The Development Proposed

Ref: Jenny Lohan for Property at Ogulla, Tulsk, Castlerea, Co. Roscommon

The property is being stripped back to its original walls and will be renovated and put back into use as it was originally a two-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 and doors.
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

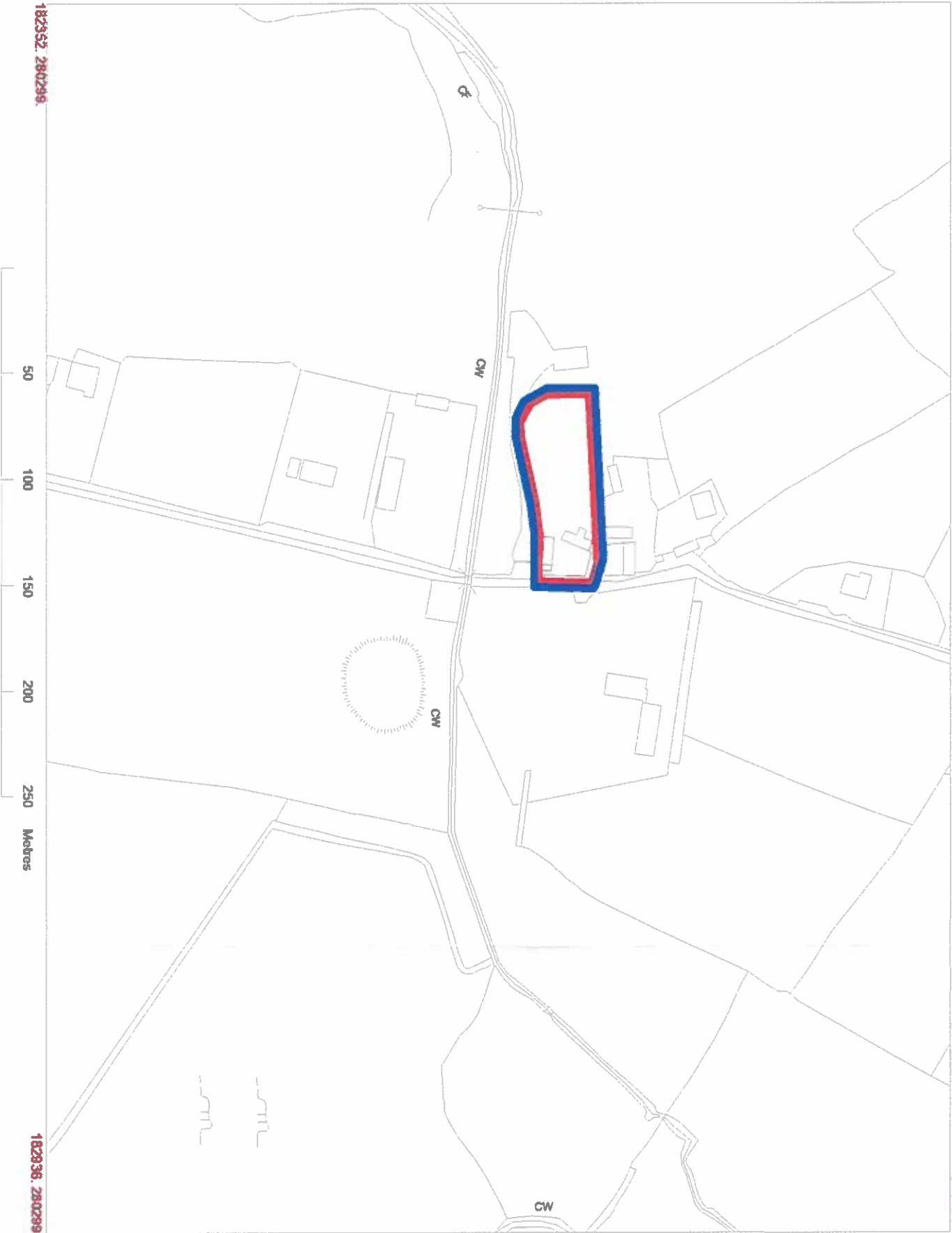

Camila Zen

**James Lohan Consulting Engineer Ltd,
Unit 5, Ballypheason House, Circular Road
Roscommon F42 C982**



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182336. 280727.

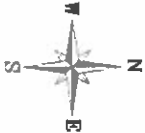


ADDRESS:
OGULLA
TULSK
CASTLEREA
CO. ROSCOMMON

LEGEND

- **SITE BOUNDARY OUTLINED IN RED**
(0.26 HECTARES)
- **LAND HOLDINGS OUTLINED IN BLUE**

OS MAPS : 2161-D



CYAL50358888
@NATIONAL MAPPING DIVISION OF IRELAND
COPYRIGHT LICENCE

22 APR 2025

PLANNING SECTION

1 Site Location Plan
1 : 2500



DO NOT SCALE FROM THIS DRAWING. WORK ONLY FROM PROVIDED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STATUS <REV SK> SKETCH DESIGN PRELIMINARY FOR TENDER FOR CONSTRUCTION. NOT FOR CONSTRUCTION. NOT FOR CONSTRUCTION. NOT FOR CONSTRUCTION.

**EXEMPT
DEVELOPMENT**

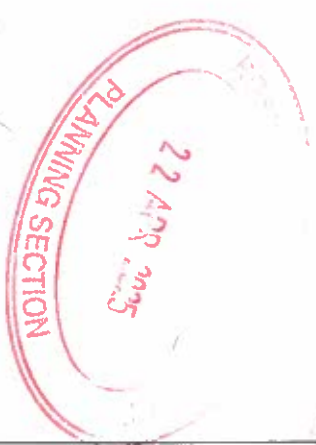
DATE	REV	BY	DATE	REV	BY
14/04/2025	001	JL	14/04/2025	001	JL

James Lohan Planning & Design Consulting Engineers 100 West Street, Roscommon Tel: (090) 553155	Job 5 Site Location Plan 100 West Street, Roscommon Tel: (090) 553155	Client Jenny Lohan 100 West Street, Roscommon Tel: (090) 553155	Job No 25-132 14/04/2025	Date 14/04/2025
---	---	---	---------------------------------------	---------------------------

SITE BOUNDARY OUTLINED IN RED
(0.26 HECTARES)

(0.26 HECTARES)

**LAND HOLDINGS OUTLINED IN
BLUE**



A circular diagram with a vertical line passing through its center. Two sectors are shaded with diagonal lines: one in the upper right quadrant and one in the lower left quadrant. The letter 'N' is written below the circle.

1:500

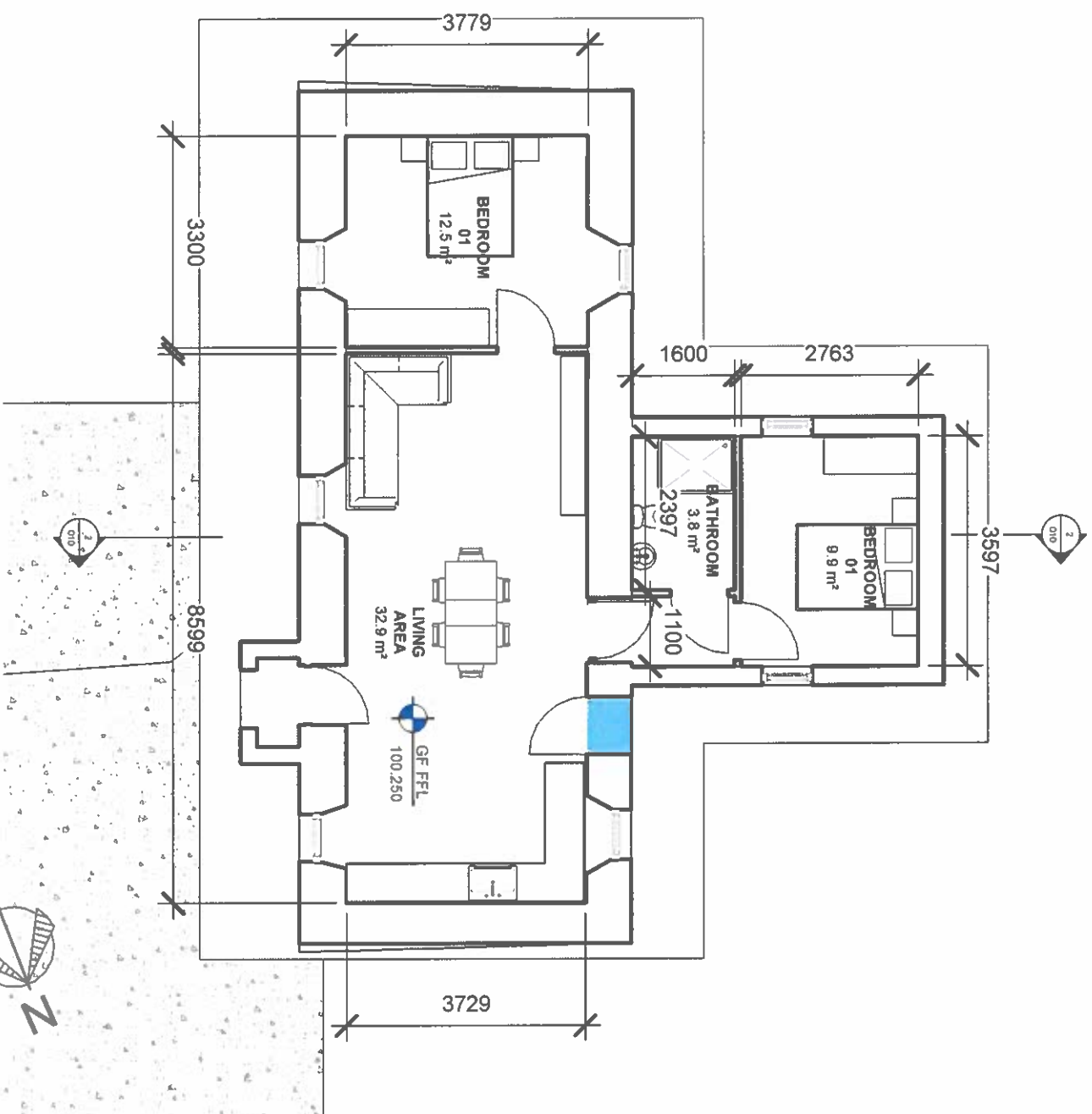
DO NOT SCALE FROM THIS DRAWING. MARK ONLY FROM REBARED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STATUS: 45% SKETCH DESIGN PER PAGE 10, WAY 17 FOR TENDER "C" FOR CONSTRUCTION SUPERSEDED

EXEMPT
DEVELOPMENT

[illegible]

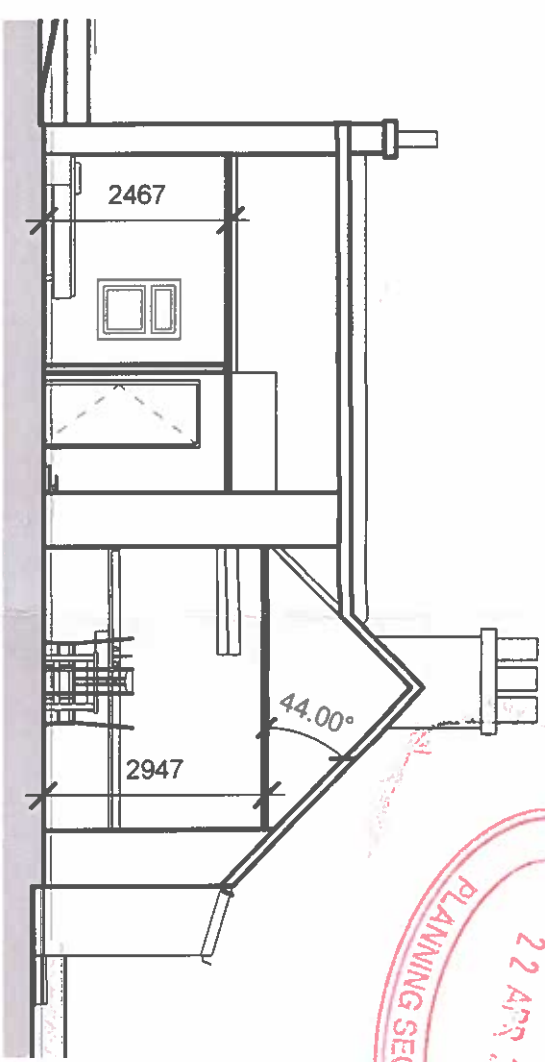
 James Lohan Director of Sales & Marketing 5000 Highway 101 Suite 100 Richmond, BC V6X 1A7 Tel: (604) 664-4355 Fax: (604) 664-4355 Email: info@jameslohan.com			
CLIENT	JOB	JOB NO	DATE
Jimmy Lohan	Export Development	25-132	14/04/2005
SITE	DRAWING	DRG NO	REV
OGLIA	Site Layout Plan	002	
TULSK		SCALE	DESIGNED BY
CATERERA		As indicated	CZeh
COMMUN		As indicated	As indicated

GROUND FLOOR AREA : 63m2

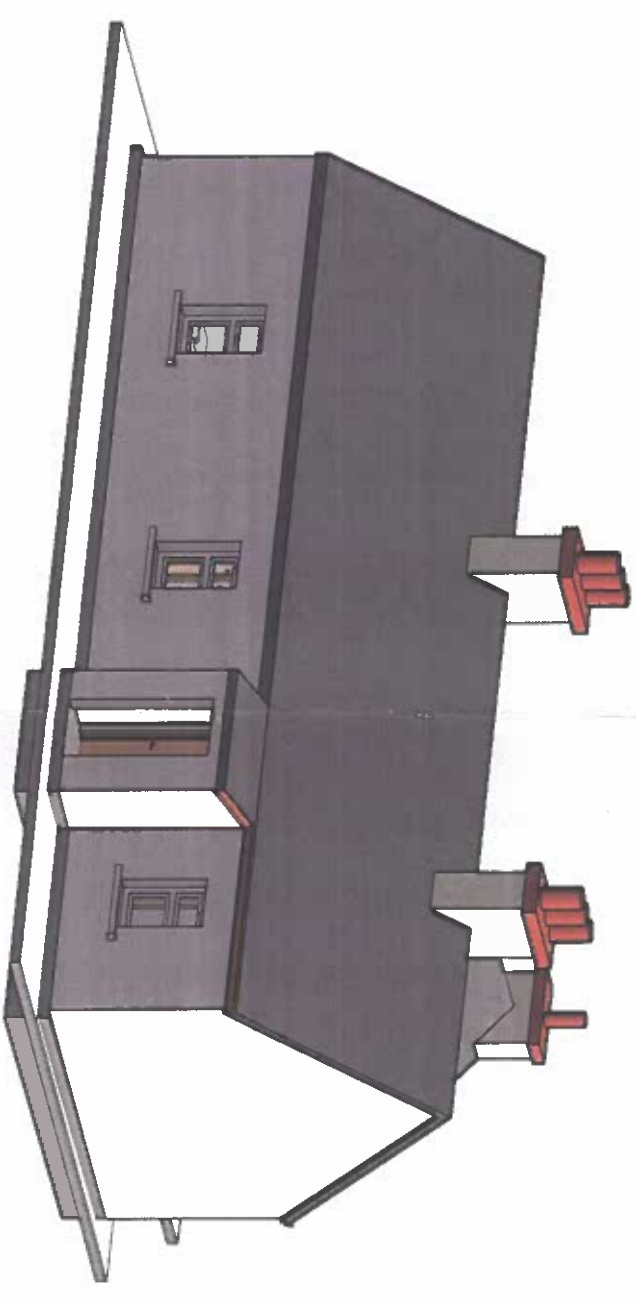


01-Proposed Ground Floor Plan
1 : 100

GROUND FLOOR AREA : 63m2



2 Section 1
1 : 100



3D VIEW

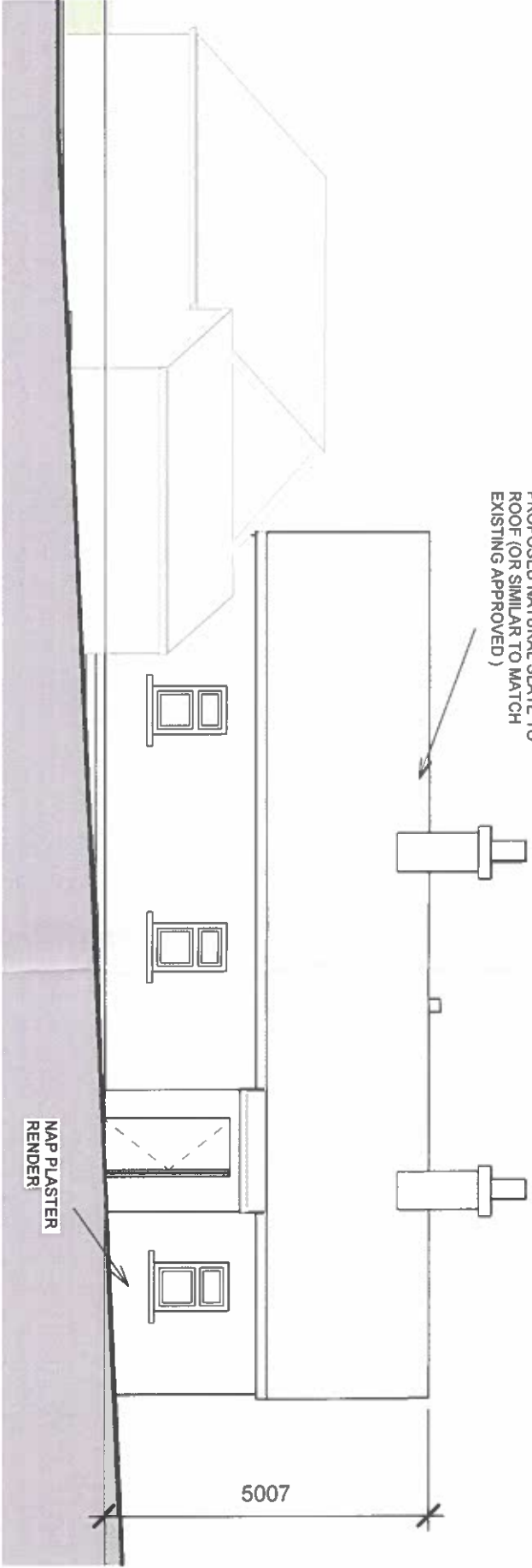
DO NOT SCALE FROM THIS DRAWING WORK ONLY FROM PROVIDED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STATUS: NEW. SKI-SLEIGH DESIGN PROJECT. MARKET FOR TENDER FOR CONSTRUCTION. SS SUPERSEDED.

EXEMPT DEVELOPMENT

/	/	/C
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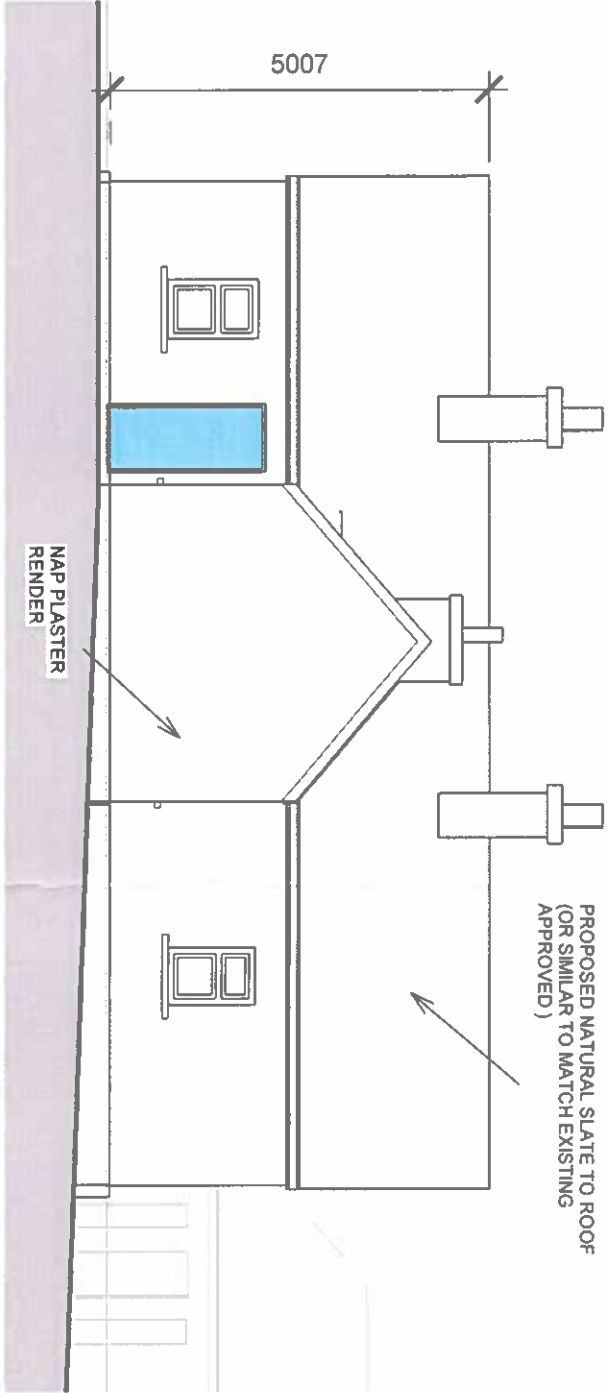
James Lohan	Architectural Services A-007896, D-0176 S-0000000	Bogdanowicz House, Rochester, N.Y.CB82	Invited by: Tel: (908) 654-1551 Fax: (908) 654-1555
C L I E N T	J O B	J O B N O	D A T E
Jenny Lohan	Exterior Development	2E-192	4/4/01/2005
S I T E	D R A W I N G	O R G N O	R E V
OGALLA	Ground Floor Plan,	010	
TULSA	Section & 3D View		
ARCHITECTURE			DESIGNED BY
			As Indicated @ A3
			C.dwn

PROPOSED NATURAL SLATE TO ROOF (OR SIMILAR TO MATCH EXISTING APPROVED)



1 Proposed Front Elevation (E)
1 : 100

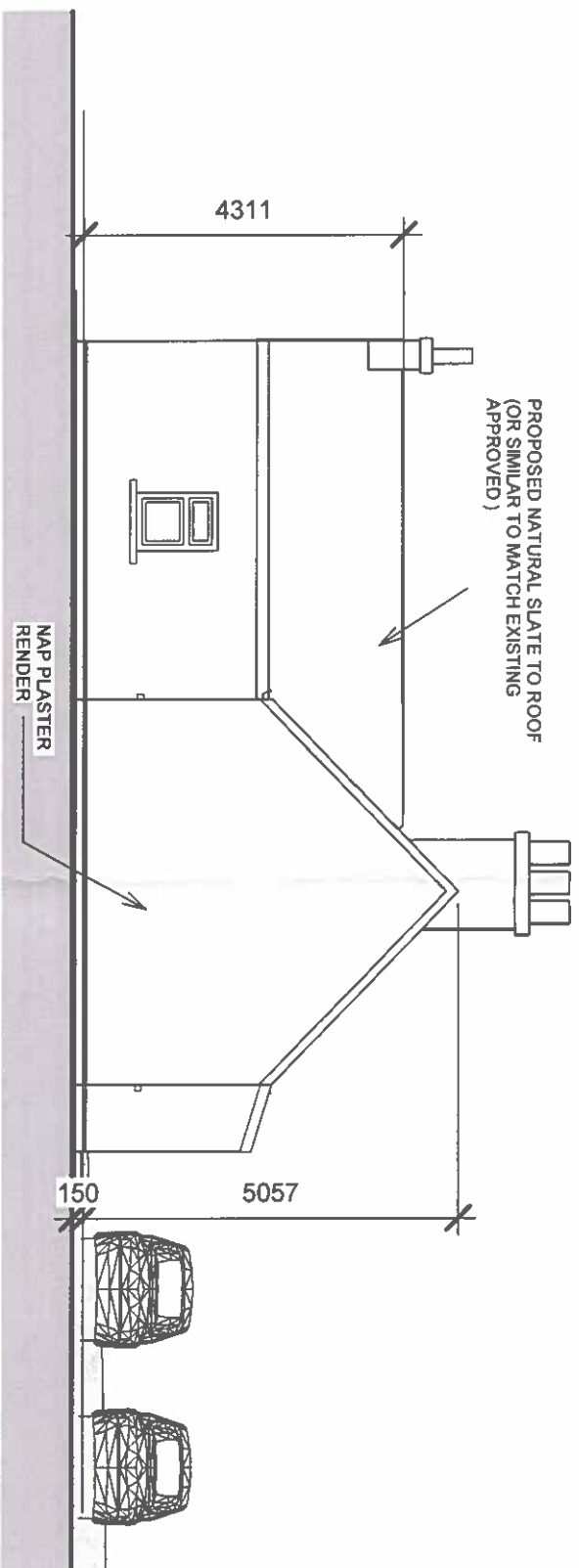
PROPOSED NATURAL SLATE TO ROOF (OR SIMILAR TO MATCH EXISTING APPROVED)



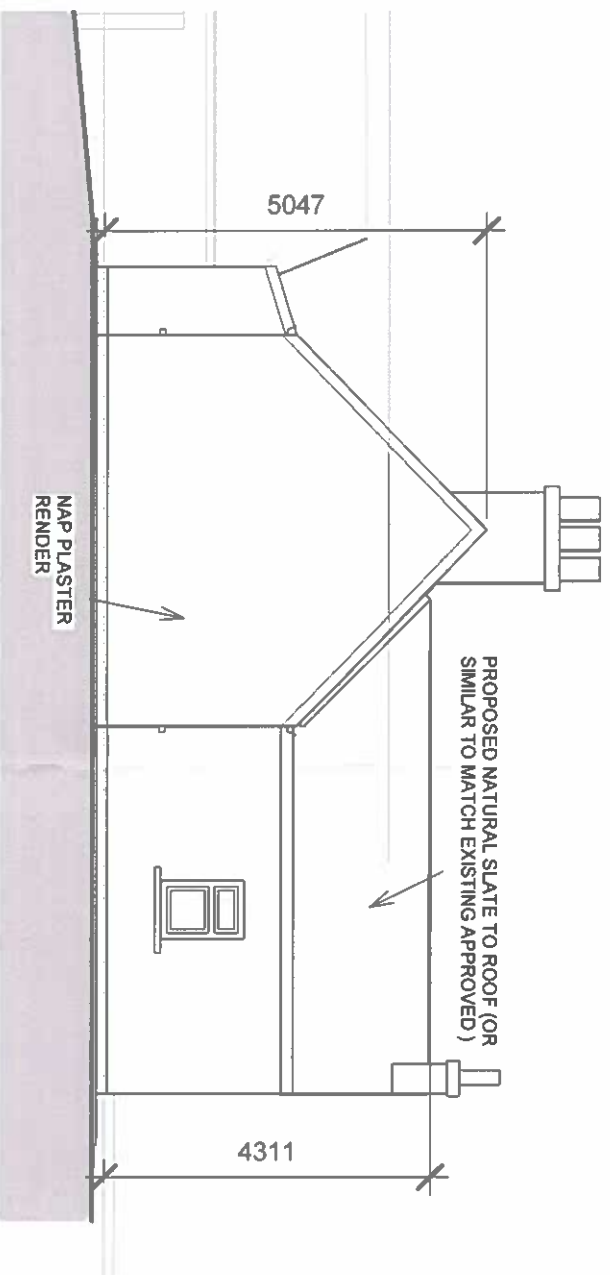
2 Proposed Rear Elevation (W)
1 : 100

DATE	REV
1/1/2025	1

22 APR 2025
PLANNING SECTION



1 Proposed Left Side Elevation (S)
1 : 100



2 Proposed Right Side Elevation (N)
1 : 100

22 APR 2025
PLANNING SECTION

DATE	REV	DATE	REV	DATE	REV	DATE	REV	DATE	REV
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