

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Margaret Cafferky,



Reference Number: DED 657
Application Received: 7th February 2024
Name of Applicants: Margaret Cafferky
Agent: Brendan Deeney, Kiltobricks, Ballaghaderreen, Co. Roscommon.

WHEREAS a question has arisen as to whether renovation of an existing house at Parkeel Td, Fairymount, Castlerea, 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 are development.
- (b) Strip off and renew external plaster is exempted development.
- (c) Repair wall cracks as required is exempted development.
- (d) Dryline and replaster all internal walls with foil-backed board is exempted development.
- (e) Fit external insulation is exempted development.
- (f) Strip out and replace concrete floors and reinstall with DPM and floor insulation is exempted development.
- (g) Strip out ceilings and replace is exempted development.
- (h) Lower first floor ceilings to 2.4m is exempted development.
- (i) Replace windows is exempted development.
- (j) New electrical installation is exempted development.
- (k) New plumbing installation is exempted development.
- (l) Install stove and continuous liner to eastern chimney is exempted development.
- (m) Replace fascia and soffit is exempted development.
- (n) Fit new gutters is exempted development.
- (o) 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 – 2019 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 renovate an existing house at Parkeel Td, Fairymount, Castlerea, 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: 27th February 2024

Carmel Curley

From: Carmel Curley
Sent: Tuesday 27 February 2024 14:55
To: 'badeeney@gmail.com'
Subject: DED657
Attachments: DED 657 - Notification of Decision.pdf

Dear Brendan,

Please find attached Notification of Decision for DED Application 657 for Margaret Cafferky.

Regards,

Carmel

Carmel Curley, Assistant 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 Acts as amended**

Reference Number: DED 657

Name and Address of Applicant: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to renovate existing house at Parkeel Townland, Fairymount, County Roscommon

Applicant(s): Margaret Cafferky

Date: 26th February 2024

WHEREAS a question has arisen as to whether to renovate existing house at Parkeel Townland, Fairymount, County Roscommon is or is not development and is or is not exempted development.

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

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

Site Location & Development Description

The subject dwelling house is located in Parkeel Townland, Fairymount, County Roscommon. Accessed off the L5621 Local Secondary Road, the subject site is not in, adjoining or in close proximity to any European designated sites. The closest European designated sites are the Bellanagare Bog SPA (Site Code: 004105) and Bellanagare Bog SAC (Site Code: 000592), which are approximately 1km from the subject site. As per the Roscommon County Council GIS, there are no known heritage related sites/structures in very close proximity to the subject site.

The proposal includes renovating the existing dwelling house and the proposed works are specified as follows:

- Strip off and renew external plaster
- Repair wall cracks as required
- Dryline and replaster all internal walls with foil-backed board
- Fit external insulation
- Strip out and replace concrete floors and reinstall with DPM and floor insulation
- Strip out ceilings and replace
- Lower first floor ceilings to 2.4m
- Replace windows
- New electrical installation
- New plumbing installation

- Install stove and continuous liner to eastern chimney
- Replace fascia and soffit
- Fit new gutters

Planning History

As per the Roscommon County Council GIS, there is no recent planning history on the subject site.

Relevant Legislation

Planning and Development Act, 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 4(1)(h): The following shall be exempted developments for the purposes of this Act—*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*

Article 6:

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development, provided that such development complies with the conditions and limitations specified in column 2 of Part 1.

Article 9 (1) applies:

Development to which article 6 relates shall not be exempted development for the purposes of the Act—
(a) if the carrying out of such development would—

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 proposed works are specified as follows:

- Strip off and renew external plaster
- Repair wall cracks as required
- Dryline and replaster all internal walls with foil-backed board
- Fit external insulation
- Strip out and replace concrete floors and reinstall with DPM and floor insulation
- Strip out ceilings and replace
- Lower first floor ceilings to 2.4m
- Replace windows
- New electrical installation
- New plumbing installation
- Install stove and continuous liner to eastern chimney
- Replace fascia and soffit
- Fit new gutters

These works are considered exempted development 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.

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 whether to renovate existing house at Parkeel Townland, Fairymount, County Roscommon is or is not development and is or is not exempted development.

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

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

AND WHEREAS I have concluded that

- (a) The works are development.
- (b) Strip off and renew external plaster is exempted development.
- (c) Repair wall cracks as required is exempted development.
- (d) Dryline and replaster all internal walls with foil-backed board is exempted development.
- (e) Fit external insulation is exempted development.
- (f) Strip out and replace concrete floors and reinstall with DPM and floor insulation is exempted development.
- (g) Strip out ceilings and replace is exempted development.
- (h) Lower first floor ceilings to 2.4m is exempted development.
- (i) Replace windows is exempted development.
- (j) New electrical installation is exempted development.
- (k) New plumbing installation is exempted development.
- (l) Install stove and continuous liner to eastern chimney is exempted development.
- (m) Replace fascia and soffit is exempted development.
- (n) Fit new gutters is exempted development.
- (o) 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 I recommend that a declaration to that effect should be issued to the applicant.

Signed:

Assistant Planner



Date: 26th February 2024

AOC
26-02-24



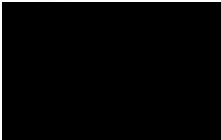




Comhairle Contae
Ros Comáin
Roscommon
County Council



Margaret Cafferky,



Date: 8th February 2024

Planning Reference: DED 657

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: Permission to renovate existing house under the Planning & Development Act (Exempt Development) Regulations 2018 at Parkeel Td, Fairymount, Castlerea, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application received on the 7th February 2024, 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. L01/0/226904 dated 7th February 2024, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 657**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner,
Planning Department.

cc via email: **Brendan Deeney,**
Kiltobanks,
Ballaghaderreen,
Co. Roscommon.

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

07/02/2024 14:42:58

Receipt No. : L01/0/226904

MARGARET CAFFERKY
C/O BRENDAN DEENEY
KILTOBANKS
BALLAGHADERREEN
CO. ROSCOMMON

PLANNING APPLICATION FEES 80.00
GOODS 80.00
VAT Exempt/Non-vatable
DED 057

Total : 80.00 EUR

Tendered :
Cheque 80.00
504820

Change : 0.00

Issued By : Bernadine Duignan
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council



DED 657

Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

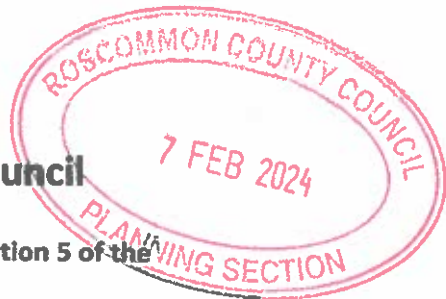
Application for a Declaration under Section 5 of the

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

Name of Applicant(s)	MARGARET CAFFERKY [REDACTED]
Name of Agent	BRANDAN DEENEY KILTBRACKS BALLAGHADERRREEN
Nature of Proposed Works	RENOVATION OF EXISTING HOUSE
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	PARKER TO FAIRY TOWNS. OS SHEET 2037 EIRCODE F45 KR81
Floor Area: a) Existing Structure b) Proposed Structure	a) 94 m ² b) NIL
Height above ground level:	FFL 100MM OVER GROUND LEVEL
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	SLATES

Roscommon County Council

Application for a Declaration under Section 5 of the



Proposed external walling (plaster, stonework, brick or other finish, giving colour)	PASTEZ COLOUR SMOOTH PLASTER
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	VACANT DWELLING
Proposed use of land or structure	DWELLING
Distance of proposed building line from edge of roadway	EXISTING 7.5M.
Does the proposed development involve the provision of a piped water supply	NO (EXISTING)
Does the proposed development involve the provision of sanitary facilities	NO (EXISTING)

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

Signature:

Máire Colley

Date:

2/2/2024

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

DEENEY ENGINEERING & PLANNING SERVICES

Kiltobricks Ballaghaderreen Co Roscommon

Tel/ Fax: 094 9860908 Mob: 086 2503109 email: badeeney@gmail.com

February 2nd 2024
Roscommon County Council
Planning Section
Roscommon



**Re: Margaret Cafferky. Existing house at Parkeel TD, Fairymount, Castlerea
F45KR81**

A Chara,

We enclose herewith an application, on behalf of Marharet Cafferky, for declaration under Section 5 of the Planning and Development Act 2000 regarding Exempted Development for refurbishment works to his house at Parkeel TD.

The following works are proposed to the existing dwelling:

- Strip off and renew external plaster.
- Repair wall cracks as required.
- Dryline and replaster all internal walls with foil-backed board.
- Fit external insulation.
- Strip out and replace concrete floors and reinstall with DPM and floor insulation.
- Strip out ceilings and replace.
- Lower first floor ceilings to 2.4m.
- Replace windows.
- New electrical installation required.
- New plumbing installation required.
- Install stove and continuous liner to eastern chimney.
- Replace fascia and soffit.
- Fit new gutters.

Our application includes the following documents, maps and drawings:

1. Application form.
2. Site location map scale 1/2500.
3. Site Layout plan scale 1/500
4. Plan and elevations scale 1/100
5. Photos of the existing building.
6. Application fee €80.00

Le meas,


Brendan Deeney B Tech.
Deeney Engineering & Planning Services



Planning Pack Map



CENTRE COORDINATES:
ITM 568357,786621

PUBLISHED: 31/01/2024

ORDER NO.: 50380597_1

MAP SERIES: 1:5,000
MAP SHEETS: 2037

Prepared By:
BRENDAN DEENEY B.TECH.
KILTOBRANKS
BALLAGHADERREEN
TEL: 094 9860908
FAX: 094 9860621

COMPILED AND PUBLISHED BY:
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Ireland.
D08F6E4

www.tailte.ie

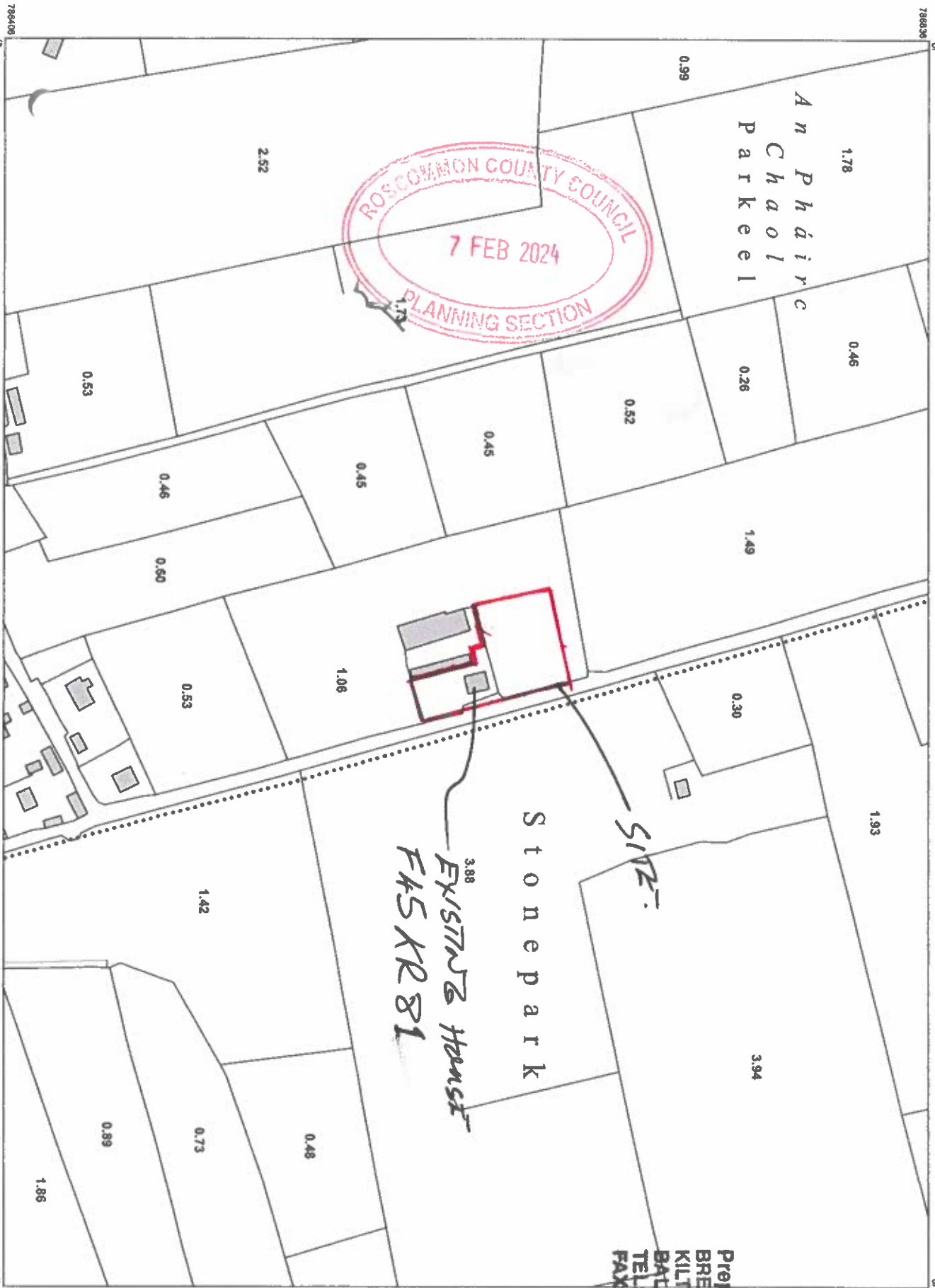
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ROSCOMMON COUNTY COUNCIL
7 FEB 2024
PLANNING SECTION

OUTPUT SCALE: 1:2,500

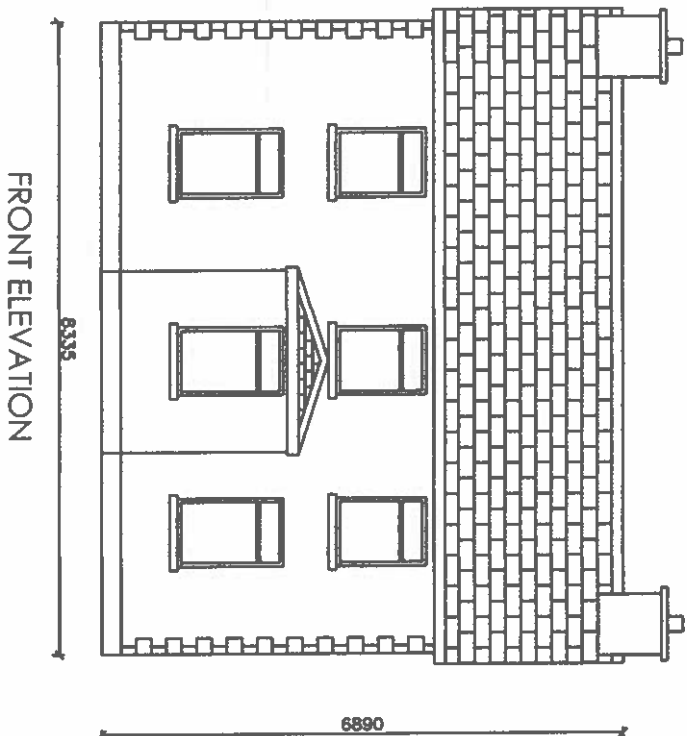
CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: www.tailte.ie, search 'Capture Resolution'

LEGEND:
To view the legend visit www.tailte.ie and search for 'Large Scale Legend'

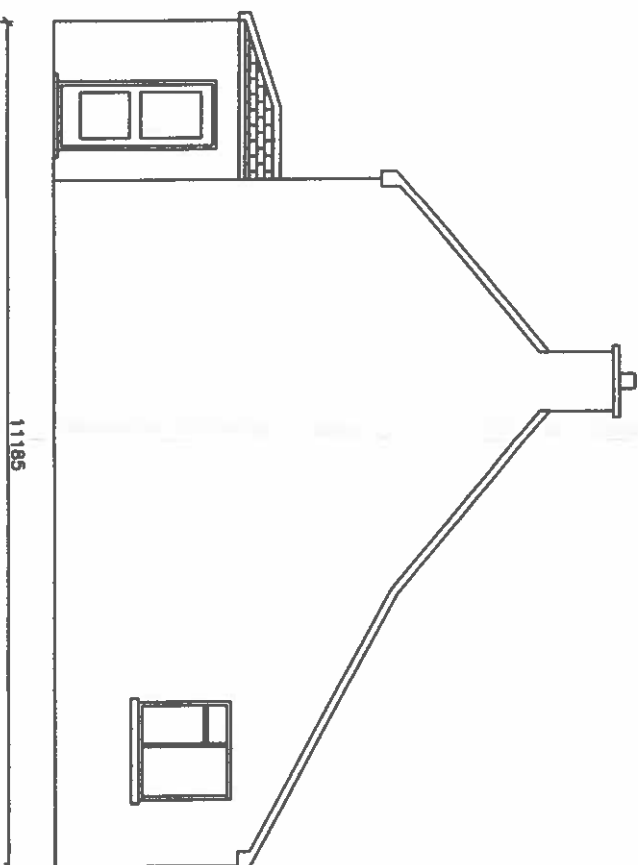
ROSCOMMON COUNTY COUNCIL
7 FEB 2024
PLANNING SECTION



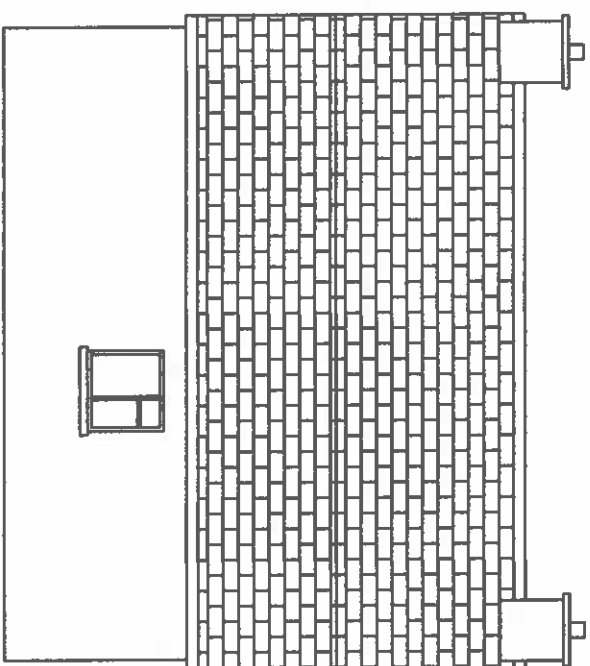




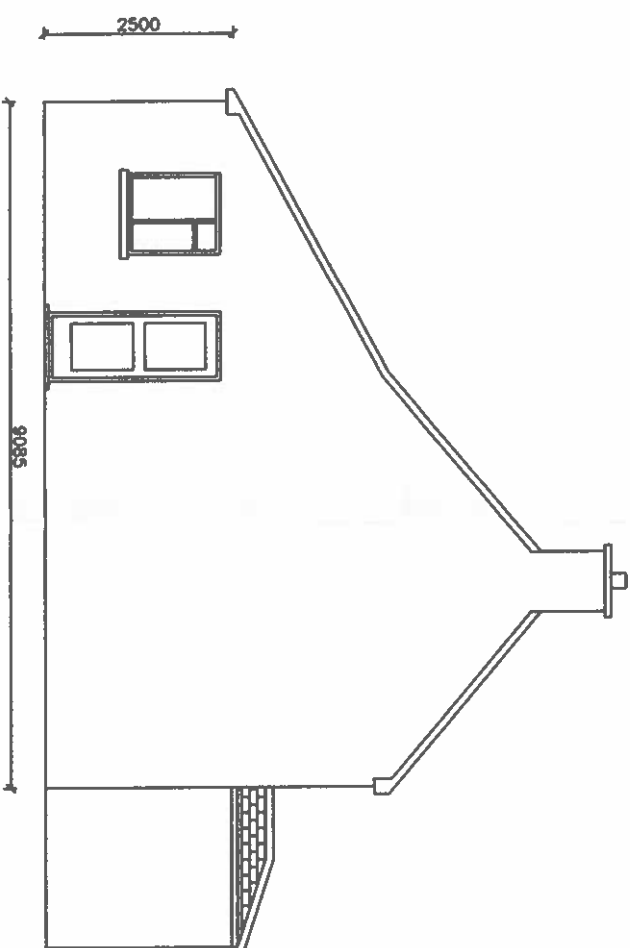
FRONT ELEVATION



SIDE ELEVATION



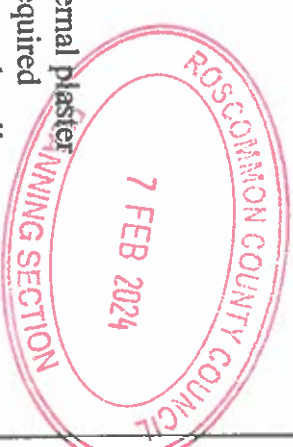
REAR ELEVATION



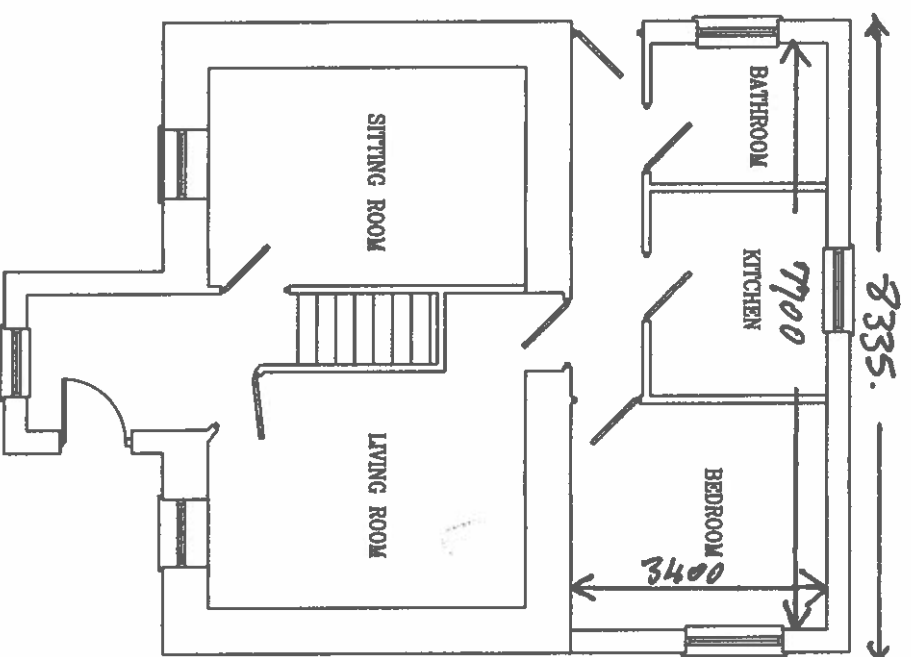
SIDE ELEVATION

Proposed Works:

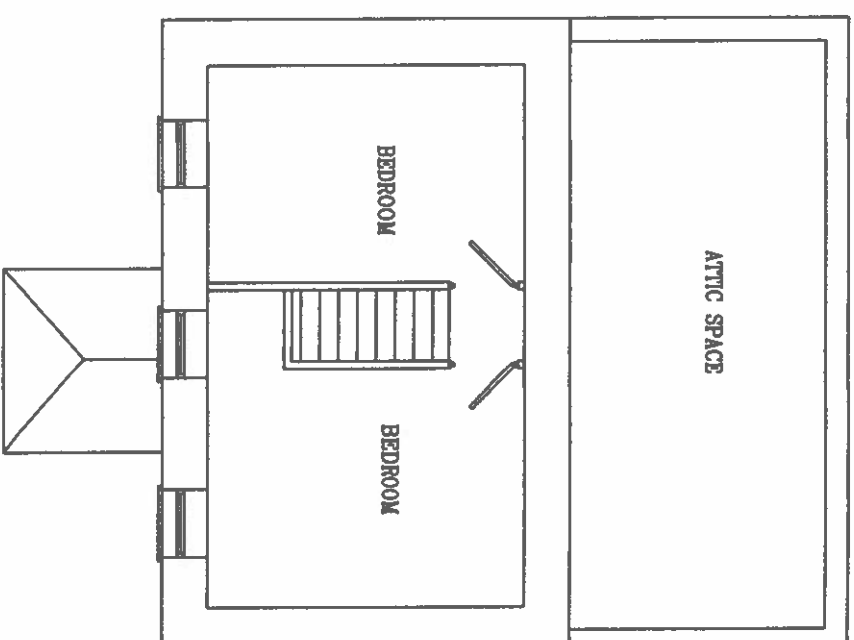
- Strip off and renew external plaster
- Repair wall cracks as required
- Dryline and replaster internal walls
- Fit external insulation
- Strip out and renew floors at ground level
- Strip out and replace ceilings
- Lower first floor ceilings to 2.4m
- Replace windows
- New electrical installation required.
- New plumbing installation required
- Install solid fuel stove with continuous liner.
- Fit new fascia soffit and gutters



PLANNING APPLICATION DRAWINGS ONLY	
Existing House at Parkeel	
CLIENT: Margaret Cafferty	SCALE:1:100
REF. NO.	DATE: Feb 2024
TITLE: Elevations	DRG. NO. L 03
Drawn by:	
DEENEY ENGINEERING & PLANNING SERVICES	
BRENDAN DEENEY B.TECH.	
KILTBRANKS, BALLACHADERREEN, CO. ROSCOMMON.	
Tel/Fax: 094-9860908 Mobile 086-2503109	
email: bdeeneey@gmail.com.	



Ground Floor Plan 64m²



First Floor Plan 30m²



Proposed Works:

- Strip off and renew external plaster
- Repair wall cracks as required
- Dryline and replaster internal walls
- Fit external insulation
- Strip out and renew floors at ground level
- Strip out and replace ceilings
- Lower first floor ceilings to 2.4m
- Replace windows
- New electrical installation required.
- New plumbing installation required
- Install solid fuel stove with continuous liner.
- Fit new fascia soffit and gutters

PLANNING APPLICATION DRAWINGS ONLY	
Existing House at Parkeel	
CLIENT: Margaret Cafferty	SCALE: 1:100
REF. NO.	DATE: Feb 2024
TITLE: Floor Plans	DRG. NO. L 02
Drawn by:	
DEENEY ENGINEERING & PLANNING SERVICES BRENDAN DEENEY B.TECH. KILTBRANKS, BALACHADDERREEN, CO. ROSCOMMON. Tel/Fax: 084-9860908 Mobile 086-2503109 email: badeeney@gmail.com.	