

<b>AN BORD PLEANÁLA</b>	
LDG- _____	
ABP- _____	
26 AUG 2020	
Fee: € _____	Type: _____
Time: _____	By: <u>Reg. Post</u>

**REGISTERED POST**

Doina Chiforescu  
An Bord Pleanála,  
64, Marlborough Street,  
Dublin 1. D01 V902

Our Ref: DED 402

25<sup>th</sup> August 2020

Your Ref: ABP-307834-20

Re: **DED 402: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development Application DED 402 regarding the existing breakwater development described in the planning application (PD/19/584) at Lough Allen Lodge, Tawlaght Townland, Co. Roscommon.**

A Chara

I refer to the above mentioned appeal and your letter dated 17<sup>th</sup> July 2020 (copy attached). The responses to the queries (i) to (v) are as follows:

- i. The Planning Application PD/15/584 is the file relating to this DED application. This file is subject to ABP Appeal ref: ABP-306641-20. All documentation requested has been forwarded to ABP in relation to this file.
- ii. All correspondence between the applicant and the planning authority on file DED 402 is attached
- iii. The Planning Application PD/19/584 lists the owner of the property as Juergen Blumenkamp, Lough Allen Lodge, Tawlaght Townland, Co. Roscommon.
- iv. Saskia de Jong, Lecarrow or Strandhill, Drumkeeran, Co. Leitrim.
- v. The completed application form (our reference DED 402) for a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) was received on 6th July 2020 from Saskia de Jong. A decision was made to refer the application to An Bord Pleanála on 14<sup>th</sup> July 2020.)

Mise le meas

*Antoinette Robinson.*

Administrative Officer, Planning.

Email: [planning@roscommoncoco.ie](mailto:planning@roscommoncoco.ie)

Saskia de Jong,  
Lecarrow or Strandhill,  
Drumkeeran,  
CO. LEITRIM.

Date: 15<sup>th</sup> July, 2020  
Planning Reference: DED 402

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

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A Chara,

I wish to acknowledge receipt of your letter received on 15<sup>th</sup> June and completed application form received on the 6<sup>th</sup> July, 2020 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. **L01/0/207608** dated 09/07/2020. Application DED 402 regarding the existing breakwater development described in the planning application (PD/19/584) at Lough Allen Lodge, Tawlaght Townland, Co. Roscommon.

In accordance with Section 5(4) Planning and Development Act 2000 (as amended), Roscommon County Council as the Planning Authority has decided to refer the application DED 402 to An Bord Pleanála to decide whether the development requires planning permission or not.

**Note:** Please note your Planning Reference No. is **DED 402**.  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

*Antoinette Robinson.*

Antoinette Robinson, A.O.,  
Planning. vm.

<b>AN BORD PLEANÁLA</b>	
26 AUG 2020	
LTR DATED _____	FROM _____
LDG- _____	
ABP- _____	

DED 402

Saskia de Jong,  
Lecarrow or Strandhill, Drumkeeran, Co Leitrim



To: Roscommon County Council,  
Planning Section,  
Aras an Chontae, Roscommon,  
Co. Roscommon.

Date: 30/06/2020

Ref: Request for a Declaration Regarding Development/ Exempted Development under Section 5 of the Planning and Development Acts 2000 to 2019.

Dear Sir, Madam,

I posted to you on 10/06/2020 a Request for a Declaration Regarding Development/ Exempted Development under Section 5 of the Planning & Development Acts 2000 – 2018.

In an envelope stamped 17/06/2020 you returned to me my Request. You rejected my Section 5 Request.

You stamped my Request with date of 15/06/2020. You added a compliment slip in which you request me to complete DED Application. This is dated 16/06/2020.

In the Planning and Development Act 2000, in Section 5, subsection (1) it states that "any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question".

The Roscommon County Council Form – "Application for a Declaration under the Section 5 of the Planning and Development Act 2000, regarding Exempted Development" - *does not facilitate a Planning and Development Acts 2000 – 2019, Section 5 Declaration Request regarding Development/Exempted Development by a Third Party.*

The Roscommon County Council Form called: "Application for a Declaration under the Section 5 of Planning & Development Act 2000, regarding Exempted Development" - *is only applicable for Developer, owner or occupier to establish exempted status of development or use before development – called on your form "Proposed Works".*

For that reason I sent to you on 10/06/2020 my Request for a Declaration Regarding Development/ Exempted Development under Section 5 of the Planning and Development Acts 2000 – 2018 in a format in which I made it clear that my Request is a Third party request and formulated my Request accordingly - by checking up and including the format of other County Councils Section 5 Request /Application Forms which are applicable for a Third Party Request.

Hereby I send to you:

My original Section 5 Request accompanied by the filled in DED Application Section 5 Declaration sought Request Form from Roscommon County Council.

Enclosed is the 80EURO payment by cheque. Enclosed is a Site Location Map scale 1:2500 on which I marked in Red the location of the existing Breakwater.

Please note that the statutory timeframe to answer this Request runs from the date of my original Request.

Kind regards,  
Saskia de Jong.



**AN BORD PLEANALA**

26 AUG 2020

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_

LDG- \_\_\_\_\_

ABP- \_\_\_\_\_

DED 402



Comhairle Contae Ros Comáin Roscommon County Council

Áras an Chontae, Roscommon, Co. Roscommon Phone: (090) 66 37100 Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the Planning & Development Act 2000, regarding Exempted Development

Form with fields: Name: SASKIA DE JONG; Address: LECARROW OR STRANDHILL, DRUMKEERAN, COUNTY LEITRIM; Name & Address of Agent: N.A.; Nature of Proposed Works: N.A.; Location (Townland & O.S No.): LOUGH ALLEN - joining - Lough Allen Lodge, TAWLAGHT TOWNLAND, COUNTY ROSCOMMON. OS MAP REFERENCE: 1403 - O.S No: ITM CENTRE POINT CO-ORDINATE: X-4c 5g 5175.816430; Floor Area: LOOK ON PLANNING APPLICATION: ROSCOMMON COUNTY COUNCIL PD/19/1584; Height above ground level: LOOK ON PLANNING APPLICATION: ROSCOMMON COUNTY COUNCIL PD/19/1584; Total area of private open space remaining after completion of this development: N.A.; Roofing Material (Slates, Tiles, other) (Specify): N.A.; Proposed external walling (plaster, stonework, brick or other finish, giving colour): N.A.; Is proposed works located at front/rear/side of existing house: N.A.

AN BORD PLEANALA LTR DATED FROM LDG- ABP-

26 AUG 2020

# Roscommon County Council



Application for a Declaration under Section 5 of the Planning & Development Act 2000, regarding Exempted Development

Has an application been made previously for this site	YES
If yes give ref. number (include full details of existing extension, if any)	ROSCOMMON COUNTY COUNCIL; PD/14/178 PRESENT PLANNING APPLICATION: ROSCOMMON COUNTY COUNCIL PD/19/584
Existing use of land or structure	IT IS A BREAKWATER. EXISTING USE OF IT IS TO BREAK WATER FOR PRIVATE LEISURE BOATING.
Proposed use of land or structure	N.A.
Distance of proposed building line from edge of roadway	N.A.
Does the proposed development involve the provision of a piped water supply	N.A.
Does the proposed development involve the provision of sanitary facilities	N.A.

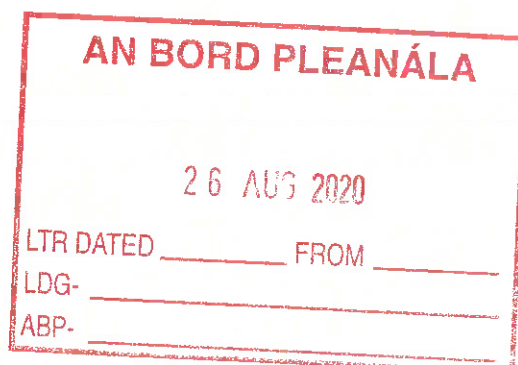
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

18/06/2020

Note: This application **must** be accompanied by:-

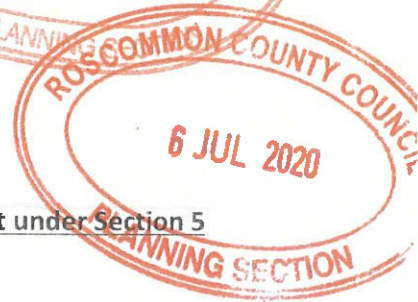
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development = N.A.
- (d) Details specification of development proposed = N.A.



Saskia de Jong,  
Lecarrow or Strandhill, Drumkeeran, Co. Leitrim.

To: Roscommon County Council,  
Planning Section,  
Aras an Chontae, Roscommon,  
Co. Roscommon.

Date: 10/06/2020



**Application for a Declaration Regarding Development/ Exempted Development under Section 5 of the Planning & Development Acts 2000 - 2018.**

Applicant – Saskia de Jong.  
Address of Applicant – Lecarrow or Strandhill, Drumkeeran, Co. Leitrim.  
All correspondence to be sent to the Applicant's address.

30/6/2020

Postal Address of Property/ Site/ Building to which declaration sought relates:  
Lough Allen Lodge, Tawlaght Townland, County Roscommon.  
Ordnance Survey No.: ITM Centre Point Co-ordinate: X. Y=595175.816439.  
OS Map Reference: 1403.

The Applicant is not the owner of the property in question.  
Interest of the Applicant in this site: Third party and I have permission to hunt fauna over the foreshore of Lough Allen.  
The owner of the property is Jurgen Blomenkamp. Address: Lough Allen Lodge, Tawlaght Townland, County Roscommon.

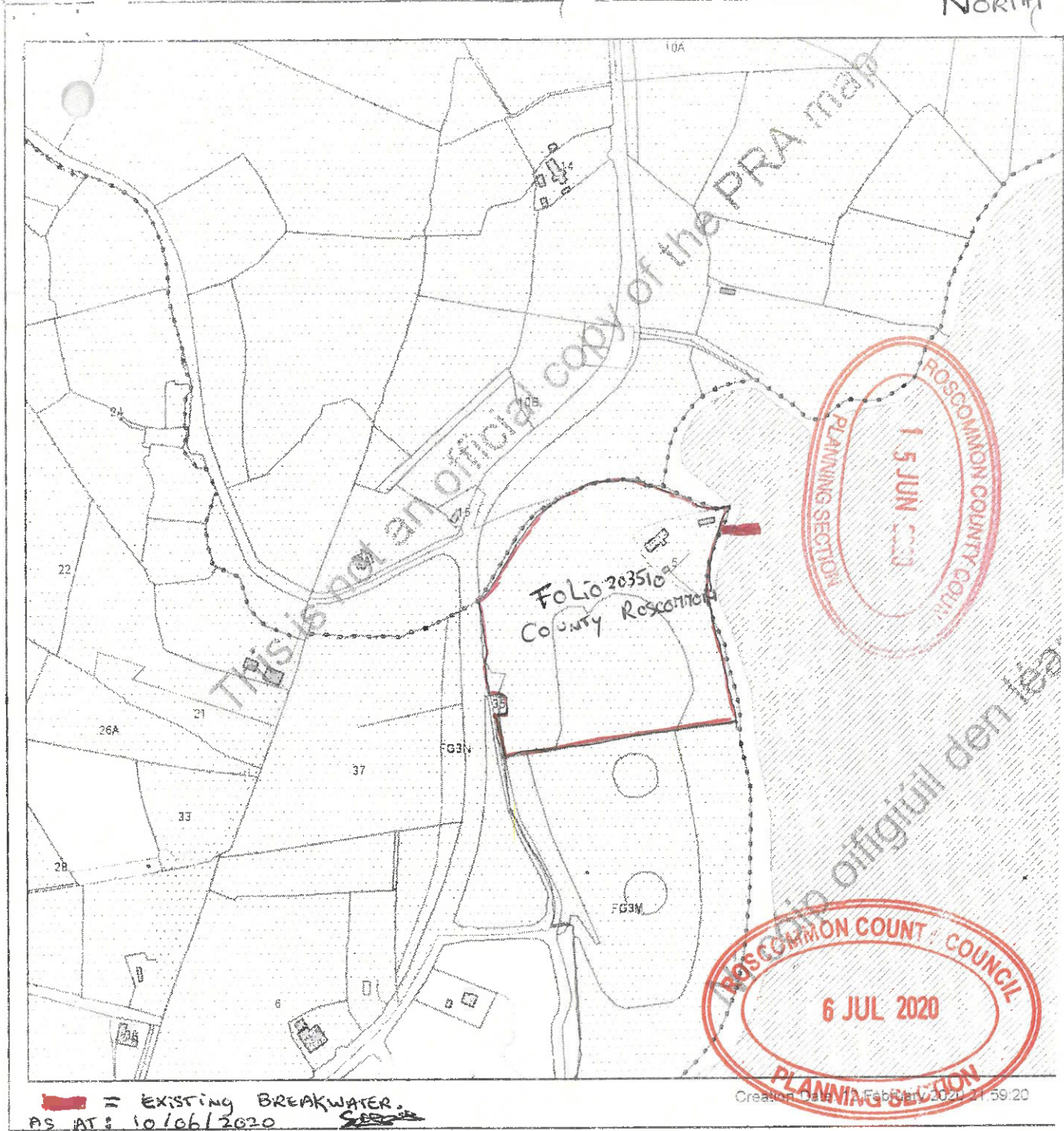
Type of Declaration sought: Is the existing Breakwater development and if so, is it exempted development? The existing Breakwater did not exist before the applicant bought the property and got the property registered in his name – Land Registry County Roscommon Folio 203510. There was not a planning application done by the applicant for the existing Breakwater. So is this development described above Development within the meaning of the Act and if so, is it Exempted Development?

Enclosed is the 80EURO payment by cheque.  
Enclosed is a Site/Location Map.

Kind regards,  
Saskia de Jong.

<b>AN BORD PLEANÁLA</b>	
26 AUG 2020	
LTR DATED _____	FROM _____
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SITE LOCATION MAP 1:2500



**AN BORD PLEANÁLA**

26 AUG 2020

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_

LDG- \_\_\_\_\_

ABP- \_\_\_\_\_