

REGISTERED POST

The Secretary,
An Bord Pleanála
64 Marlborough St.,
DUBLIN 1. DO1 V902.

Date: 21st December, 2022

Ref: DED 531

AN BORD PLEANÁLA	
LDG-	060176-22
ABP-	315420-22
22 DEC 2022	
Fee: €	110
Type:	cheque
Time:	
By:	meg post

Re: Application for a Declaration under Section 5 of the Planning & Development Act (2000) as amended, regarding exempted development; development consisting of the erection of Antennae support structure located in Ballyclare, Ballyleague, Co. Roscommon opposite the entrance to St. Faithleach's Football Pitch.

A Chara,

Roscommon County Council wishes to refer DED 531 to An Bord Pleanála for decision by the Board.

Please find enclosed copy of the DED application received by Roscommon County Council together with all associated reports and correspondence.

Please find enclosed also cheque in the sum of €110.00 being fee for this referral.

Mise le meas,

Mary Dolan,
Administrative Officer,
Planning Office.



REMITTANCE ADVICE / FAISNÉIS ÍOCAÍOCHTA

AN BORD PLEANALA
64 MARLBORO STREET DUBLIN 1
Ireland

Cheque No.	469779
Supp ID / Uimh. Aitheantais	18039
Date / Dáta	21/12/2022
Page / Leathanach	1/1

Your Ref/ Bhur dTagairt	Inv Date/ Dáta Sonraisc	Our Ref/ Ár dTagairt	AMOUNT/ SUIM EUR	Payable Iníochta EUR
DED 531 PAT	19/12/2022	30470692	110.00	110.00
PAGE TOTAL / IOMLÁN AN LEATHANAIGH			EUR	
GRAND TOTAL / MÓRIOMLÁN			EUR	
			110.00	110.00
			110.00	110.00

WH = Withholding Tax CT = Subcontractors Tax RA = Non Resident Landlord
CMP = Late Payment Compensation

**Planner's Report on application under
Section 5 of the Planning and Development Act 2000-2015**

Reference Number:	DED 531
Re:	Application for a Declaration under Section 5 of the Planning and Development Act 2000 as amended, regarding Exempted Development to for an Antennae Support Structure.
Name and Address of Applicant:	Pat Vessey
Location of Development:	Ballyclare, Ballyleague, Co. Roscommon

WHEREAS a question has arisen as to whether an antenna support structure at Ballyclare, Ballyleague, 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 Acts 2000 (as amended);
- (b) SECTION 254 (1) (ee) of the Planning and Development Acts 2000 (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);

Site Location & Development Description

The development is located in the public domain in the settlement of Ballyleague. The site consists of a monopole and a control kiosk for the mast. The pole is 14.8 m high and consists of one dish.

Planning History:

00/1390: Permission granted for a dwelling.

Other relevant history:

Licence issued under Section 254 of the Planning and Development Act for a 15-metre high Smart Streetpole with an approximate diameter of 324mm and operator cabinet at Ballyleague (off N63).

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 254:

(1) Subject to subsection (2), a person shall not erect, construct, place or maintain—

- (a) a vending machine,
- (b) a town or landscape map for indicating directions or places,
- (c) a hoarding, fence or scaffold,
- (d) an advertisement structure,
- (e) a cable, wire or pipeline,

F1092[(e) over ground electronic communications infrastructure and any associated physical infrastructure,]

- (f) a telephone kiosk or pedestal, or
- (g) any other appliance, apparatus or structure, which may be prescribed as requiring a licence under this section,

on, under, over or along a public road save in accordance with a licence granted by a planning authority under this section.

Assessment

Notwithstanding the fact that the Section 5 provision in the Act allows a party to generally query whether a development is exempt, this Section 5 application refers to a specific development and location. In light of the fact Roscommon County Council has issued a licence under Section 254 of the Planning and Development Act 2000 as amended for the structure on site and An Bord Pleanala being the higher Planning Authority I recommend this application is referred to An Bord Pleanala for decision.

Recommendation

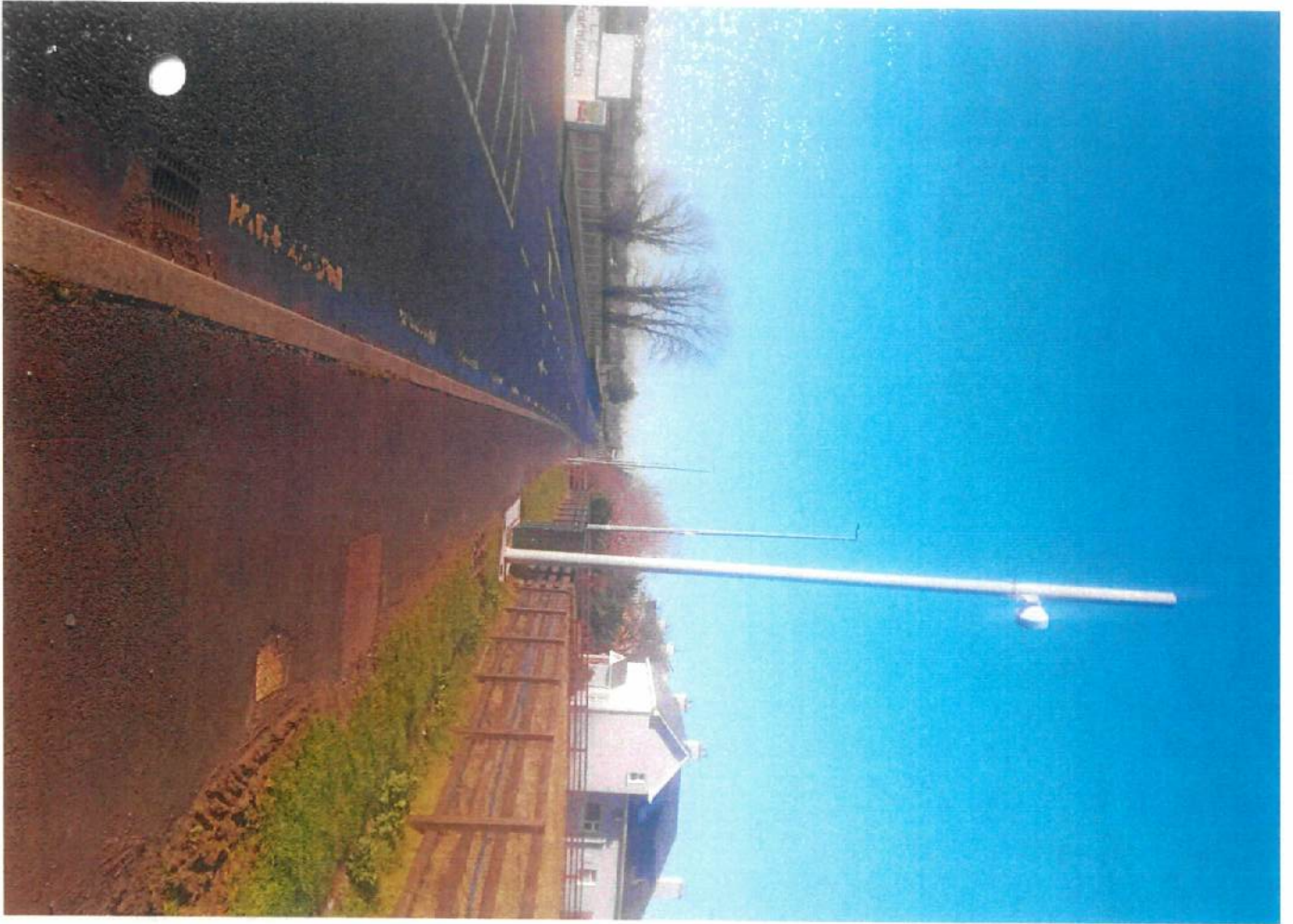
Having regard to the above, I recommend **that** this Section 5 application is referred to An Bord Pleanala for decision.

Signed 
Paula Connaughton
Executive planner

Date: 16/12/22

Signed _____
Senior/ Senior Executive Planner

Date: _____





MEMORANDUM

To: South Roscommon Area.

From: Caroline Mockler, Planning Department.

Date: 5th December 2022.

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

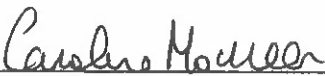
Development: Antenna Support Structure at Ballyclare, Ballyleague, Co. Roscommon.

Applicant: Pat Vessey.

Planning Ref: DED 531.

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from Pat Vessey, which was received on 25th November, 2022.

Please let me have your recommendation.



Senior Staff Officer,
Planning.

From: Planning Department
Sent: Monday 5 December 2022 12:35
To: 'info@collinsboydeng.com'
Subject: RCC DED Ref. No.: DED 531 - Acknowledgement of Request for Declaration under Section 5 of the Planning & Development Act.
Attachments: DED531 Ack App Agent.pdf

A Chara,

Please find attached, letter of acknowledgement in respect of request for a declaration under Section 5 of the Planning & Development Act 2000 (as amended), reference no. DED 531.

A hard copy of this acknowledgement will also issue by post today.

Mise le meas,

Caroline Mockler | Senior Staff Officer | Roscommon County Council

| ✉: planning@roscommoncoco.ie | www.roscommoncoco.ie

Aras an Chontae, Roscommon, Co. Roscommon. F42 VR98 [MAP LOCATION](#)





Comhairle Contae
Ros Comáin
Roscommon
County Council



Pat Vessey,
Ballyclare,
Ballyleague,
Co. Roscommon.

Date: 5th December 2022
Planning Reference: DED 531

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

Development: Antenna Support Structure at Ballyclare, Ballyleague, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application received on the 25th November, 2022, 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. L01/0/220105 dated 29th November 2022 refers, receipt attached herewith for the attention of the Agent.

Note: Please note your Planning Reference No. is DED 531. This should be quoted in all correspondence and telephone queries.

Mise le meas,

Carolin Mounsey
Senior Staff Officer,
Planning.

CC: BY EMAIL:
Collins Boyd Engineers & Architects,
Galway Road, Roscommon.

Roscommon County Council
Aras an Chontae
Roscorn.
09068 37100

29/11/2022 13:48:37

Receipt No. : L01/0/220105

PAT VESEY
C/O COLLINS BOYD ENGINEERS & ARCH
GALWAY RD
ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 531	

Total : 80.00 EUR

Tendered
Cheque 80.00
3202

Change : 0.00

Issued By : Louis Carroll
From : Central Cash Office



GALWAY ROAD,
ROSCOMMON,
CO. ROSCOMMON.

T. 090 663 4421
F. 090 663 4423
E. INFO@COLLINSBOYDENG.COM

WWW.COLLINSBOYDENG.COM

24th November 2022.

The Secretary,
Roscommon County Council,
Aras an Chontae,
Roscommon,



Re: Declaration under Section 5 of the Planning and Development Acts 2000-2022.

Dear Sir/Madam

We Collins Boyd, Engineers and Architects, of Galway Road Roscommon have been retained by Mr. Pat Vesey of Ballyclare, Ballyleague, Co. Roscommon to seek a declaration on whether or not an Antennae Support Structure 14.8m high is development or exempt development. The support structure is located in Ballyclare, Ballyleague opposite the entrance to St. Faithleachts Football Pitches on the northern side of the N63. It is sited on our client's lands. I attach site location map together with, site layout plan, photograph of the structure ,land registry details (Folio Nr. RN2207F)and the application form for a Declaration under Section 5 of the Planning and Development Act 2000. The ITM centroid of the mast has co-ordinates 599348.449,769648.5.

We enclose the prescribed fee of €80. Please advise if any further information is required to process this application.

Yours sincerely,

Eamon Collins
Director
BEng(Hons) Eur Ing C.Eng FIEI



Comhairle Contae
Ros Comáin
Roscommon
County Council



Seán 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, regarding Exempted Development

Name:	Pat Vessey
Address:	Ballyclare Ballyleague Co. Roscommon
Name & Address of Agent:	Colin Boyd Engineers & Architects Galweg Road, Roscommon
Nature of Proposed Works	Antennae Support Structure
Location (Townland & O.S No.)	Ballyclare / See attached
Floor Area	N/A
Height above ground level	14.79m
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

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	No
If yes give ref. number (include full details of existing extension, if any)	N/A
Existing use of land or structure	Agricultural
Proposed use of land or structure	Communications
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: 24/11/2022

Note: This application must be accompanied by:-

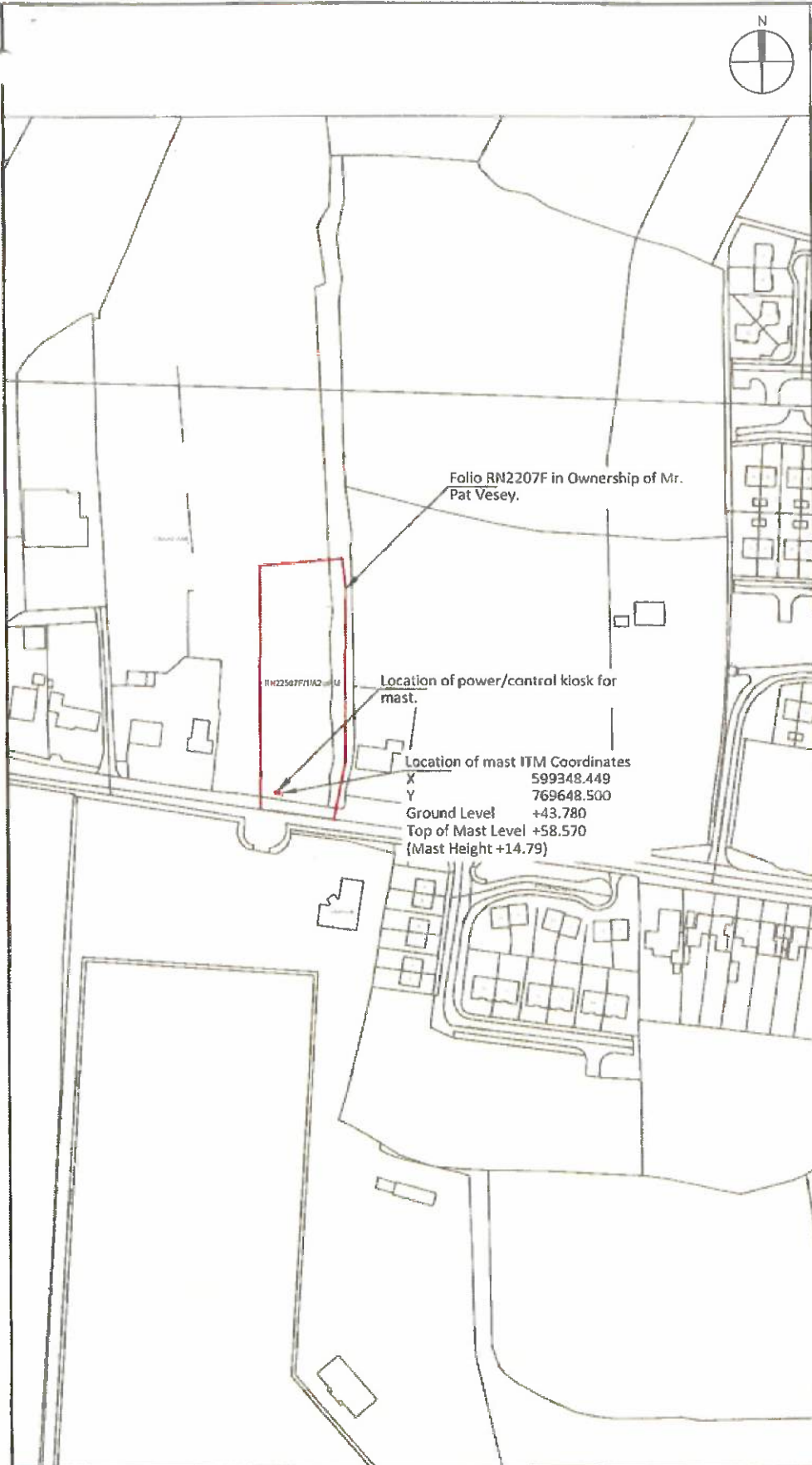
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed

GALWAY ROAD,
ROSCOMMON,
CO. ROSCOMMON

T. 090 663 4421
F. 090 663 4423
E. INFO@COLLINSBOYDENG.COM

WWW.COLLINSBOYDENG.COM





Location of mast ITM Coordinates
 X 599348.449
 Y 769648.500
 Ground Level +43.780
 Top of Mast Level +58.570
 (Mast Height +14.79)

Description:
 Digital Landscape Model (DLM)

Publisher / Source:
 Ordnance Survey Ireland (OSI)

Data Source / Reference:
 PRIME2

File Format:
 Autodesk AutoCAD (DWG_R2013)

File Name:
 v_50302761_1.dwg

Clip Extent / Area of Interest (AOI):
 LLX,LLY= 599151.6706,769358.4527
 LRX,LRX= 599581.6706,769358.4527
 ULX,ULY= 599151.6706,789941.4527
 URC,URY= 599581.6706,789941.4527

Projection / Spatial Reference:
 Projection= WKT:EPSG:Irish_Transverse_Mercator

Centre Point Coordinates:
 X,Y= 599366.8706,769849.0527

Reference Index:
 Map Series / Map Sheets
 1:2,500 | 2416-D
 1:2,500 | 2416-B

Data Extraction Date:
 Date= 15-Nov-2022

Source Data Release:
 DCMS Release V1.158.114

Product Version:
 Version= 1.4

License / Copyright:
 Ordnance Survey Ireland Terms of Use apply. Please visit www.osi.ie/about/terms-conditions.

Revisions			
Rev	By	Date	Description
PL0	MQ	16.11.2022	Issued to Roscommon County Council

Client:
 Pat Vesey

collinsboyd
 ENGINEERS & ARCHITECTS

Galway Road
 Roscommon
 Co. Roscommon
 F42 V624

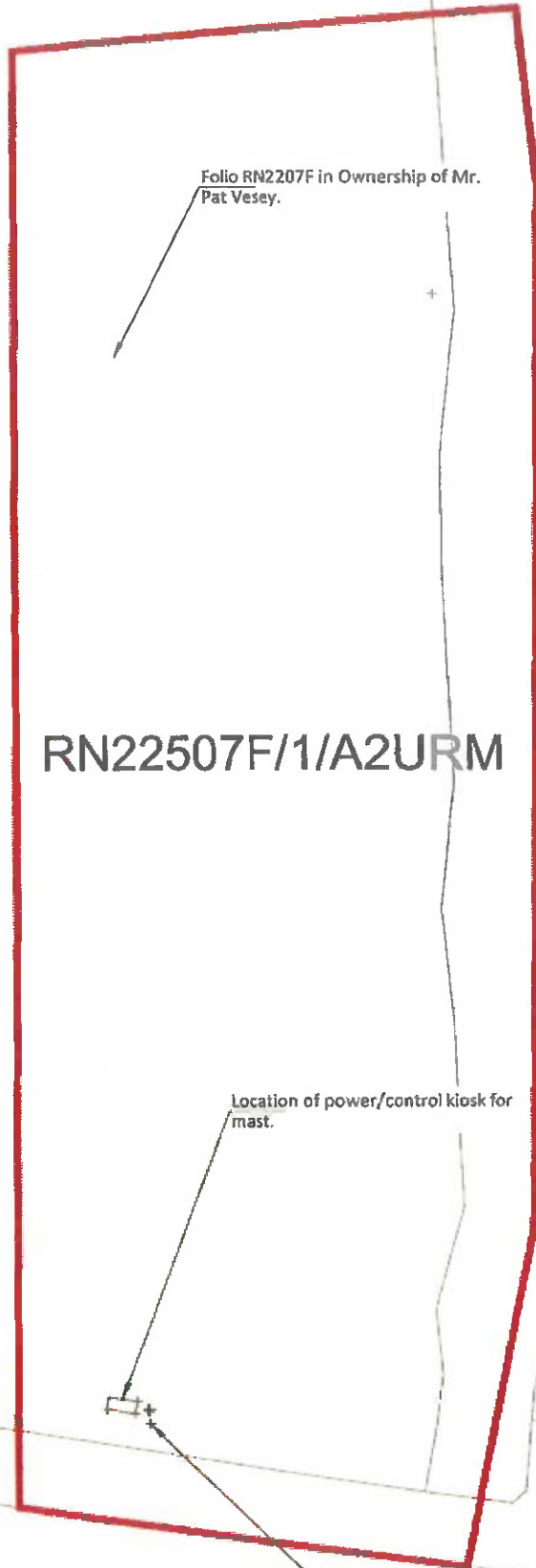
Phone: 090 8654421
 Fax: 090 8654422
 Email: info@collinsboydeng.com

Job Title:
 Site Location Map of Pat Vesey's Land

Drawing Title:
 Site Location Map

Status: For Information
Date: November 2022
Scale: 1:2,500 @ A4
Drawn by: MQ

JOB No.	DRG No.	REV.
22.150	SK01	PL0



Folio RN2207F in Ownership of Mr. Pat Vesey.

RN22507F/1/A2URM

Location of power/control kiosk for mast.

Location of mast ITM Coordinates
X 599348.449
Y 769648.500
Ground Level +43.780
Top of Mast Level +58.570
(Mast Height +14.79)

Description: Digital Landscape Model (DLM)
Publisher / Source: Ordnance Survey Ireland (OSI)
Data Source / Reference: PRIME2
File Format: Autodesk AutoCAD (DWG_R2013)
File Name: v_50302761_1.dwg
Clip Extent / Area of Interest (AOI):
LLY,LLY= 599151.6706,769358.4527
URX,URY= 599581.6706,769358.4527
ULX,ULY= 599151.6706,769941.4527
URX,URY= 599581.6706,769941.4527
Projection / Spatial Reference:
Projection= RENE195_6ish_Transverse_Mercator
Centre Point Coordinates:
X,Y= 599366.6706,769649.9527
Reference Index:
Map Series / Map Sheets
1:2,500 | 2418-D
1:2,500 | 2418-B
Data Extraction Date:
Date= 15-Nov-2022
Source Data Release:
DCMS Release V1.15B.114
Product Version:
Version= 1.4
License / Copyright:
Ordnance Survey Ireland Terms of Use apply. Please visit www.osi.ie/about/terms-conditions.

Revisions			
Rev	By	Date	Description
01	MD	25.11.2022	Issued by Planning & Quality Control

Client:
Pat Vesey

collinsboyd
BY ENGINEERS & ARCHITECTS
Galway Road
Roscommon
Co. Roscommon
F42 V264
Phone: 090 6834423
Fax: 090 6834423
Email: info@collinsboycad.com

Job Title:
Site Location Map of Pat Vesey's Land

Drawing Title:
Site Location Map

Status: For Information
Date: November 2022
Scale: 1:500 @ A4
Drawn by: MD

JOB No.	DRG No.	REV.
22.158	9502	PL1

