

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

CHIEF EXECUTIVE'S ORDER

Order No: PL/567/26

Reference Number: DED 1013

Name of Applicant: Csilla-Maria Hozo

Agent: N/A

WHEREAS a question has arisen as to whether a proposed development; the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72, 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 outlined above are development.
- (b) The proposed development falls within the provisions of Section 4 (1)(h) of the Planning and Development Act 2000, as amended.

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 for the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72, 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:

Signed: 
Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 5 May, 2026

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DETERMINATION

REGISTERED POST

Csilla-Maria Hozo,



Reference Number: DED 1013
Application Received: 12/03/2026
Name of Applicant: Csilla-Maria Hozo,
Agent: N/A

WHEREAS a question has arisen as to whether a proposed development; the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72, 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:

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- (d) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed development falls within the provisions of Section 4 (1)(h) of the Planning and Development Act 2000, as amended.

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 for the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72, 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:

A handwritten signature in blue ink, appearing to read 'Mervyn Walsh', written over a horizontal line.

Mervyn Walsh,
Administrative Officer,
Planning.

Date: 15/05/2026

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 Coimisiún Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

ADVICE NOTE

This Declaration is based on the relevant Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) at the date of issue. In the event that the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended) change prior to the works being carried out this Declaration may no longer apply.

**Planner's Report on application under
Section 5 of the Planning and Development Act 2000 (as amended)**

Reference Number:	DED 1013
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) is or is not development and is or is not exempted development.
Name of Applicant:	Csilla-Maria Hozo
Location of Development:	Knockroe, Castlerea, Co. Roscommon, F45 AD72.
Site Visit:	16/04/2026

WHEREAS a question has arisen as to whether the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) 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 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 site consists of an existing bungalow dwelling situated along the R-377 Regional Road in the townland of Knockroe. The subject site is located within the settlement boundary of Castlerea and is zoned Existing Residential in the Roscommon County Development Plan 2022-2028. The proposed development consists of the removal of the existing chimney stacks above roof level and replacing the roof tiles (no change to the building footprint).

Archaeological and Cultural Heritage

No RMP recorded in the likely zone of influence of the proposed development. No Protected structures or structures listed in the National Inventory of Architectural Heritage in the likely zone of influence of the proposed development.

Appropriate Assessment



The closest European site to the proposed development is Clonchambers Bog SAC (Site Code 000600) located c. 3.8km 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 can, therefore, be excluded.

Planning History

As per Roscommon County Councils Planning Registry, there is no recent planning history traced to this site.

It appears the subject dwelling was likely constructed pre 1963 Planning and Development Act.

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.

Environmental Considerations

With regard to Article 9 (1)(a) of the Planning and Development Regulations 2001 (as amended), 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 Article 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

Assessment

In accordance with the Planning and Development Act, 2000, as amended 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.

Extent of Works

The applicant proposes to remove the existing two chimney stacks located on the subject dwelling roof slopes. The proposal also includes the removal of existing solar panels to the front elevation and replace both chimney stacks and solar panels with roof tiles to match the existing tiles present. The overall works do not alter the external façade of the subject house to render it inconsistent to surrounding dwellings. The proposed development falls within the provisions of Section 4 (1)(h) of the Planning and Development Act 2000, as amended.

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 is deemed an exempt development. It is noted that upon site inspection, there were works completed to the rear of the house including new windows and doors installed as well as an exterior concrete stairway. These works were not outlined on this application but also fall within the provisions of Section 4 (1)(h).

Recommendation

WHEREAS a question has arisen as to whether a proposed development; the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72. 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

- The works outlined above are development.
- The proposed development falls within the provisions of Section 4 (1)(h) of the Planning and Development Act 2000, as amended.

AND WHEREAS I have concluded that the said development for the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 15/05/2026

Signed: 
Senior Executive Planner

Date: 15th May 2026











MEMORANDUM

To: North Roscommon Area.

From: Mervyn Walsh, Administrative Officer, Planning Department.

Date: 13th April, 2026

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

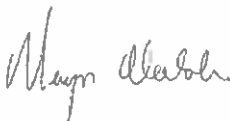
Development: WHEREAS a question has arisen as to whether the removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72, is or is not development and is or is not exempted development

Applicant: Csilla-Maria Hozo

Planning Ref: DED 1013

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from Csilla-Maria Hozo for the said development above, which was received on 12th March, 2026.

Please let me have your recommendation.



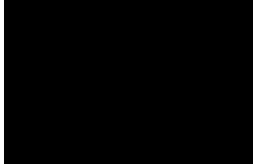
**Mervyn Walsh,
Administrative Officer,
Planning Department.**



Comhairle Contae
Ros Comáin
Roscommon
County Council



Csilla-Maria Hozo,



Date: 13th April, 2026
Planning Reference: DED 1013

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 removal of the existing chimney stacks above roof level and changing the roof slates/tiles (no change to the building footprint) at Knockroe, Castlerea, Co. Roscommon, F45 AD72, is or is not development and is or is not exempted development.

A Chara,

I wish to acknowledge receipt of your application which was received on the 12th March, 2026, 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. L01/0/239852 dated 24th March, 2026, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 1013**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Mervyn Walsh,
Administrative Officer,
Planning Department.

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100
.....

24/03/2026 10:25.20

Receipt No : L01/0/239852

CSILLA HOZO

EXEMTPED DEVELOPMENT

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED 1013	

Total : 80 00 EUR

Tendered :
Credit/Debit Card 80 00
8418

Change 0.00

Issued By : Louis Carroll
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council



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)	Csilla-Maria Hozo
Name of Agent	N/a
Nature of Proposed Works	Removal of the existing chimney stacks above roof level and changing the roof slates / tiles. No change to the building footprint other than removal of the chimney structure.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Knockroe Castlereagh Co Roscommon F45 AD72
Floor Area: a) Existing Structure b) Proposed Structure	a) _____ b) _____ n/a - no additional floor area
Height above ground level:	approx 1m above roof ridge
Total area of private open space remaining after completion of this development	No change - existing open space remains unchanged
Roofing Material (Slates, Tiles, other) (Specify)	Natural slate/ tile roof

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	N/a - chimney removal will not change wall finishes
Is proposed works located at front/rear/side of existing house.	1. Front roof slope 2. Rear roof slope
Has an application been made previously for this site	No
If yes give ref. number (include full details of existing extension, if any)	
Existing use of land or structure	Private residential dwelling
Proposed use of land or structure	Private residential dwelling (unchanged)
Distance of proposed building line from edge of roadway	n/a - no new building proposed
Does the proposed development involve the provision of a piped water supply	No
Does the proposed development involve the provision of sanitary facilities	No

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

Signature:



Date:

12/03/2026

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



ENGINEERS CERTIFICATE

I, James Lohan, BEng MIEI C.Build E MCABE of James Lohan Consulting Engineer Ltd am the Engineer
retained by: Staunton Caulfield Solicitors

Re Property; Demesne, Castlerea, Co. Roscommon, F45 AD72

AND I CERTIFY THAT;

We have inspected the premises mentioned above and visited the Planning Offices and are of the opinion that: -

1. The house was constructed pre-1963.
2. The road abutting the property is in the charge of the Local Authority and mains services are in place for the property.
3. There are no building regulations applicable to the property.

TAKE NOTICE that this Certificate is issued solely with a view to providing evidence for title purposes of compliance with the Relevant Works with the requirements of Planning Legislation and of the Building Control Act, 1990 and the Regulations there under. Except insofar as it relates to compliance with the said requirements and regulations it is not a report or survey on the physical condition or on the structure of the Relevant Works

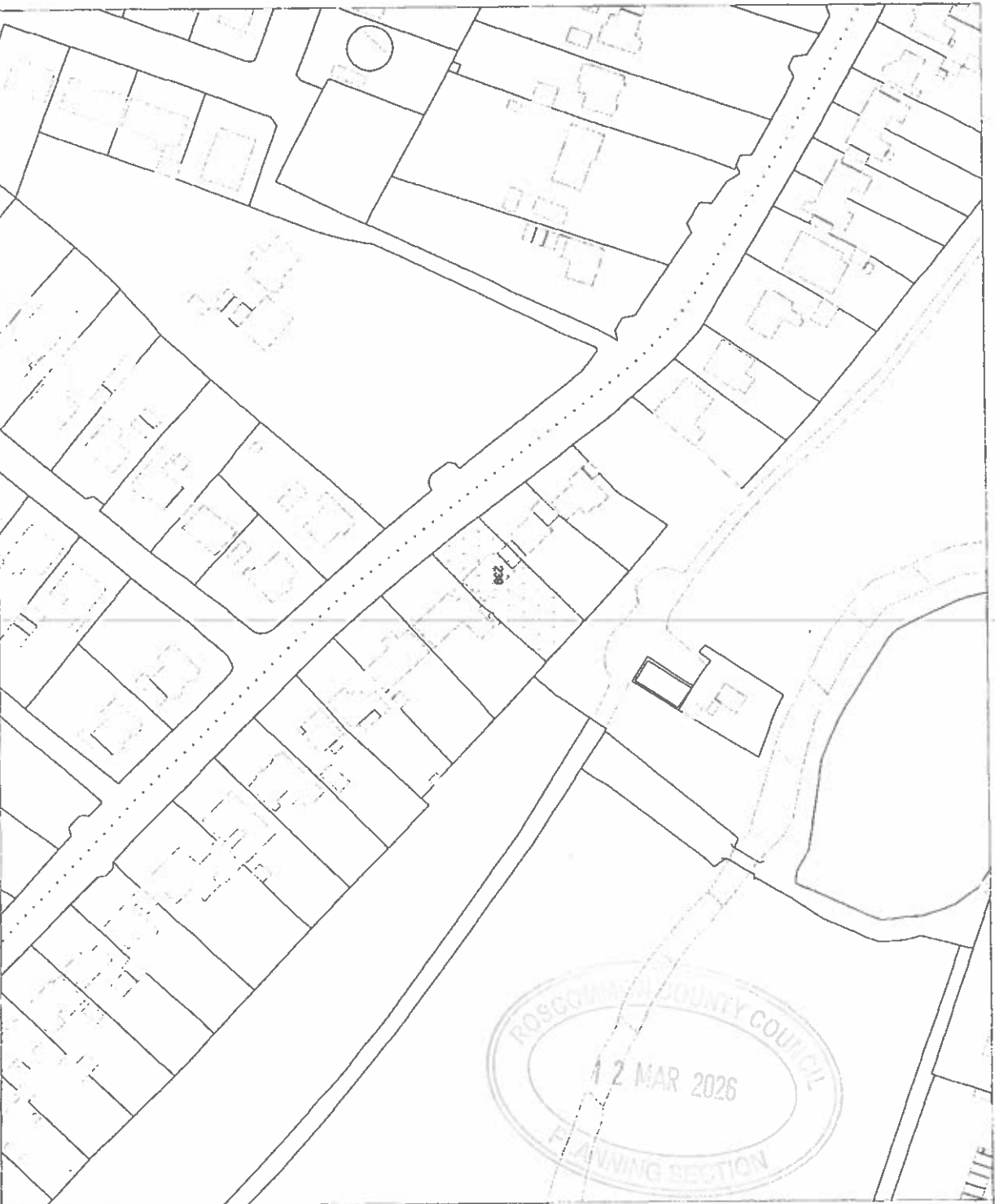
Regards, For James Lohan Consulting Engineer Ltd,



James Lohan BEng MIEI C.Build E MCABE



568640 mE, 779660 mN



Folio: RN81L

This map should be read in conjunction with the folio.

Tailte Éireann (TÉ) Registration mapping is based on TĒ Surveying mappings. Where TĒ Registration maps are printed at a scale that is larger than the TĒ Surveying scale, accuracy is limited to that of the TĒ Surveying map scale.

For details of the terms of use and limitations of scale, accuracy and other conditions relating to TĒ Registration maps, see www.cille.ie.

This map incorporates TĒ Surveying map data under licence from TĒ. Copyright © Tailte Éireann and Government of Ireland.

- (centre-line of parcel(s) edged)
- Freehold
- Leasehold
- Subleasehold

Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- ▽ Soak Pit

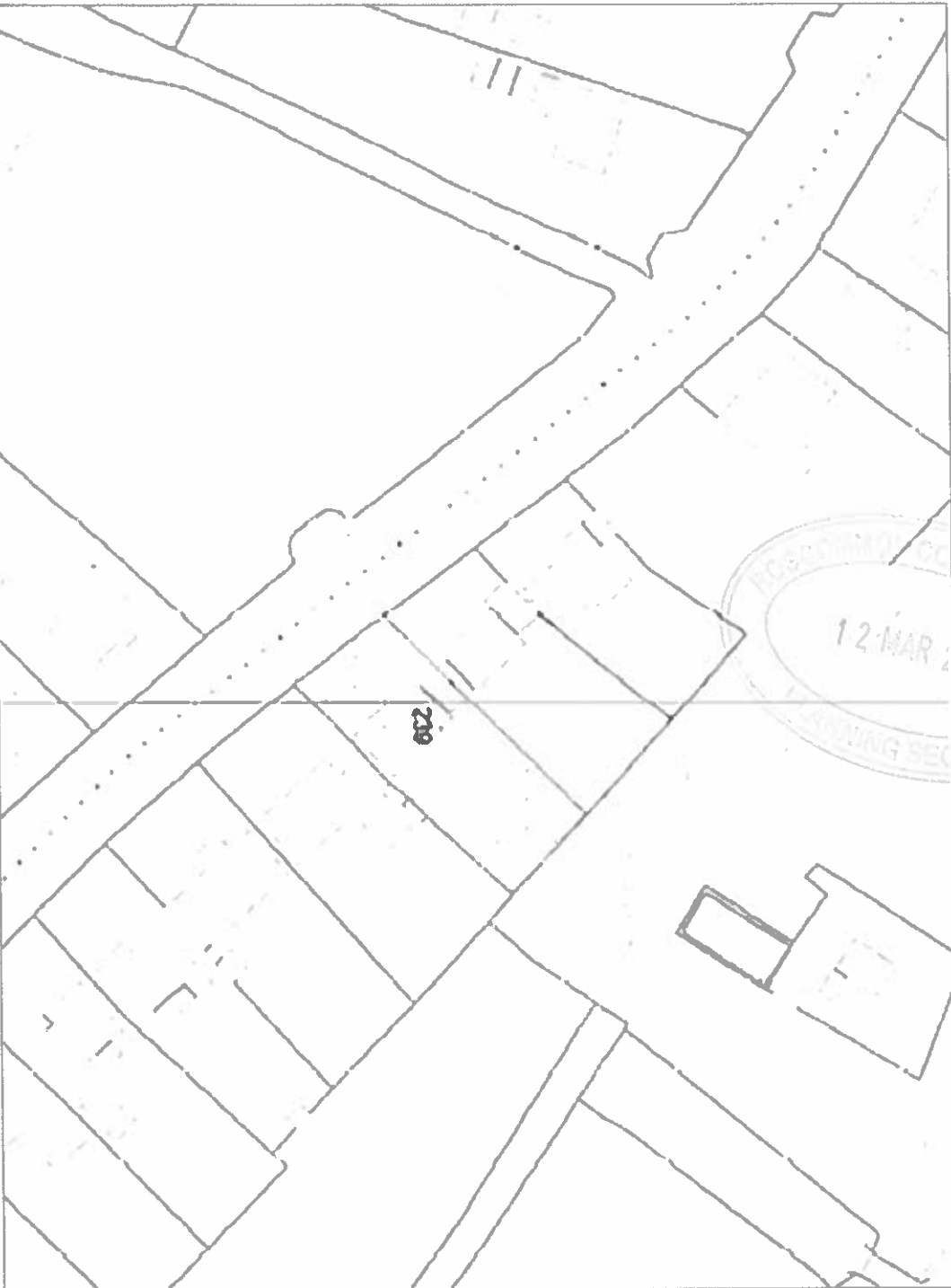
A full list of burdens and their symbology can be found at: www.landdirect.ie

Tailte Éireann Registration operates a non-conclusive boundary system. The TĒ Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TĒ Registration map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deeds and Title Act 2006.

Folio Number: RN811

Application Number: P2024LR142836V

569640 ME 773660 MN



Folio: RN811

This map should be read in conjunction with the data.

Scale Eriemann (TE) Registration mapping is based on TE Surveying mapping, where TE registration maps are prepared at a scale that is larger than the TE Surveying scale, accuracy is limited to that of the TE Surveying map scale. For details of the limits of use and limitations of scale, accuracy and other conditions relating to TE Registration maps, see [www.te.govt.nz](#).

This map conforms to TE Surveying map data under license from TE Copyright © 1988 (New Zealand Government of land)

- (symbols of generic use only)
- Freehold
- Leasehold
- Subleasehold

Boundaries (may not be represented on view)

- Ridge of Way / Wayline
- Trenchery
- Perpetual
- Well
- Pump
- Septic Tank
- Stack Pit

A full list of boundaries and their symbology can be found at [www.landinformation.govt.nz](#)

Talke Eriemann Registration operates a non-conclusive boundary system. The TE Registration map identifies properties and boundaries meaning neither the description of land in a folio nor its identification by reference to a TE Registration map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act 1981), as amended by Section 62 of the Registration of Title and 109 Act 2006.

Proposed by: 1/24/2024
Date Prepared: 28/11/2024

Creation Date: 30 November 2024 08:08:11

Application Number: 072024LR142836V

1:500 Scale



Detailed Specification of Proposed Development

Removal of Chimney Stacks

Property: Single-storey detached derelict dwelling (bungalow)

1. Existing Property Description

The existing structure is a **single-storey detached bungalow** with a **pitched tiled roof**. The dwelling currently contains **two masonry chimney stacks**:

- **Front Chimney Stack:** Located on the **front right-hand side of the roof slope**, visible from the front elevation.
- **Rear Chimney Stack:** Located on the **rear left-hand side of the roof**, positioned toward the back elevation.

The external walls consist of **rendered / pebble-dash finish** with **uPVC windows and doors**. The roof is finished with **slates**.

A **roof-mounted solar panel** is currently installed on the **front roof slope**.

2. Proposed Development

The proposed works consist of the following:

Removal of Chimney Stacks

- Complete **demolition and removal of both existing chimney stacks**.
- Removal will include:
 - chimney pots
 - chimney caps
 - masonry stack above roof level
 - associated flashing

Roof Reinstatement

Following removal:

- Roof structure will be **made good to match existing construction**.
- Rafters and battens will be repaired where required.
- Roof will be **re-tiled using matching concrete roof tiles / slates**.
- New **lead flashing and breathable membrane** will be installed where required.

Solar Panel Removal

- The **existing solar panel on the front roof slope will be removed**.



- Roof area beneath will be **reinstated with matching roof tiles / slates**.
-

3. External Appearance

The proposed works **will not alter the footprint, height, or structure of the dwelling** other than the removal of the chimney stacks.

After completion:

- The roofline will be **uniform without chimney projections**.
 - Roof finish will remain **matching existing tiles**.
 - No new structures will be added.
-

4. Elevations

Existing Elevations

The **existing drawings show:**

Front Elevation:

- Single-storey dwelling
- Front door centrally located
- Windows to left and right
- Chimney stack visible on **front right roof slope**
- Solar panel visible on **front roof slope**

Rear Elevation:

- Chimney stack visible on **rear left roof slope**
-

Proposed Elevations

The **proposed drawings show:**

Front Elevation:

- Chimney stack removed
- Solar panel removed
- Roof finished with continuous matching roof tiles / slates

Rear Elevation:

- Rear chimney stack removed
- Roofline fully reinstated



5. Construction Method

Works will include:

1. Safe dismantling of chimney stacks to roof level
2. Removal of masonry and disposal of materials
3. Structural inspection of roof timbers
4. Installation of new roof battens and membrane
5. Installation of matching roof tiles / slates
6. Making good internally if required

All works will comply with **current building regulations and health & safety requirements.**

6. Impact on Surroundings

The proposed development:

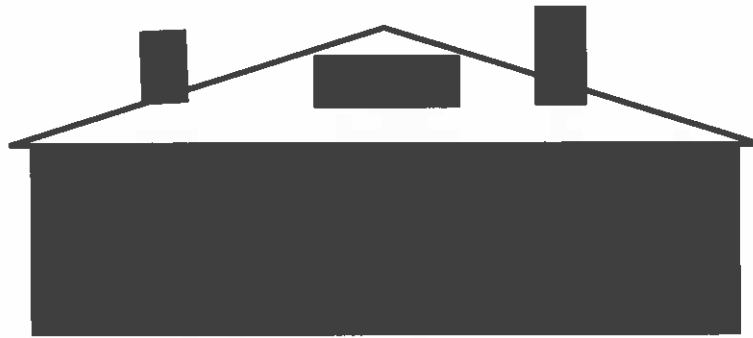
- Does not increase building height or footprint
- Does not impact neighbouring properties
- Is minor external alteration only

The works will **improve the appearance of the roofline** and remove unused chimney structures.

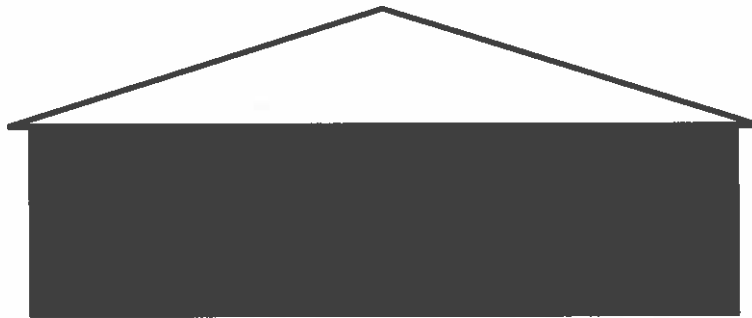


Proposed Development: Removal of Chimney Stacks

Property: Single Storey Detached Dwelling



Existing Elevation (Two Chimneys + Solar Panel)



Proposed Elevation (Chimneys and Solar Removed)

Description: Proposed works include removal of two chimney stacks (front right and rear left) and removal of the solar panel on the front roof slope. Roof will be reinstated with matching tiles.





ROSCOMMON COUNTY COUNCIL
12 MAR 2025
PLANNING SECTION