

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/1199/26

Reference Number:

DED1028

Name of Applicant (s):

Michael Beirne

Agent:

N/A

WHEREAS a question has arisen as to whether the construction of a 4 bay slatted shed with all associated site works at Lisadaly, Croghan, Boyle, 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) Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, 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:

- The works outlined above are development.
- The proposed development does not exceed the conditions and limitations attached to Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended, and is therefore deemed exempt development.

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 construction of a 4-bay slatted shed with all associated site works at Lisadaly, Croghan, Boyle, 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:

Signed:


Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 05 September 2026

ROSCOMMON COUNTY COUNCIL
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)
SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
NOTIFICATION OF DETERMINATION

REGISTERED POST

Michael Beirne,
Croghan,
Boyle,
Co. Roscommon,
F52 X891.

Reference Number: DED1028

Application Received: 15th April 2026

Name of Applicant: Michael Beirne

Agent: N/A

WHEREAS a question has arisen as to whether the construction of a 4 bay slatted shed with all associated site works at Lisadaly, Croghan, Boyle, 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.
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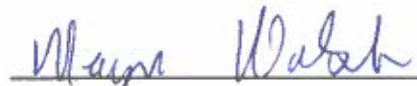
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NOW THEREFORE:

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Signed on behalf of the Council:



Mervyn Walsh,
Administrative Officer,
Planning.

Date: 29TH September 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 1028
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the construction of a 4-bay slatted shed with all associated site works is or is not development and is or is not exempted development.
Name of Applicant:	Micheal Beirne
Location of Development:	Lisadaly, Croghan, Boyle, Co. Roscommon.
Site Visit:	Yes

WHEREAS a question has arisen as to whether the construction of a 4-bay slatted shed with all associated site works **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) Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, 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.

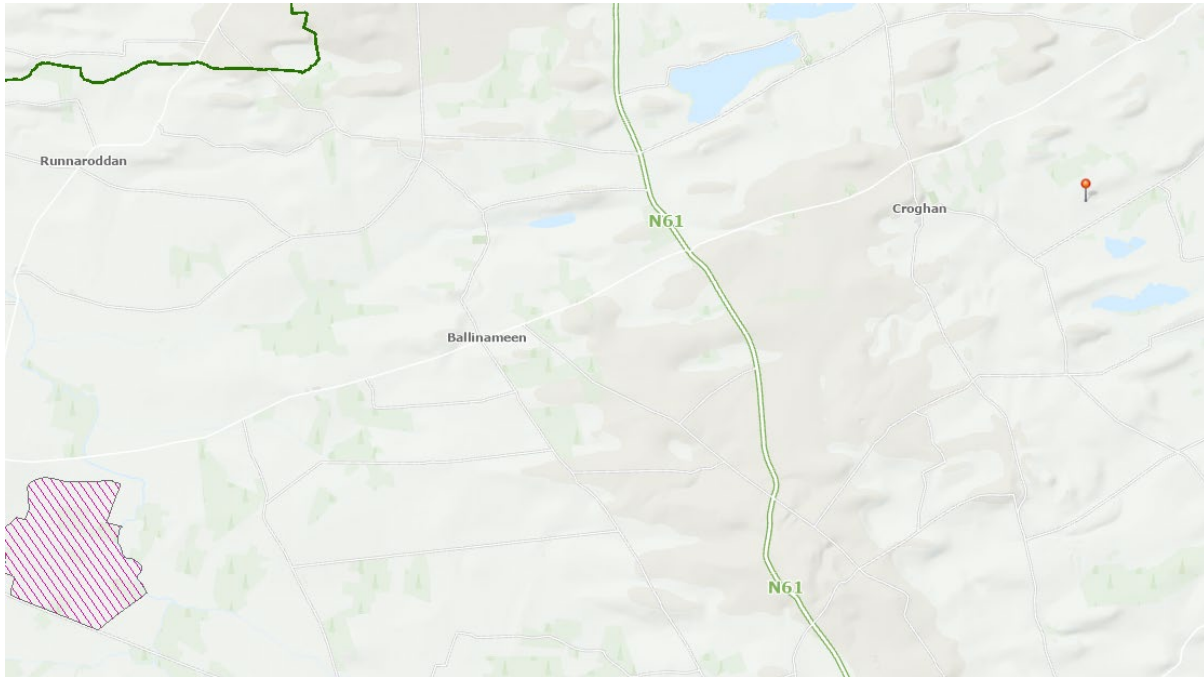
Site Location & Development Description

The site consists of an derelict house and two run outhouses/sheds. The subject site is located in the townland of Lisdaly located c. km from the village of Croghan, north Roscommon. The site is accessed via a private driveway off the Local Secondary Road. The proposed development consists of the construction of a 4-bay slatted shed with all associated site works.

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 Cloonshanville Bog SAC Site Code 000614) located c. 12.3km from 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

PD/26/60207 – Incomplete Application.

PD/26/60224 – Permission for development which will consist of: renovation and extension works to existing 2 storey dwelling on lands, namely (a) removal/demolition of structurally unsound roof and rear & side walls, including first floor joists, and reconstruction of same in extended area to rear of primary dwelling structure, (b) demolish structurally unsound single storey rear/side extension and replace with new single storey rear/side extension off primary dwelling structure, with roof lights, (c) rebuild porch structure complete, (d) provision of new PIA Approved Septic Tank c/w distribution chamber and percolation area, and all associated site works such as laneway resurfacing, replacing fencing, provision of surface water soak pits, gravel driveway c/w natural stone entrance piers at existing property entrance. **Status:** Further Information requested.

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 (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.

Development Description	Conditions and Limitations
<i>Agricultural Structures</i> CLASS 6 Works consisting of the provision of a roofed structure for housing of cattle, sheep, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision of effluent storage.	1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 450 square metres gross floor space in aggregate.

	3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location, shall be constructed in accordance with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 5. No such structure within a 100m metres of any public road shall exceed 8 metres in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 7. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone. 8. No such structure shall be within 60 metres of a public or private water source. 9. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10 metres in the case of extensions/modifications to an existing facility. 10. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
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	11. The use of this Class of exemption requires a declaration from the relevant Planning Authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction. 12. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.
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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.

CLASS 6

1. The proposed use of the structure is agriculture.
2. The proposed structure plus other such structures' floor space does not aggregate to more than 300 square metres (126.76m²).
3. The proposed structure in question is in line with Department requirements, and the applicant shall have regard to the need to avoid water pollution.

4. The proposed structure is situated more than 10 metres from a public road (210m).
5. The proposed structure is less than 8m in height (4.8m).
6. The applicant's property is located within 100m of the proposed structure.
7. The proposed structure is not situated in land use plans as Flood Zone A or Flood Zone B.
8. The proposed structure is greater than 60m from a public or private water source.
9. The proposed structure is greater than 10m from a water course or water body.
10. The proposed roofing material is Agri cladding.
11. Construction has not started on the proposed development.
12. The responsibility lies with the applicant to include as appropriate the installation of signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; whether the construction of a 4-bay slatted shed with all associated site works at Lisadaly, Croghan, Boyle, 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 –

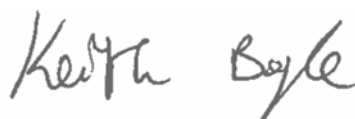
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- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (e) The planning history of the site.

AND WHEREAS I have concluded that

- The works outlined above are development.
- The proposed development does not exceed the conditions and limitations attached to Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended, and is therefore deemed exempt development.

AND WHEREAS I have concluded that the said development for the construction of a 4-bay slatted shed with all associated site works at Lisadaly, Croghan, Boyle, Co. Roscommon, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Graduate Planner

Date: 24th September 2026

A handwritten signature in black ink, consisting of stylized, overlapping loops and curves.

Signed:

Senior Executive Planner

Date: 24th September 2026

MEMORANDUM

To: North Roscommon Area.

From: Mervyn Walsh, Administrative Officer, Planning Department.

Date: 22nd April, 2026

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

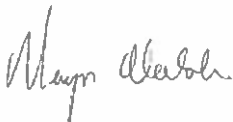
Development: WHEREAS a question has arisen as to whether the construction of a 4 bay slatted shed with all associated site works at Lisadaly, Croghan, Boyle, Co. Roscommon, is or is not development and is or is not exempted development.

Applicant: Michael Beirne

Planning Ref: DED 1028

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from Michael Beirne for the said development above, which was received on 15th April, 2026.

Please let me have your recommendation.



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



Comhairle Contae
Ros Comáin
Roscommon
County Council



Michael Beirne,
Croghan,
Boyle,
Co. Roscommon,
F52 X891

Date: 22nd April, 2026
Planning Reference: DED 1028

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 construction of a 4 bay slatted shed
with all associated site works at Lisadaly, Croghan, Boyle, Co. Roscommon, 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 15th April, 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. **L01/0/240270** dated 22nd April, 2026, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 1028**.
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
09088 37100

22/04/2026 09 58 51

Receipt No : L01/0/240270

MICHAEL BEIRNE
CROGHAN
BOYLE
CO ROSCOMMON
F52X891

PLANNING APPLICATION FEES 80 00
GOODS 80 00
VAT Exempt/Non-vatable
DED 1028

Total : 80 00 EUR

Tendered :
Credit/Debit Card 80 00
8900

Change : 0 00

Issued By : Louis Carroll
From : Central Cash Office



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, regarding Exempted Development

Name:	Michael Beirne
Address:	Croghan, Boyle, Co. Roscommon F52 X891
Name & Address of Agent:	Shelf Application
Nature of Proposed Works	To Construct a 4-Bay Dry Cattle Shed with all associated site works
Location (Townland & O.S No.)	Townland - Lisadaly, OS # 1863
Floor Area	63ft x 22ft = 126.76m ²
Height above ground level	15ft 9in = 4.8m
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	Agri Cladding to Department of Agriculture Spec
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Mass Concrete Finish
Is proposed works located at front/rear/side of existing house.	Rear

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	Agricultural
Distance of proposed building line from edge of roadway	210m
Does the proposed development involve the provision of a piped water supply	No
Does the proposed development involve the provision of sanitary facilities	N/A

Signature:

Michael Beirne

Date:

14/4/26



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

Planning Pack Map



Tailte
Éireann

**CENTRE
COORDINATES:**
ITM 587543,795813

PUBLISHED: 07/04/2026
ORDER NO.: 50528576_1

MAP SERIES: 1:5,000
MAP SHEETS: 1863

COMPILED AND PUBLISHED BY:
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*Lios
Uí Dhálaigh
Lisdaly*



OUTPUT SCALE: 1:2,500

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Output scale is not indicative of data capture scale.
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LEGEND:
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www.tailte.ie and search for
'Large Scale Legend'



Site Location Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 587543,795813

PUBLISHED: 07/04/2026 **ORDER NO.:** 50528576_1

MAP SERIES: 6 Inch Raster **MAP SHEETS:** RN010

COMPILED AND PUBLISHED BY:
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Dublin 8,
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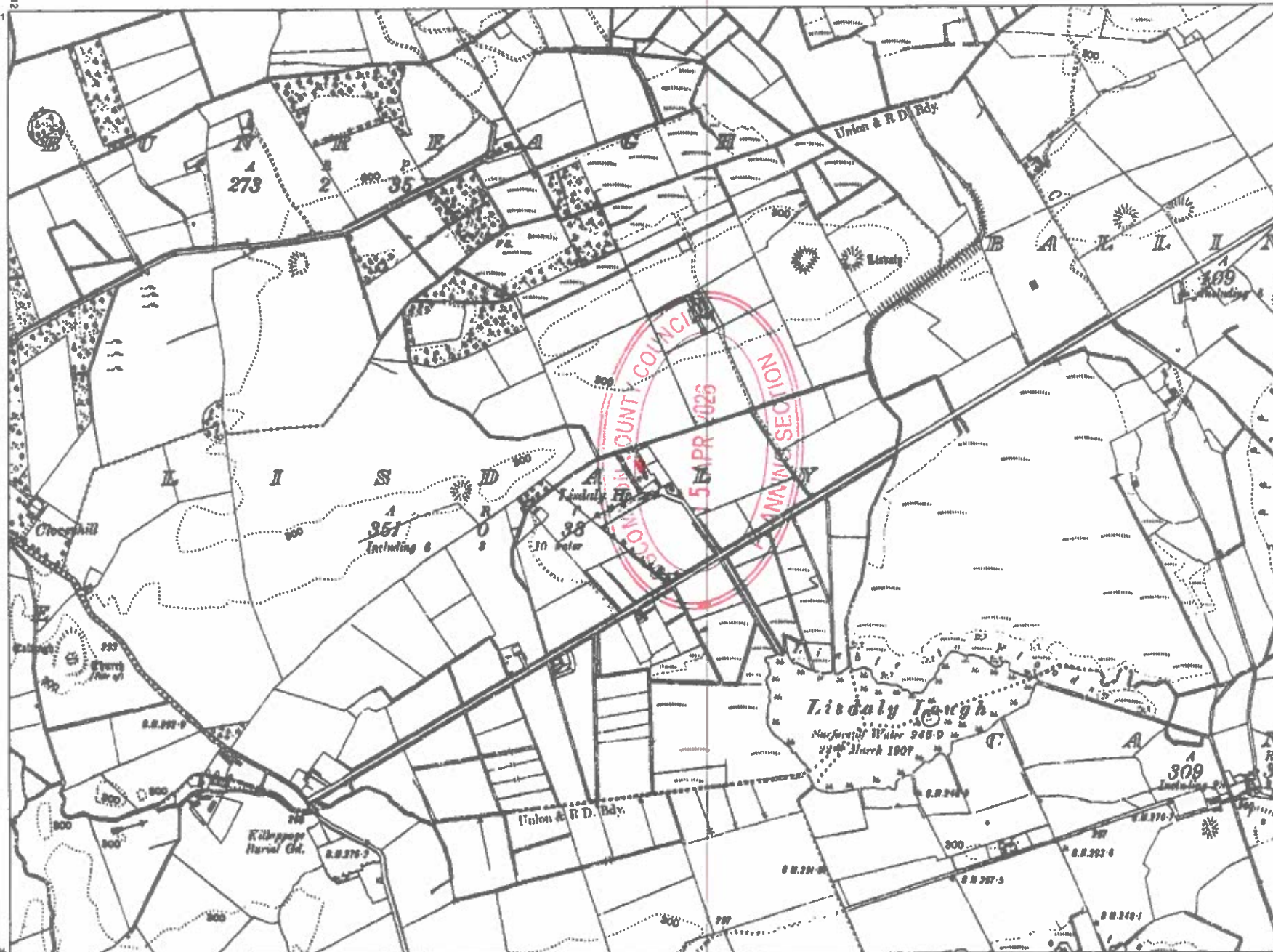
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0 110 220 330 440 Metres
0 200 400 600 800 1,000 Feet

OUTPUT SCALE: 1:10,560

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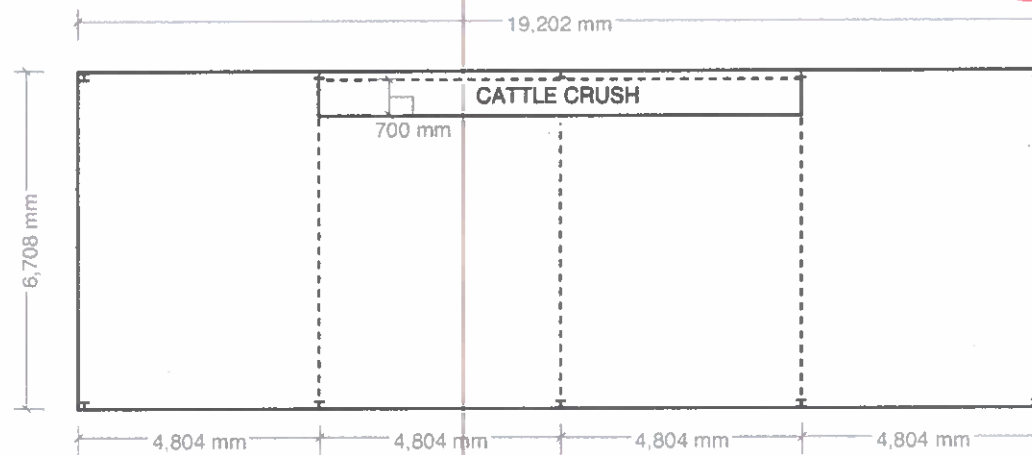
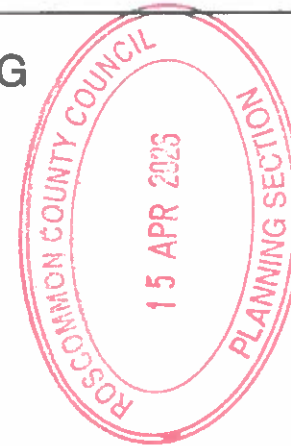
LEGEND:
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www.tailte.ie and search for
'Large Scale Legend'



PLANNING EXEMPTION DRAWING

PLAN VIEW

SCALE: 1:100



Building to be construction to Dept of Agriculture Specifications S101 & S123

JOB TITLE: Construction a New 4 Bay Dry Cattle Shed

LOCATION: Lisadaly, Croghan, Co. Roscommon

DRAWN BY: Michael Beirne

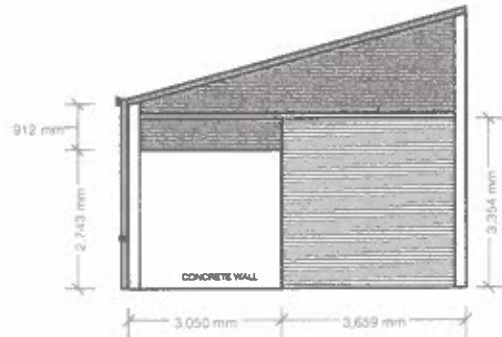
DATE: 10th April, 2026

PLANNING EXEMPTION DRAWING

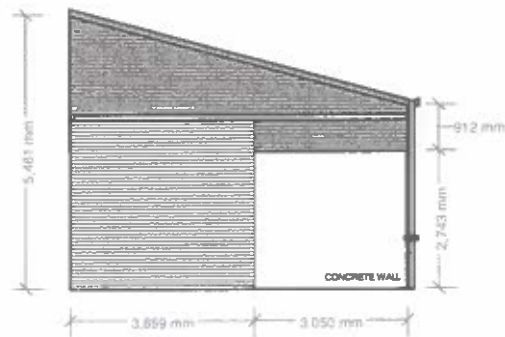
PLAN VIEW

SCALE: 1:100

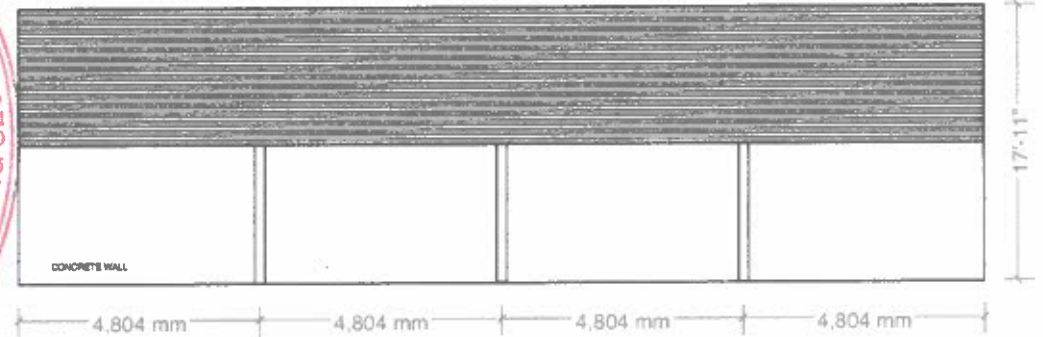
END ELEVATION (FRONT)



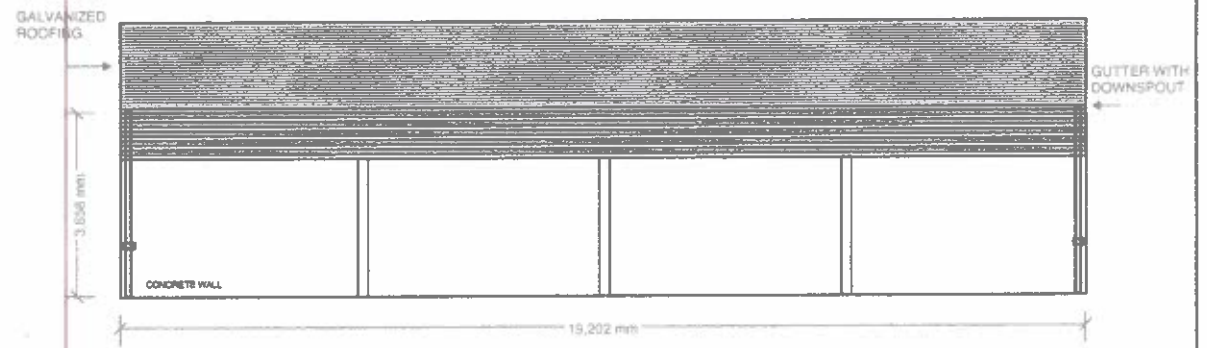
END ELEVATION (REAR)



SIDE ELEVATION (FRONT)



SIDE ELEVATION (REAR)



Building to be construction to Dept of Agriculture Specifications S101 & S123

JOB TITLE: Construction a New 4 Bay Dry Cattle Shed

LOCATION: Lisadaly, Croghan, Co. Roscommon

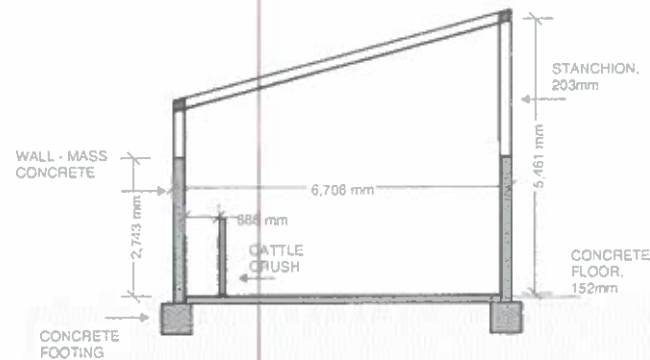
DRAWN BY: Michael Beirne

DATE: 10th April, 2026

PLANNING EXEMPTION DRAWING

CROSS SECTION

SCALE: 1:100



JOB TITLE: Construction a New 4 Bay Dry Cattle Shed

LOCATION: Lisadaly, Croghan, Co. Roscommon

DRAWN BY: Michael Beirne

DATE: 10th April, 2026

Building to be construction to Dept of Agriculture Specifications S101 & S123