

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/1048726

Reference Number:

DED1066

Name of Applicant:

Conor Mahon

Agent:

Martin Dowd, Rathcroghan Designs Ltd, Ballyconboy Ballinagare,
Castlereagh, Co. Roscommon.

WHEREAS a question has arisen as to whether the renovation of a vacant dwelling including removal of structurally unsound chimney at Northyard, Scramogue, 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:

- The works outlined above are development.
- The proposed renovation of a vacant dwelling including removal of structurally unsound chimneys falls within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, 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;

- 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 – 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 renovation of a vacant dwelling including removal of structurally unsound chimneys at Northyard, Scramogue, 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: 27 August 2026

Gemma Cunningham

From: Gemma Cunningham
Sent: Wednesday 2 September 2026 15:36
To: Martin Dowd
Cc: [REDACTED]
Subject: Notification of Determination for DED1066
Attachments: ded1066 notification.pdf

A Chara,

Please find attached correspondence for your attention regarding DED1066.

Kind Regards,

Gemma Cunningham | Clerical Officer

Áras an Chontae, Roscommon, Co. Roscommon. F42 VR98

☎ (090) 664 7420 ✉ GCunningham@roscommoncoco.ie

🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council



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

REGISTERED POST

Conor Mahon,
Northyard,
Scramogue,
Co. Roscommon.

Reference Number: DED1066

Application Received: 29th July 2026

Name of Applicant: Conor Mahon

Agent: Martin Dowd, Rathcroghan Designs Ltd, Ballyconboy Ballinagare, Castlerea,
Co. Roscommon.

WHEREAS a question has arisen as to whether the renovation of a vacant dwelling including removal of structurally unsound chimney at Northyard, Scramogue, 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:

- The works outlined above are development.
- The proposed renovation of a vacant dwelling including removal of structurally unsound chimneys falls within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:

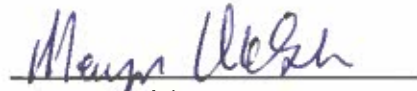
development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

- 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 – 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 renovation of a vacant dwelling including removal of structurally unsound chimneys at Northyard, Scramogue, 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:



Mervyn Walsh,
Administrative Officer,
Planning.

Date: 28/08/2026

c.c. agent via email: Martin Dowd, Rathcroghan Designs Ltd, Ballyconboy Ballinagare, Castlerea, Co. Roscommon.
rathcroghandesigns@gmail.com

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 1066
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the renovation of a vacant dwelling including removal of structurally unsound chimneys is or is not development and is or is not exempted development
Name of Applicant:	Conor Mahon
Location of Development:	Northyard, Scramogue, Co. Roscommon
Site Visit:	19 th August 2026

WHEREAS a question has arisen as to whether the renovation of a vacant dwelling including removal of structurally unsound chimneys 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

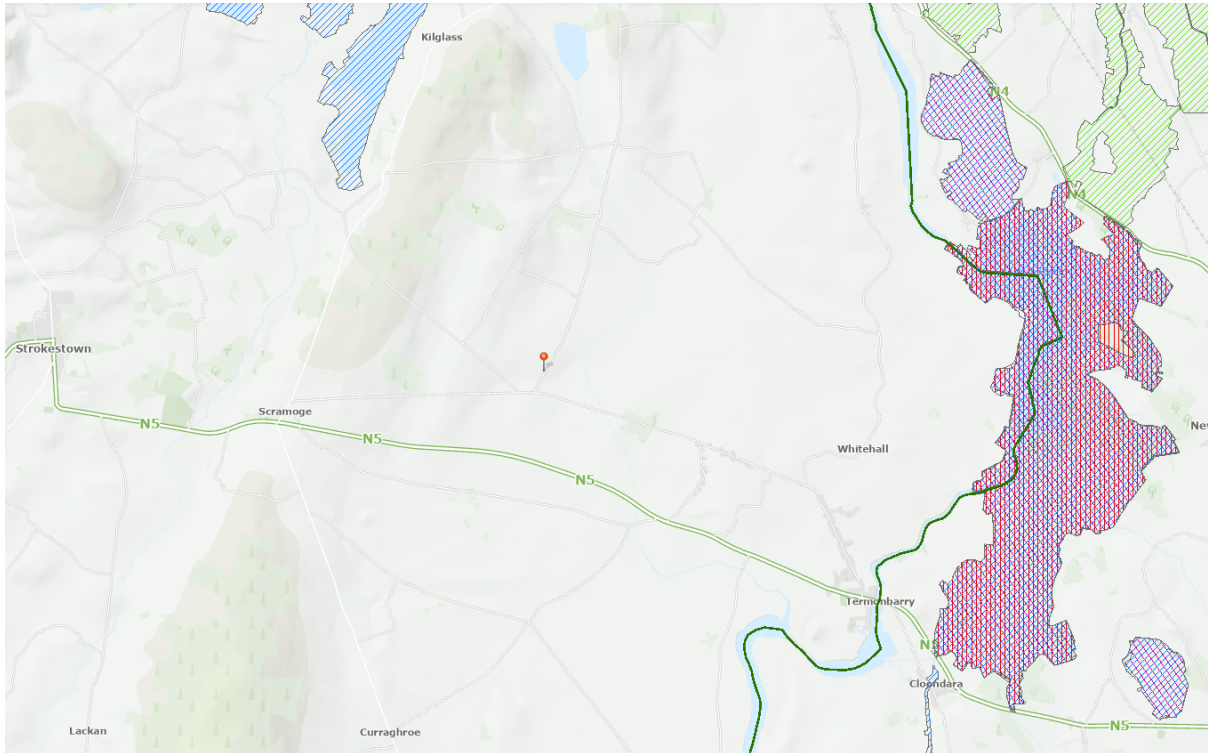
Site Location & Development Description

The site consists of a northeast facing single-storey dwelling with a small garden area and two small sheds. The site is accessed off the L-1418 local secondary road. The town of Strokestown is located c. 7.2km west from the subject site. The proposed development consists of the renovation of a vacant dwelling including removal of structurally unsound chimneys.

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 Ballykenny-Fisherstown Bog SPA (Site Code 004101) located c. 6.7km east of the subject site and Lough Forbes Complex SAC (Site Code 001818) located c. 6.7km east 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.

Other designations include Kilglass And Grange Loughs PNHA (Site Codes 000608) located c. 3.9km northwest of the subject site.

Planning History

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

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,

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

- Replace timber window with white PVC double glazed windows
- Fit internal solid wood doors
- Architrave to be fixed
- Skirting to be fixed along every floor and wall junction
- Heating to be provided
- Electrical work
- Removal of structurally unsound chimneys

These works have been considered 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. The stated works fall under the provisions of Section 4 (1)(h) of the Planning and Development Act 2000 (as amended).

The removal of the structurally unsound chimneys have also be considered in the context of Class 2A of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended):

Class 2A: The removal of a chimney from a house.

Following review of the Conditions and Limitations associated with Class 2A I note that no chimney to be removed forms part of a joint chimney stack wit a separate dwelling house.

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.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for the renovation of a vacant dwelling including removal of structurally unsound chimneys at Northyard, Scramogue, 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 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

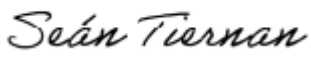
AND WHEREAS I have concluded that

- The works outlined above are development.
- The proposed renovation of a vacant dwelling including removal of structurally unsound chimneys falls within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, 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;

- 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 WHEREAS I have concluded that the said development for the renovation of a vacant dwelling including removal of structurally unsound chimneys at Northyard, Scramogue, Co. Roscommon,, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 26th August 2026

Signed: 
Senior Executive Planner

Date: 26th August 2026











MEMORANDUM

To: North Roscommon Area.

From: Mervyn Walsh, Administrative Officer, Planning Department.

Date: 05th August 2026

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

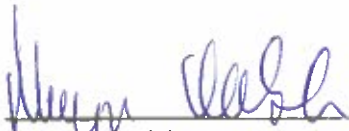
Development: WHEREAS a question has arisen as to whether the renovation of a vacant dwelling including removal of structurally unsound chimney at Northyard, Scramogue, Co. Roscommon, is or is not development and is or is not exempted development.

Applicant: Conor Mahon

Planning Ref: DED1066

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from **Conor Mahon** for the said development above, which was received on 29th July 2026.

Please let me have your recommendation.


Mervyn Walsh,
Administrative Officer,
Planning Department.

Gemma Cunningham

From: Gemma Cunningham
Sent: Thursday 6 August 2026 11:06
To: Martin Dowd
Cc: [REDACTED]
Subject: DED1066 - Section 5 Declaration of Exempted Development Application
Attachments: DED1066 Ack Letter & fee receipt.pdf

A Chara,

Please find attached Acknowledgement letter and Receipt for the Section 5 Declaration of Exempted Development Application Submitted on behalf of Conor Mahon DED1066 is the reference for this application.

Kind Regards,

Gemma

Gemma Cunningham | Clerical Officer

Áras an Chontae, Roscommon, Co. Roscommon. F42 VR98

☎ (090) 664 7420 ✉ GCunningham@roscommoncoco.ie

🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council



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Comhairle Contae
Ros Comáin
Roscommon
County Council



Conor Mahon,
Northyard,
Scramogue,
Co. Roscommon.

Date: 5th August 2026
Planning Reference: DED1066

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 renovation of a vacant dwelling
including removal of structurally unsound chimney at Northyard, Scramogue, 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 29th July, 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. L01/0/241837 dated 29th July 2026, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED1066**
This should be quoted in all correspondence and telephone queries.

Mise le meas,


Mervyn Walsh,
Administrative Officer,
Planning Department.

c.c. agent via email: Martin Dowd c/o Rathcroghan Designs Ltd.
rathcroghandesigns@gmail.com

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

29/07/2026 14:02:09

Receipt No : LD1/0/241837

CONOR MAHON
C/O MARTIN DOWD
RATHCROGHAN DESIGNS
BALLINAGARE
CASTLEREA
EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 1066	

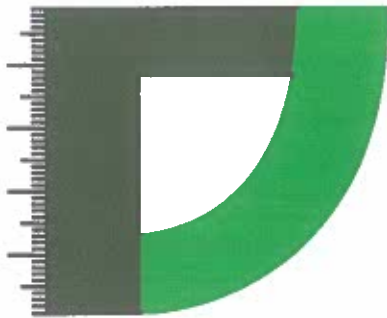
Total :	80.00 EUR
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Tendered :	
Credit/Debit Card	80.00
6657	

Change :	0.00
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Issued By : Louis Carroll
From : Central Cash Office

DED
1066



Rathcroghan Designs

Building and Planning Consultant

Ballyconboy, Ballinagare

Castlerea, Co. Roscommon

Ph: 0862328484

Email: rathcroghandesigns@gmail.com

Planning Authority
Roscommon County Council
Aras An Chontae,
Roscommon,



July 22nd 2026

Dear sir or madam,

Please find enclosed Planning Application for exempted development on behalf of Connor Mahon. An application was previously submitted under DED1006 for renovation works on the existing dwelling on site. However, on closer examination it was discovered that two of the three existing chimneys on the dwelling have significant cracking and are structurally unsound.

The applicant now intends to permanently remove the chimneys and we are now submitting an application to under section 5 for this work as it was not included in the previous application.

I wish to pay the application fee by card. I would be obliged if you could contact me on this number 086 2328484 at your convenience so that I can give you card details in order to make payment

Many Thanks

Martin Dowd Assoc SCSi

Rathcroghan Designs

Ph. 086 2328484



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 ²⁹ JUL 2026

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

Name of Applicant(s)	CONOR MAHON
Name of Agent	MARTIN DOWD C/O. RATHCROGHAN DESIGNS LTD.
Nature of Proposed Works	RENOVATE VACANT DWELLING INCLUDING REMOVAL OF STRUCTURAL UNSAFELY CHIMNEYS
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	NORTH YARD SCRANDGLE CO. ROSCOMMON
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>70.85 m²</u> b) <u>N/A</u>
Height above ground level:	<u>4.779 m</u>
Total area of private open space remaining after completion of this development	<u>2200 m²</u>
Roofing Material (Slates, Tiles, other) (Specify)	SLATE

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 PLASTER
Is proposed works located at front/rear/side of existing house.	N/A.
Has an application been made previously for this site	YES
If yes give ref. number (include full details of existing extension, if any)	PED 1006
Existing use of land or structure	DWELLING
Proposed use of land or structure	DWELLING
Distance of proposed building line from edge of roadway	N/A
Does the proposed development involve the provision of a piped water supply	YES EXISTING.
Does the proposed development involve the provision of sanitary facilities	YES EXISTING

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

Signature:

Date:

23/7/26.

Note: This application must be accompanied by: -

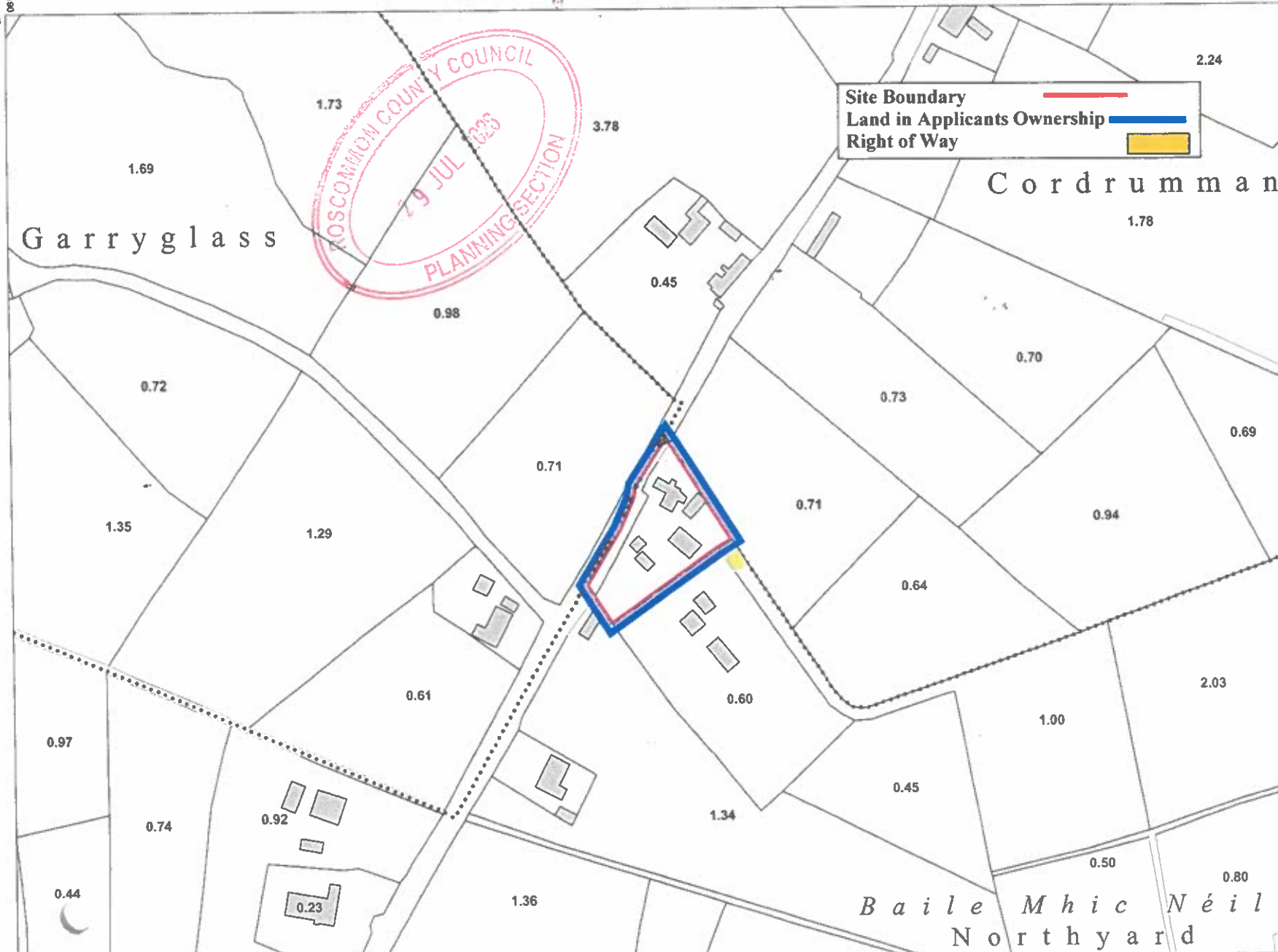
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed

Planning Pack Map

Prepared By Martin Dowd
Rathcroghan Designs Ballinagare
Castlerea Co. Roscommon



Tailte
Éireann



**CENTRE
COORDINATES:**
ITM 600482,780319

PUBLISHED: 19/02/2026
ORDER NO.: 50519392_1

MAP SERIES: 1:5,000
MAP SHEETS: 2166

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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www.tailte.ie search 'Capture Resolution'

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

OUTPUT SCALE: 1:2,500

RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castlerea, Co. Roscommon

Ph: 086 2328484

E-mail rathcroghandesigns@gmail.com



Client
Conor Mahon

Title
Site Layout

Scale: 1:500 UNLESS NOTED	Sheet	Draw. No.
Drawn: MARTIN DOWD	1 OF 1	24-144
Date: 16-02-2026		

Ledgend

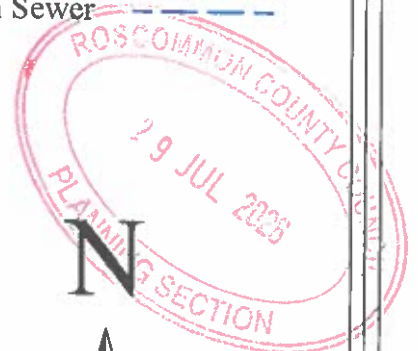
Site Boundary

Existing Buildings

Existing Dwelling to be Refurbished

Effluent Sewer

Storm Sewer



Site Area 0.251 Ha

Existing House to be Refurbished

Existing Outbuildings Pre 1963

Existing Septic

Existing Percolation Area

Public Road L1418

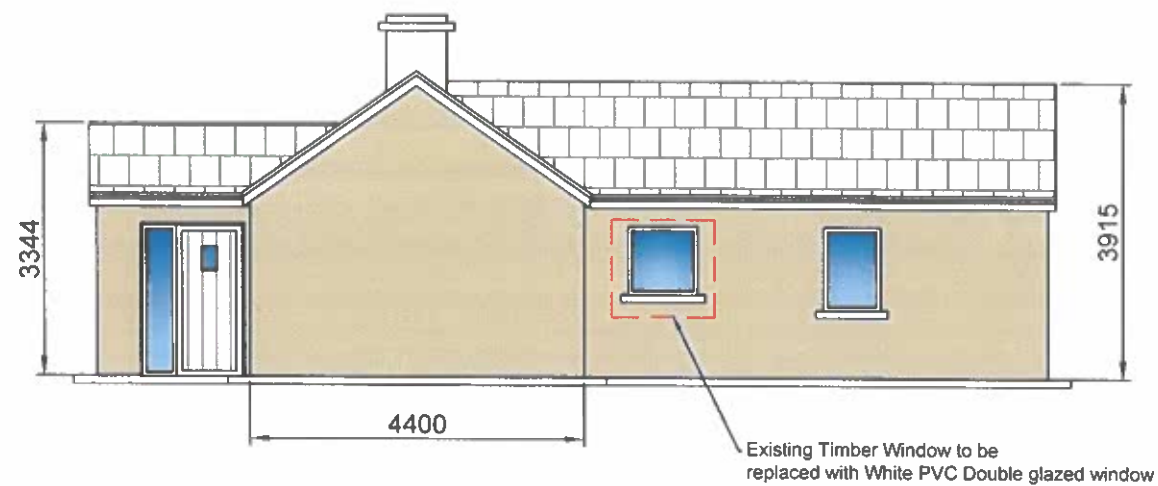
Drain

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14,05

26,38

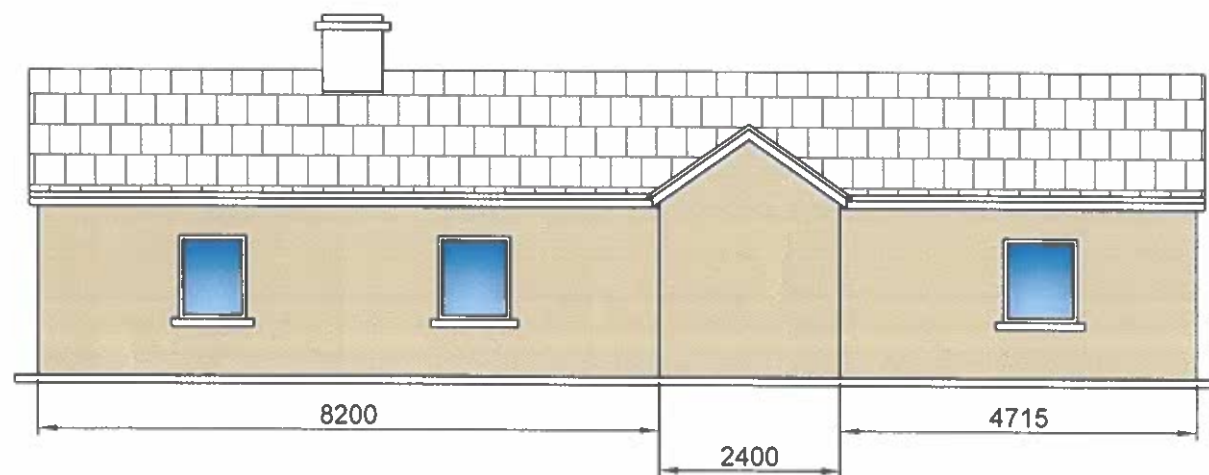
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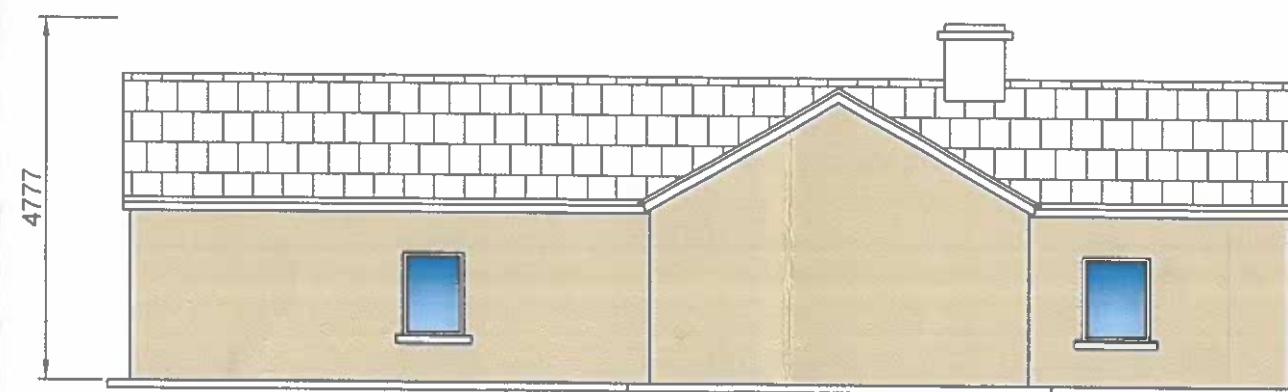
SIDE/NORTH WEST ELEVATION



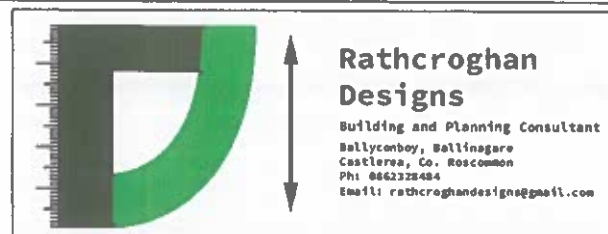
END/SOUTH EAST ELEVATION



FRONT/NORTH EAST ELEVATION



BACK/SOUTH WEST ELEVATION



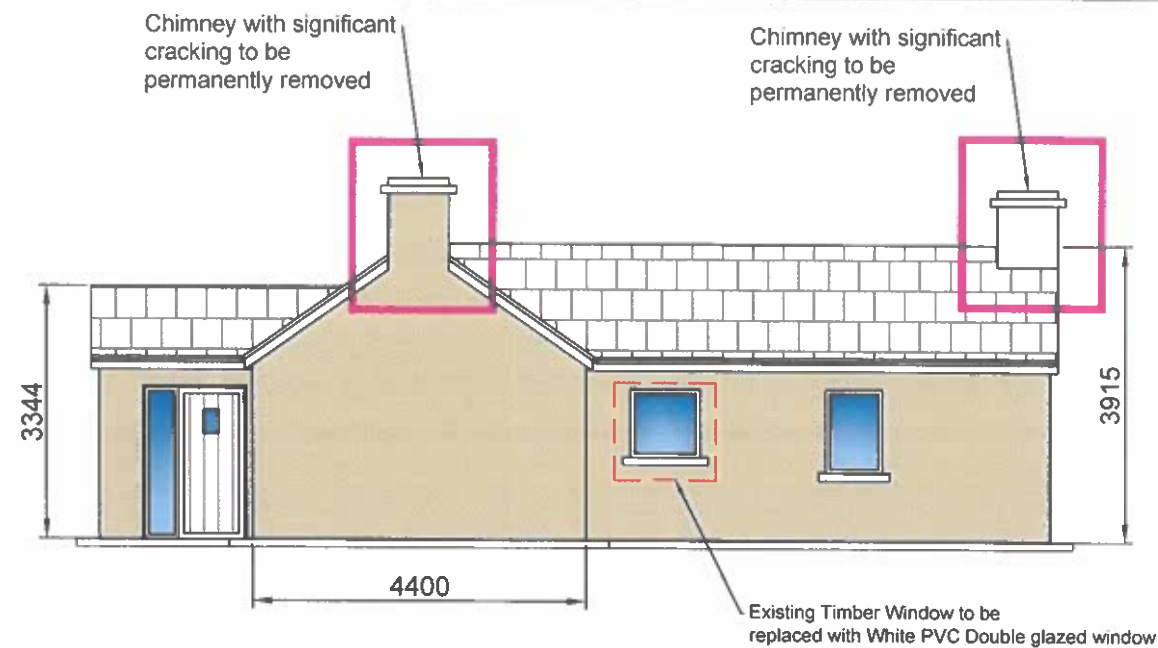
Client
Connor Mahon

Title
Proposed Elevations

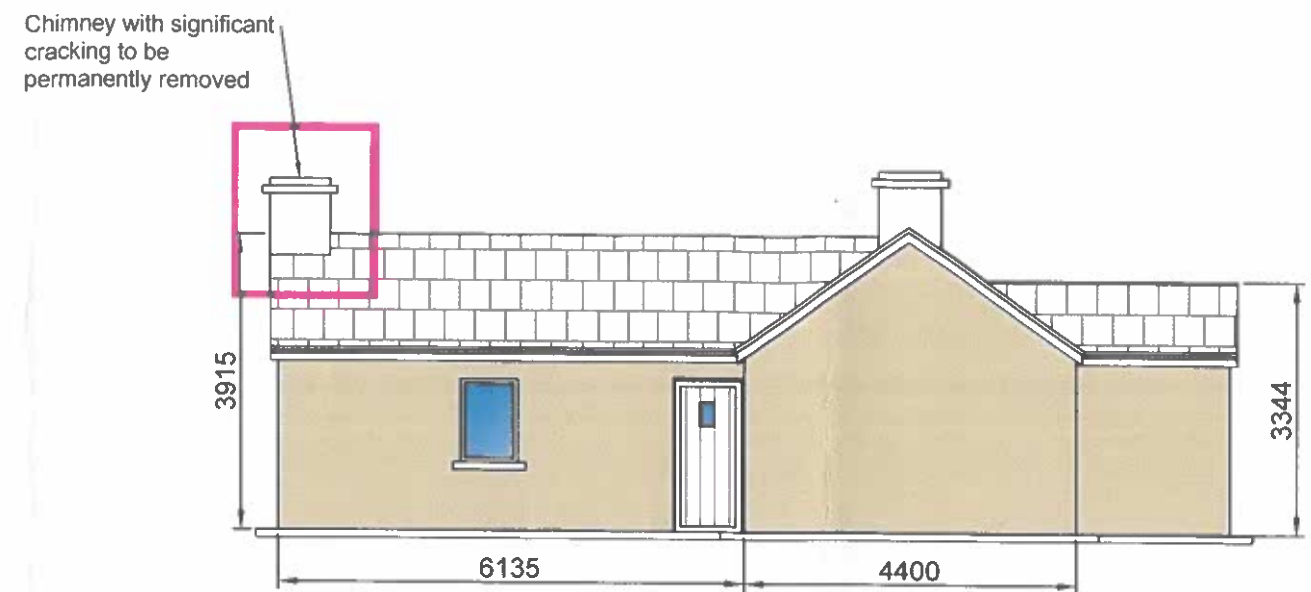
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Drawn: MARTIN DOWD
Date: 08-02-2026

Sheet
10F1

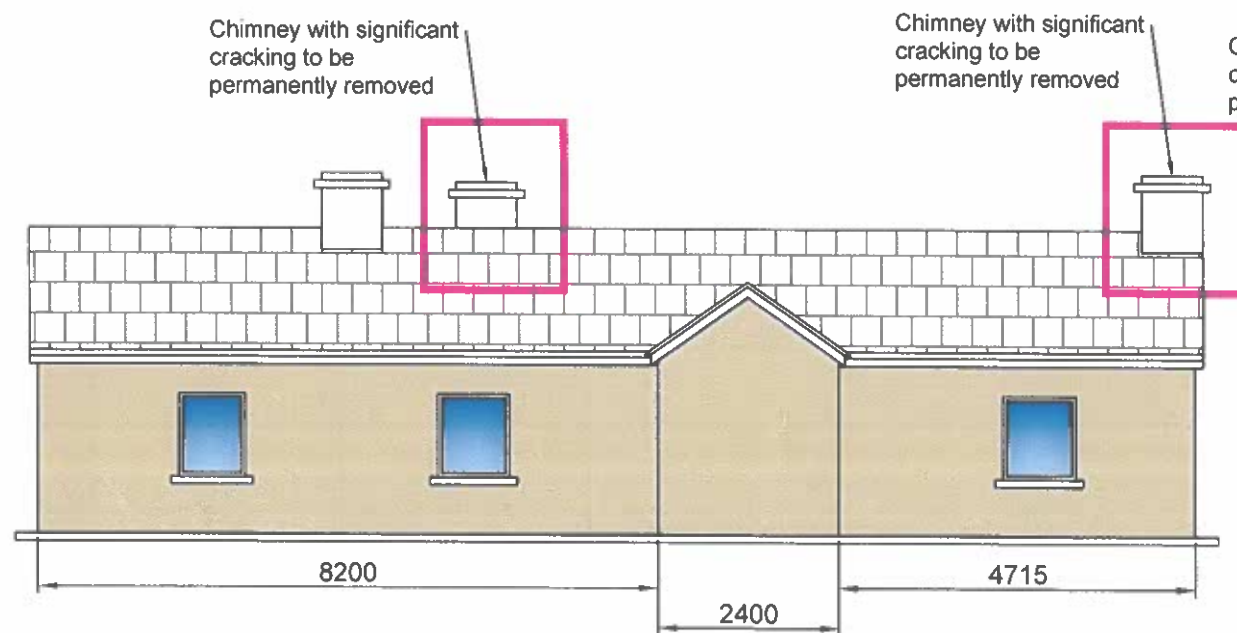
Dwg. No.
25-263



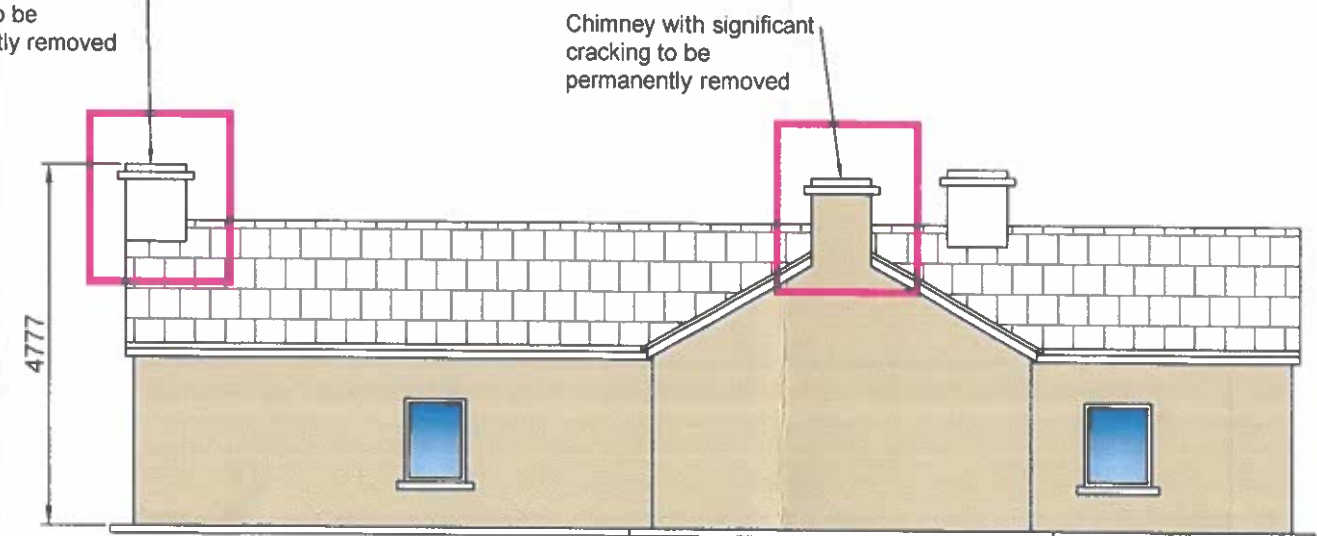
SIDE/NORTH WEST ELEVATION



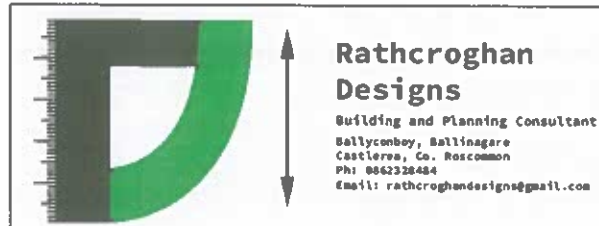
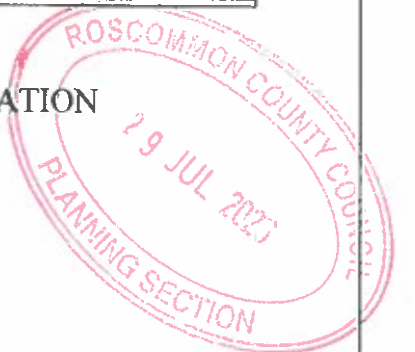
END/SOUTH EAST ELEVATION



FRONT/NORTH EAST ELEVATION



BACK/SOUTH WEST ELEVATION



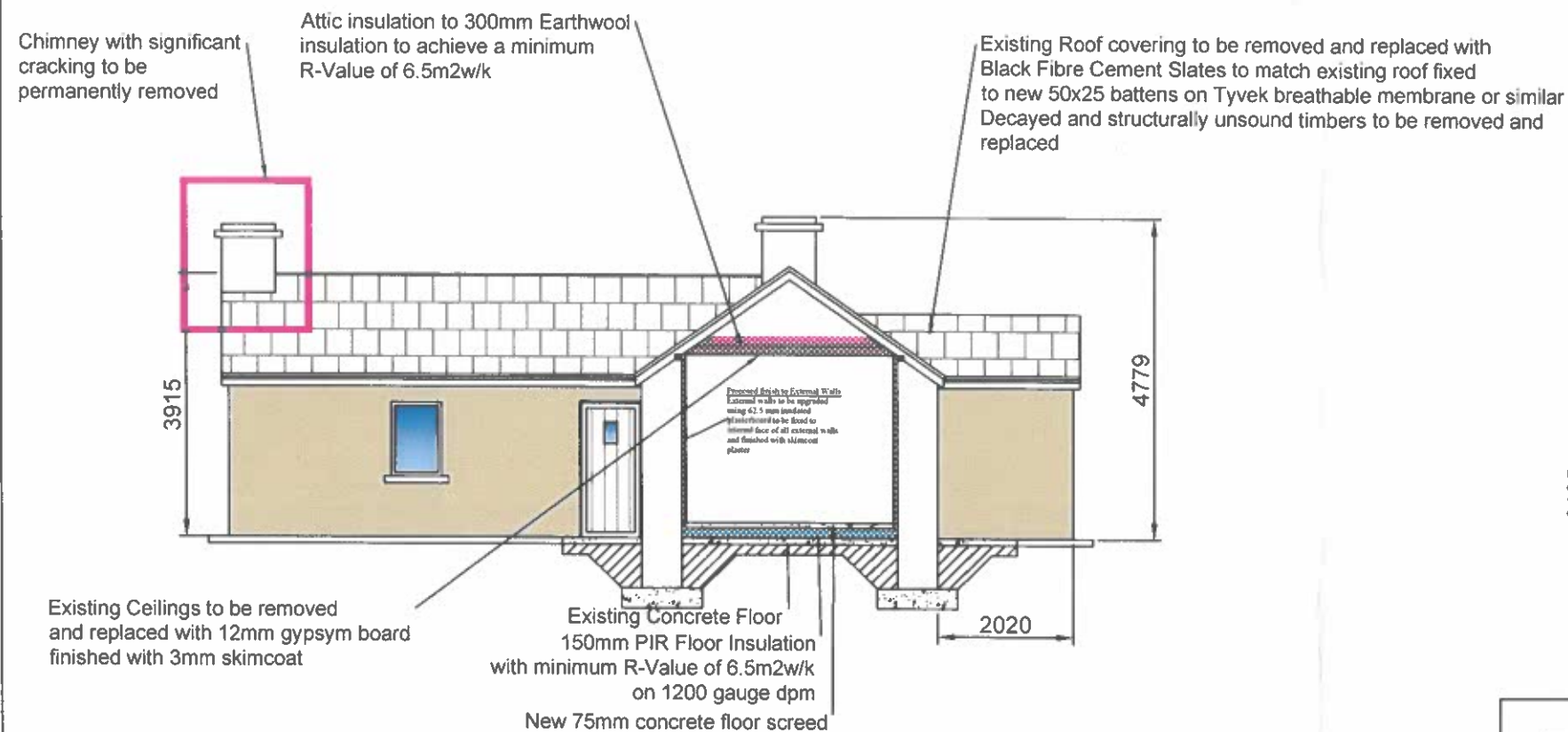
Client
Connor Mahon

Title
Existing Elevations

Scale: 1:100 UNLESS NOTED
Drawn: MARTIN DOWD
Date: 08-02-2020

Sheet
1 OF 1

Drawg. No.
25-263



Sectional Elevation

External windows and doors

Existing PVC Double Glazed windows and doors to be maintained in place and not disturbed. Existing timber windows to be replaced with white PVC double glazed windows

Internal Joinery

New internal solid wood doors to be fitted throughout the dwelling. Architrave to be fixed to each door set to match doors. Skirting to be fixed along every floor and wall junction except where walls are tiled

Plumbing

Heating to be provided by using combined system of Oil fired burner and solid fuel stove Individual rooms heated using aluminum radiators throughout the dwelling Heating to be zoned with one zone for living area and another for bedrooms **Sanitary ware** to be agreed by client prior to installation and connected to existing septic tank.

Electrical

All electrical work certified and designed in accordance with the National rules for electrical installations I.S. 10101:2020. Numbers locations and types of electrical fitting to be agreed with the client prior to work commencing

Chimney

Permanently remove existing cracked and structurally unsound chimney to below roof level



GROUND FLOOR PLAN

Legend

Door Head to be Raised



Structurally Unsound Doorhead to be fully removed and rebuilt



Existing Concrete wall to be removed and rebuilt in stud work



Rathcroghan Designs

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Client

Connor Mahon

Title

Proposed Works

Scale: 1:100 UNLESS NOTED

Drawn: MARTIN DOWD

Date: 08-02-2026

Sheet

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