

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

**REGISTERED POST**

James & Crystal Crenshaw,



Reference Number: DED 652

Application Received: 12<sup>th</sup> January 2024

Name of Applicants: James & Crystal Crenshaw

Agent: AOL Design Ltd., Consulting Engineers, C/O Albert Looby, BE, Killeenboy, Kiltreevan, Co. Roscommon.

WHEREAS a question has arisen as to whether to refurbishment of an existing house and construction of a single storey 39m<sup>2</sup> to the rear and a 1.8m<sup>2</sup> porch to the front of the existing house and connection to public water and public sewer at Toomanagh Td., Ballaghaderreen, 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.

**AND WHEREAS Roscommon County Council has concluded that:**

- a) The works to refurbish an existing dwelling house and the construction of a 39m<sup>2</sup> extension to the rear and a 1.8m<sup>2</sup> porch to the front of the existing house, and connection to public water and public sewer are development.
- b) 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.
- c) However having particular regard to Article 9(1)(a)(iii) of the Planning & Development Regulations 2001, as amended, and the conditions and limitations of Class 7 of Part 1 Schedule 2 of the Planning & Development Regulations 2001 as amended, the development is **not exempted development**.

**NOW THEREFORE:**

By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 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 to refurbish an existing house and construct a single storey 39m<sup>2</sup> to the rear and a 1.8m<sup>2</sup> porch to the front of the existing house and connection to public water and public sewer at Toomanagh Td., Ballaghaderreen, Co. Roscommon., is development that is **not exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

**Signed on behalf of the Council:**



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**Alan O'Connell,  
Senior Executive Planner,  
Planning.**

**Date: 25 February 2024**

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

<b>Reference Number:</b>	DED 652
<b>Re:</b>	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the refurbishment and construction of a domestic extension to the rear and porch to the front of an existing house
<b>Name of Applicant:</b>	James and Crystal Crenshaw
<b>Location of Development:</b>	Toomanagh, Ballaghadereen, Co. Roscommon

**WHEREAS a question has arisen as to whether the following works; the construction of an extension to the rear of a dwelling house 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 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001(Exempt Development – General), 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 subject site is located in Toomanagh, Ballaghadereen in north County Roscommon. The property is accessed via the R293 and is located c. 1km southwest of Ballaghadereen town centre. The subject site contains a single storey detached dwelling house in a state of dis-use. There are additional outbuildings also on site.

There are no European designated sites in, adjoining or in close proximity to the subject site. There is no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS.

Question arising: Whether the refurbishment of the existing house and construction of a single storey 39m<sup>2</sup> Extension to the rear and a 1.8m<sup>2</sup> porch to the front of the existing house and connection to public water and the public sewer is or is not development and is or is not exempted development.

**Planning History**

None

**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.

	<p>extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.</p> <p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p> <p>4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.  (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.  (c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.</p> <p>5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.</p> <p>6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.  (b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces. 388 (c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden.</p>
<p><i>Class 7</i>  <i>The construction or erection of a porch outside any external door of a house</i></p>	<p>1. Any such structure shall be situated not less than 2 metres from any road.</p> <p>2. The floor area of any such structure shall not exceed 2 square metres.</p> <p>3. The height of any such structure shall not exceed, in the case of a structure with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.</p>

**AND WHEREAS** I have concluded that the said development to refurbish an existing dwelling house and the construction of a 39m<sup>2</sup> extension to the rear and a 1.8m<sup>2</sup> porch to the front of the existing house, and connection to public water and public sewer at Toomanagh townland, Ballaghadereen is not exempted development and I recommend that a declaration to that effect should be issued to the applicant.



**Signed**  
**Executive Planner**

**Date:** 23<sup>rd</sup> February 2024





Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



James & Crystal Crenshaw,



**Date:** 30<sup>th</sup> January 2024  
**Planning Reference:** DED 652

**Re:** Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.  
**Development:** Permission to refurbish existing house and construction of a single storey 39sq.m extension to the rear and a 1.8sq.m porch to the front of the existing house and connection to public water and public sewer under the Planning & Development Act (Exempt Development) Regulations 2018 at Toomanagh Townland, Ballaghaderreen, Co. Roscommon.

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A Chara,

I wish to acknowledge receipt of your application received on the 29<sup>th</sup> January 2024, 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. L01/0/226766 dated 30<sup>th</sup> January 2024, receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 652**  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

**Alan O'Connell**  
Senior Executive Planner,  
Planning Department.

**cc:** AOL Design Ltd,  
Consulting Engineers,  
C/O Albert Looby, BE,  
Killeenboy,  
Kilteevan,  
Co. Roscommon.

Roscommon County Council  
Aras an Cláir  
Roscommon  
09086 37100

30/01/2024 08:49:49

Receipt No: L01/0/226766

JAMES & CRYSTAL CRENSHAW  
C/O AOL DESIGN LTD  
KILLEENBOY  
KILTEEVAN  
ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED652	

Total : 80 00 EUR

Tendered  
Cheque 80 00  
504373

Change : 0 00

Issued By : Louis Carroll  
From : Central Cash Office



Acc 24/1

DED 652

Áras an Chontáe  
Roscommon,  
Co. Roscommon  
Phone: (090) 66 37100  
Email: [planning@roscommoncoco.ie](mailto:planning@roscommoncoco.ie)

## Roscommon County Council

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

Name:	JAMES & CRYSTAL CRENSHAW
Address:	[REDACTED]
Name & Address of Agent:	AOL DESIGN LTD, CONSULTING ENGINEERS, C/O ALBERT LOOBY BE, KILLEENBOY, KILTEEVAN, CO ROSCOMMON, F42 K400. PHONE: (090) 6628184 OR (086) 8167365
Nature of Proposed Works	REFURBISHMENT OF EXISTING HOUSE AND CONSTRUCTION OF A SINGLE STOREY 39 SQUARE METER EXTENSION TO THE REAR AND A 1.8 SQUARE METER PORCH TO THE FRONT OF THE EXISTING HOUSE. CONNECTION TO PUBLIC WATER AND PUBLIC SEWER.
Location (Townland & O.S No.)	TOOMANAGH TOWNLAND, BALLAGHADERREEN, CO ROSCOMMON OS NO: 1917-A (1:2500)
Floor Area	39 SQUARE METER REAR EXTENSION 1.8 SQUARE METERS FRONT PORCH
Height above ground level	SINGLE STOREY – ROOM HEIGHT CIRCA 2.5 METERS
Total area of private open space remaining after completion of this development	CIRCA 0.24 HECTARES
Roofing Material (Slates, Tiles, other) (Specify)	SLATES
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	NAP PLASTER
Is proposed works located at front/rear/side of existing house.	PROPOSED EXTENSION TO REAR AND PORCH TO FRONT

## 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	RESIDENTIAL
Proposed use of land or structure	RESIDENTIAL
Distance of proposed building line from edge of roadway	EXISTING HOUSE APPROXIMATELY 10.5 METERS FROM EDGE OF ROAD
Does the proposed development involve the provision of a piped water supply	PROPOSED CONNECTION TO PUBLIC WATER
Does the proposed development involve the provision of sanitary facilities	PROPOSED CONNECTION TO PUBLIC SEWER

Signature:

Albert Kelly (Agent)

Date:

25/1/2024



**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) Details specification of development proposed



# Planning Pack Map



Tailte  
Éireann

**CENTRE COORDINATES:**  
ITM 561384,794006

**PUBLISHED:**  
12/07/2023

**ORDER NO.:**  
50345694\_1

**MAP SERIES:**  
1:2,500

**MAP SHEETS:**  
1917-A

**COMPILED AND PUBLISHED BY:**  
National Mapping Division of  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

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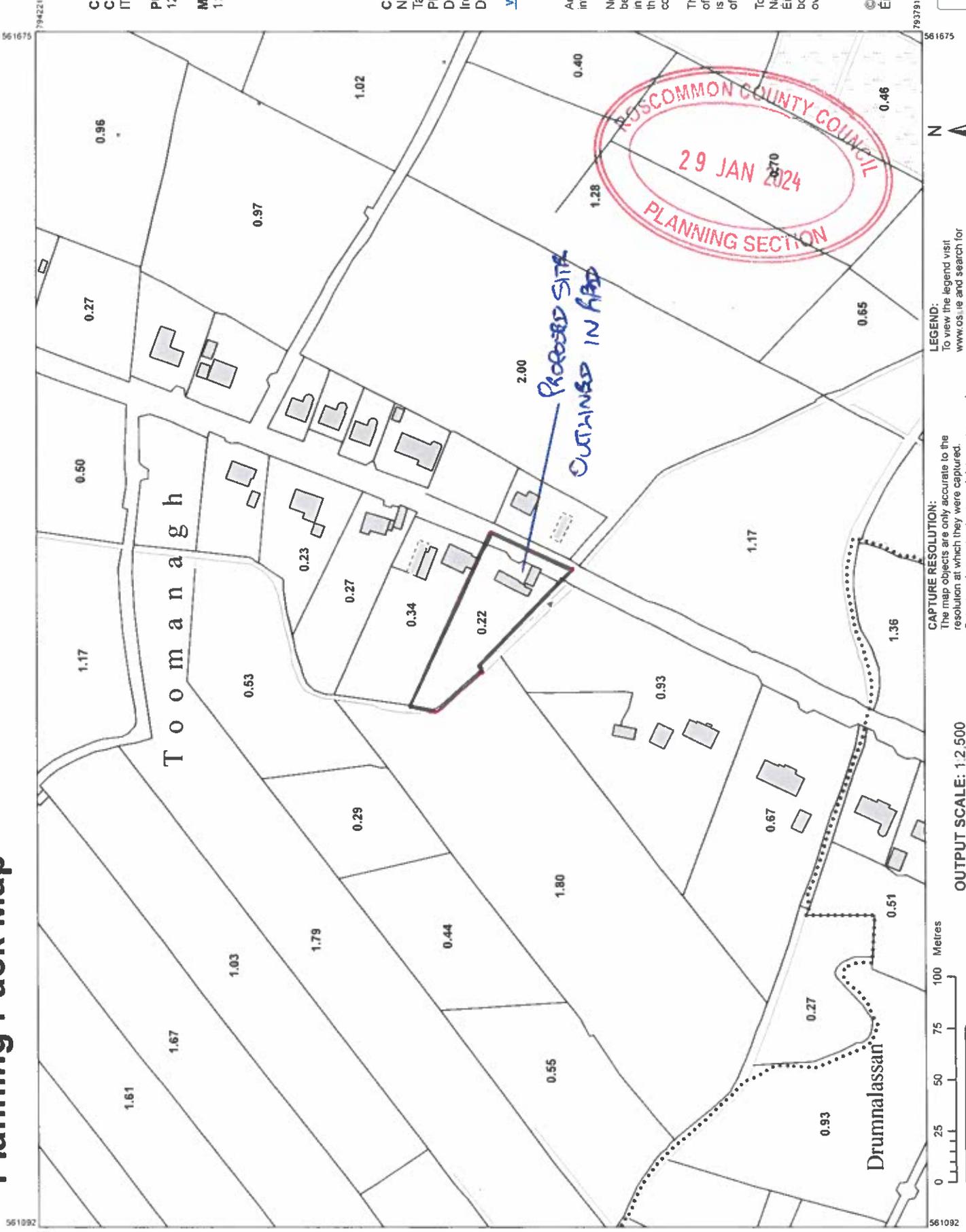
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**LEGEND:**  
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'Large Scale Legend'

**CAPTURE RESOLUTION:**  
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Further information is available at  
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**OUTPUT SCALE: 1:2,500**



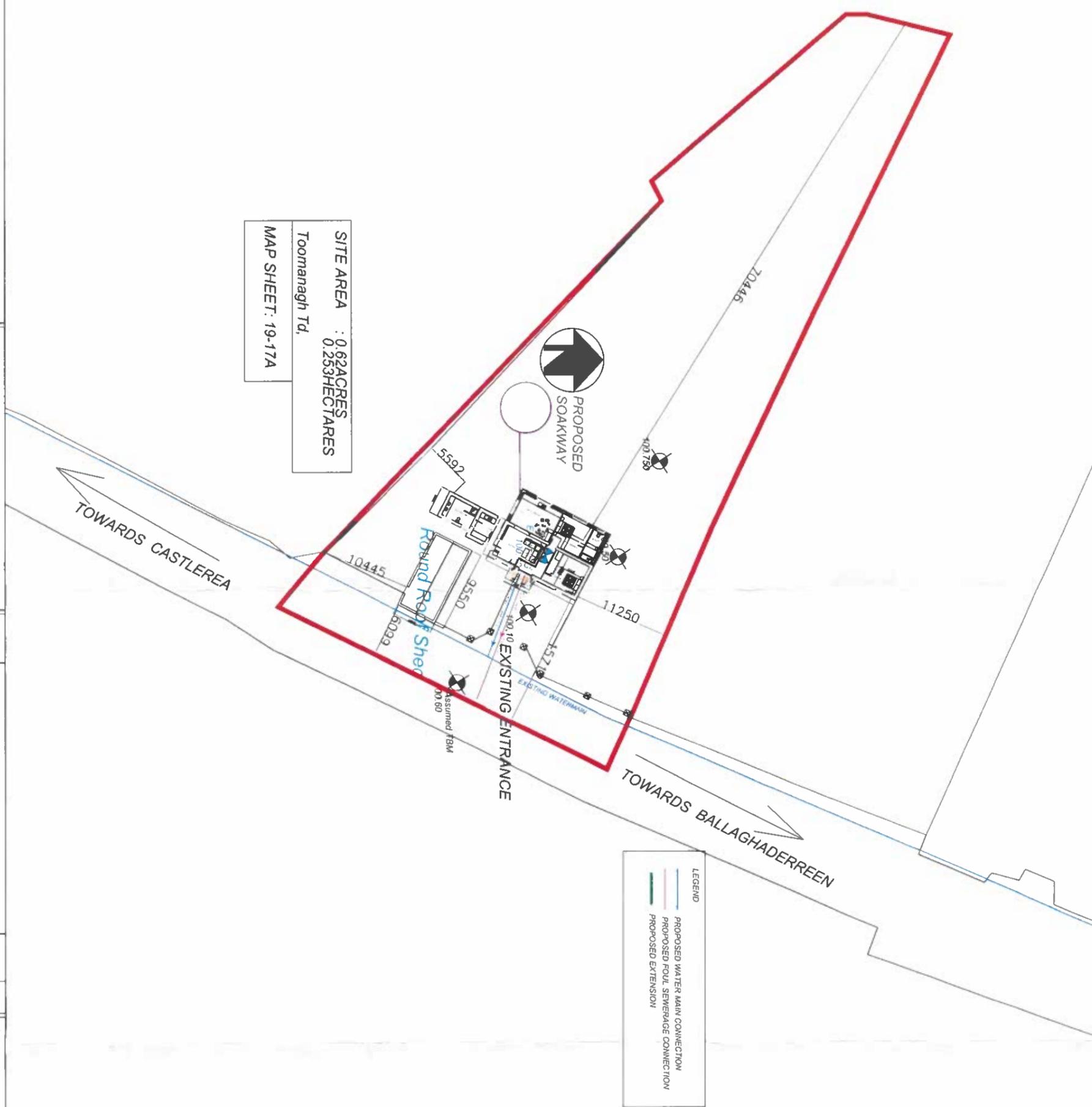
Client:  
James & Crystal Crenshaw  
Toomanagh Td,  
Ballaghaderreen,  
Co. Roscommon

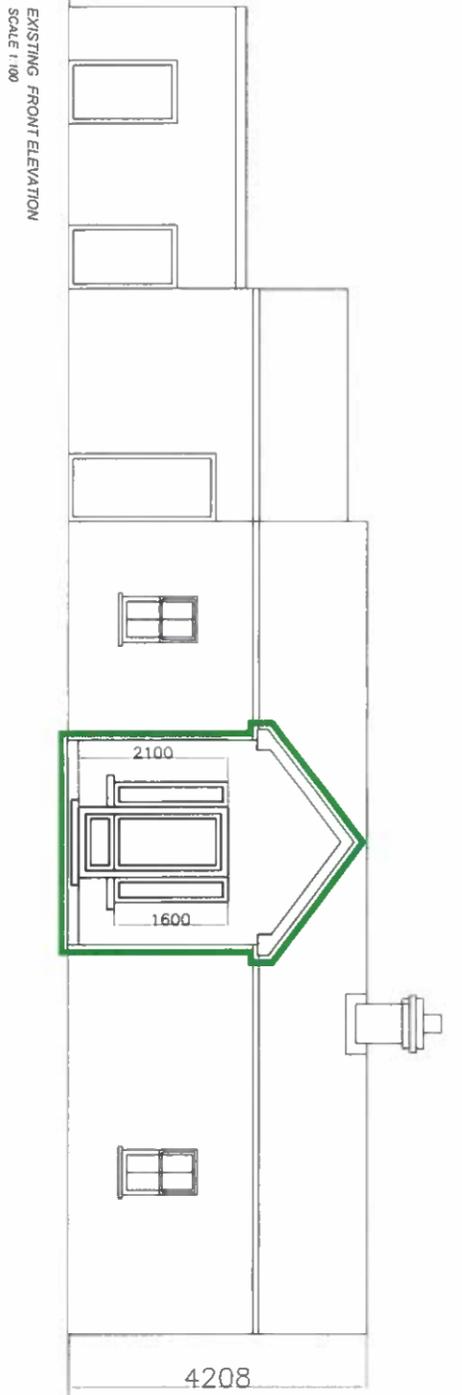
Consultants:  
AOL DESIGN LTD.  
CONSULTING ENGINEERS,  
KILLEENBOY, KILTEEVAN,  
CO. ROSCOMMON  
A.O.L. Design Ltd.  
Tel: 09066 28184

NOTES:  
1. FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING.  
2. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR ON SITE.  
3. ENGINEER TO BE INFORMED BY THE CONTRACTOR OF ANY DISCREPANCIES BEFORE ANY WORK COMMENCES.  
4. DRAWING IS FOR PLANNING PURPOSES ONLY.

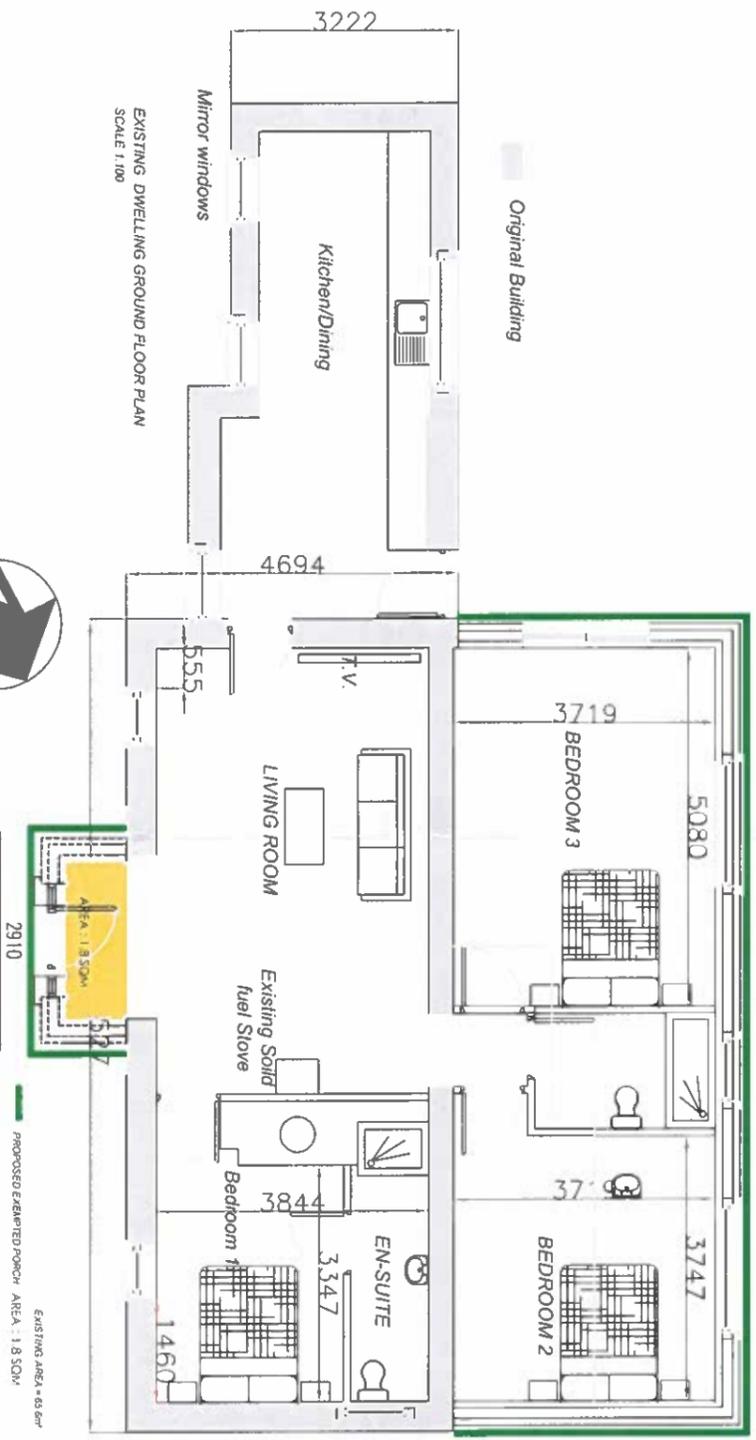
SUFFIX	REVISIONS	DATE	INL	SCALE
				1:500
				A.L.
				CHECKED BY ALBERT LOOBY
				DATE JULY 23
				DRAWING NAME Existing Site Layout
				DRAWING NO. 967-2-01-001

SITE AREA : 0.62ACRES  
0.253HECTARES  
Toomanagh Td.  
MAP SHEET: 19-17A





PROPOSED EXEMPTED EXTENSION TO THE REAR  
AREA = 30m<sup>2</sup>



EXISTING AREA = 63.6m<sup>2</sup>  
PROPOSED EXEMPTED PORCH AREA = 1.850m<sup>2</sup>



Client:  
James & Crystal Crenshaw  
Toomnagh Td,  
Ballaghaderreen,  
Co. Roscommon

Consultants:  
AOL DESIGN LTD,  
CONSULTING ENGINEERS,  
KILLEENBOY, KILTEEVAN,  
CO. ROSCOMMON  
Tel: 09066 28184

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SUFFIX	REVISIONS	DATE	INL	SCALE
				1:100
				A.L
				ALBERT LOOBY
				NOV 23
				PROPOSED GROUND PLAN & SECTION A-A
				DRAWING NO. 967-P-02-004