

**ROSCOMMON COUNTY COUNCIL**

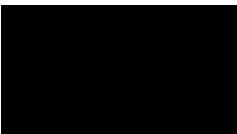
**PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

**SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**NOTIFICATION OF DECISION**

**REGISTERED POST**

Margaret McGreevy,



Reference Number: DED 860  
Application Received: 13<sup>th</sup> March, 2025  
Name of Applicant: Margaret McGreevy  
Agent: N/A

**WHEREAS** a question has arisen as to whether the refurbishment of an existing dwelling with works including; 1) re-plumb; 2) re-wire; 3) removal of no. 4 existing fireplaces; 4) dry-lining; 5) repair/upgrade Kitchen; 6) new flooring; 7) painting internally & 8) external works at Rockdale, Cathedral Street, 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, 9 and 10 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 2 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.

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

- (a) The works outlined above are development.
- (b) The proposed refurbishment of the existing dwelling as above fall 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;*
- (c) The proposed oil boiler to the rear of the dwelling house as described in this case is an exempted development.
- (d) 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 to refurbish of an existing dwelling, with works including; 1) re-plumb; 2) re-wire; 3) removal of no. 4 existing fireplaces; 4) dry-lining; 5) repair/upgrade Kitchen; 6) new flooring; 7) painting internally & 8) external works at Rockdale, Cathedral Street, Ballaghaderreen, Co. Roscommon., is development that is **exempted development provided that no works are carried out on or to the existing postbox in close proximity to the properties front wall** 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: 16<sup>th</sup> May, 2025

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

## Carmel Curley

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**From:** Carmel Curley  
**Sent:** Friday 16 May 2025 10:52  
**To:** Enda McGreevy  
**Subject:** DED860 - Notification of Decision  
**Attachments:** DED860 - Notification of Decision.pdf

Hi Enda,

Please find attached Notification of Decision for DED Application 860.

Regards,

Carmel

**Carmel Curley, Staff Officer,**  
**Planning Department, Roscommon County Council,**  
**Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98**  
**☎: (090) 6637100**

✉: [planning@roscommoncoco.ie](mailto:planning@roscommoncoco.ie) | 🌐 [www.roscommoncoco.ie](http://www.roscommoncoco.ie)

**MAP LOCATION**



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

<b>Reference Number:</b>	DED 860
<b>Re:</b>	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to the refurbishment of an existing dwelling, with works including; 1)re-plumb; 2)re-wire; 3)removal of no. 4 existing fireplaces; 4)dry-lining; 5)repairs/upgrade kitchen; 6) new flooring; 7) painting internally & 8)external works
<b>Name of Applicant:</b>	Margaret McGreevy
<b>Location of Development:</b>	Rockdale, Cathedral Street, Ballaghaderreen, Co. Roscommon, F45 NY23.
<b>Site Visit:</b>	13/05/2025

**WHEREAS a question has arisen as to whether the following works;** to the refurbishment of an existing dwelling, with works including; 1)re-plumb; 2)re-wire; 3)removal of no. 4 existing fireplaces; 4)dry-lining; 5)repairs/upgrade kitchen; 6) new flooring; 7) painting internally & 8)external 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, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) Class 2 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 property is a two story semi-detached dwelling house on Cathedral Street, Ballaghaderreen, Co. Roscommon. The property is accessed off the L-5516 road. The proposed development consists of the refurbishment of the existing dwelling with works including the re-wiring, re-plumbing, new flooring and various other internal works. External works include replace fascia, soffit, gutters and downpipes, install chimney cowl to existing chimney, replace front door and repair outside boundary wall. Following review of the application there also appears to be the installation of a new oil boiler to the rear of the house. The proposed site is located within the Roscommon County Development Plan 2022-2028 - Town Core zoning.

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.

## **Archaeological and Cultural Heritage**

No RMP recorded in the likely zone of influence of the proposed development. Protected structure (Post Box, reg no. 00800373) and structure listed in the National Inventory of Architectural Heritage (Post box, reg no. 31805016) is located on the neighbouring property (west side) wall of the proposed development.

## **Appropriate Assessment**

The closest European site to the site of the proposed development is Tullaghanrock Bog PNHA/SAC (Site Code 002013/002354) which is located circa 2.6km to the 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, therefore, be excluded.

## **Planning History**

As per the Roscommon County Council's Planning Registry, no recent planning history traced to the 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 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.

The proposal includes the refurbishment of the existing dwelling with works including the re-wiring, re-plumbing, new flooring and various other internal works. External works include replace fascia, soffit, gutters and downpipes, install chimney cowl to existing chimney, replace front door and repair outside boundary wall. These works have 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 neighboring structures. The proposed works are deemed an exempt development provided that no works are carried out on or to the existing postbox in close proximity to the properties front wall.

Having reviewed the proposed oil boiler in the context of the Conditions and Limitations associated with Class 2 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the proposed oil boiler to rear of a dwelling house as described in this case is considered an exempted development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations 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 Art 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 the refurbishment of an existing dwelling, with works including; 1)re-plumb; 2)re-wire; 3)removal of no. 4 existing fireplaces; 4)dry-lining; 5)repairs/upgrade kitchen; 6) new flooring; 7) painting internally & 8)external works in Rockdale, Cathedral Street, Ballaghaderreen, 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, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) Class 2 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

#### **AND WHEREAS I have concluded that**

- The works outlined above are development.
- The proposed refurbishment of the existing dwelling as above fall 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 oil boiler to the rear of the dwelling house as described in this case is an exempted development.
- 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 to the refurbishment of an existing dwelling, with works including; 1)re-plumb; 2)re-wire; 3)removal of no. 4 existing fireplaces; 4)dry-lining; 5)repairs/upgrade kitchen; 6) new flooring; 7) painting internally & 8)external works in Rockdale, Cathedral Street, Ballaghaderreen, Co. Roscommon, is an exempted development provided that no works are carried out on or to the existing postbox in close proximity to the properties front wall. I recommend that a declaration to that effect should be issued to the applicant

Signed: *Ian Murray*

Date: 15<sup>th</sup> May 2025

Civil Technician

Signed: *[Signature]*

Date: 15<sup>th</sup> May 2025

Senior Executive Planner











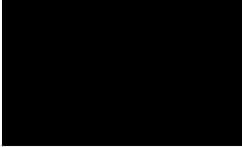




Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Margaret McGreevy,



Date: 19<sup>th</sup> March, 2025  
Planning Reference: DED 860

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

Development: Permission for the refurbishment of an existing dwelling, with works including 1)re-plumb; 2)re-wire; 3)removal of no. 4 existing fireplaces; 4)dry-lining; 5)repairs/upgrade kitchen; 6) new flooring; 7) painting internally & 8)external works under the Planning & Development Act (Exempt Development) Regulations 2018 at Rockdale, Cathedral Street, Ballaghaderreen, Co. Roscommon, F45 NY23.

\*\*\*\*\*

A Chara,

I wish to acknowledge receipt of the application which was received on the 13<sup>th</sup> March, 2025, 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. L/01/0/2333670 dated 14<sup>th</sup> March, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 860**  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

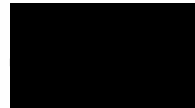
Alan O'Connell,  
A/Senior Planner,  
Planning Department.

Roscommon County Council  
Aras an Chontae  
Roscommon  
09068 37100

14/03/2025 13:01:18

Receipt No. : L01/0/233670

ENDA MCGREEVEY



PLANNING APPLICATION FEES	90.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 860	

Total	80.00 EUR
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Tendered :	
Credit/Debit Card	80.00
0716	

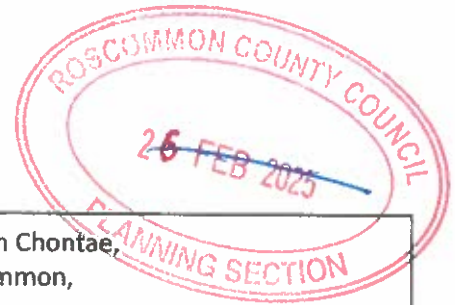
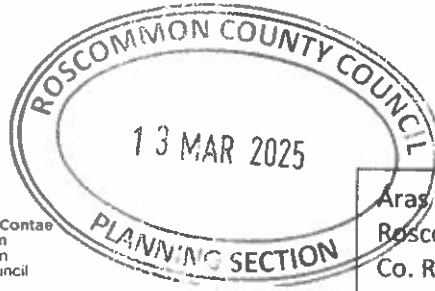
Change :	0.00
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Issued By : Aine McDermott  
From : Central Cash Office





Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Aras an Chontae,  
Roscommon,  
Co. Roscommon.

Phone: (090) 6637100

Email: [planning@roscommoncoco.ie](mailto: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)	MARGARET MC GREEVY	ENDA MC GREEVY
Name of Agent	N/A	
Nature of Proposed Works	SEE ATT	
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No. Folio RN 21773F	ROCKDALE CATHEDRAL ST BALLAGHADERREEN CO. ROSCOMMON F45NY23	
Floor Area: a) Existing Structure b) Proposed Structure	a) 110 SM b) N/A	
Height above ground level:	Structure will not be altered and will remain the same	
Total area of private open space remaining after completion of this development	Structure will not be altered and will remain the same	
Roofing Material (Slates, Tiles, other) (Specify)	Structure will not be altered and will remain the same	

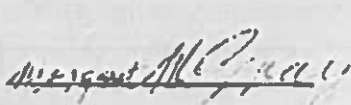

# Roscommon County Council

Application for a Declaration under Section 5 of the



Proposed external walling (plaster, stonework, brick or other finish, giving colour)	N/A
Is proposed works located at front/rear/side of existing house.	N/A
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	RESIDENTIAL HOUSE
Proposed use of land or structure	A residential Property For the Private rental market
Distance of proposed building line from edge of roadway	Existing HOUSE
Does the proposed development involve the provision of a piped water supply	NO. IN SITU
Does the proposed development involve the provision of sanitary facilities	NO. IN SITU

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

Signature:    
 Date: 25-2-25

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





## Nature of Proposed Works

### Complete replumb of the property

Replace: Oil tank, Oil boiler, Water storage tank, Radiators, Pipe work  
Install: Bathroom fittings including toilet, hand basin and shower.

### Electrical rewire of house

Fit out of cables and accessories  
New fire alarm circuit and smoke heads to be included  
New fuse board to be tested and certified.

### Remove existing fireplaces (x4)

Close obsolete flues and install vents

### Drylining

Interior of all external walls to be slabbed  
Slabbed walls to be beaded, taped and jointed  
Replace skirting with new skirting  
Close off and insulate existing doorways to adjoining property (store/shop)

### Kitchen

Remove defunct oil burning range and seal chimney outlet  
Replace kitchen ceiling  
Install new kitchen on two walls

### Flooring

Install timber flooring in sitting room, four bedrooms and upstairs landing  
Floors and walls to be tiled in bathroom and kitchen areas  
Stairway to be carpeted

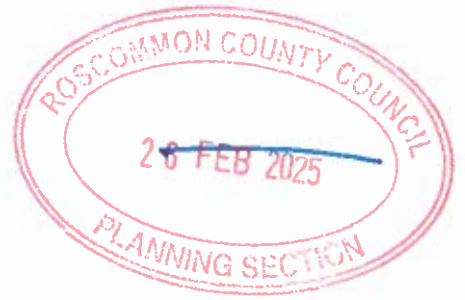
### Painting

Paint the entire house internally including walls, ceilings, skirting and internal doors

### External works

Erect scaffolding  
Replace rotten timber, fit new fascia, soffit, gutters and downpipes.  
Install new chimney cowls on closed up chimneys.  
Paint external of property, including house, front railings and gates.  
Repair outside boundary wall

### Install energy efficient front door



FAO: Carmel

25/02/2025

To: whom it may concern

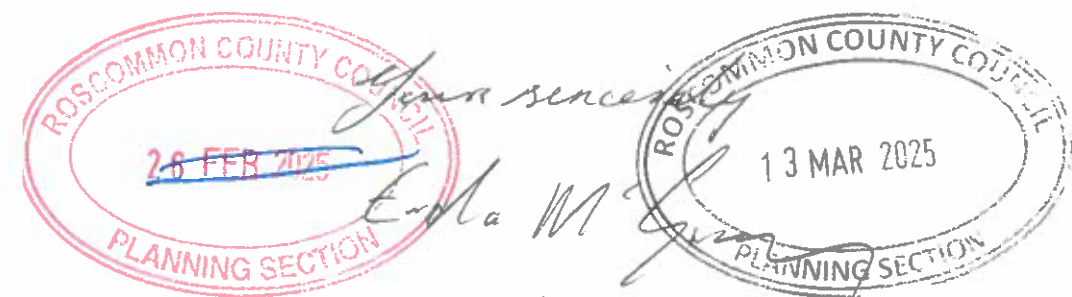
Attached Land Registry Maps as requested.

A10CC is the indicator on the  
map for property F45 NY23 Eircode.

Folio No. [REDACTED]

Please associate with our application  
for planning exemption or development  
at the property.

If you have any further queries  
please contact me on [REDACTED]





**Tailte  
Éireann**

Clárúchán, Luacháil,  
Suirbhéireacht  
Registration, Valuation,  
Surveying

## Tailte Éireann Special Registration Map



**This page forms part of the official document. Do not detach.**

**Application Number:** [REDACTED]

**Your Reference:** [REDACTED]

Special Registration Maps can be ordered and printed at a selection of standard metric scales up to and including 1/500 scale.

Properties on this extract of the Tailte Éireann Registration map that are not highlighted in colour appear to form part of unregistered land.

Hard copy ITM maps which have been enlarged from the original Tailte Éireann Surveying published scale for the area cannot be expected to give a higher degree of accuracy than that of the original scale.

1/5,000 and 1/10,000 scale maps may not be acceptable for registration purposes in hard copy form unless the new property is entirely bounded by Tailte Éireann Surveying detail.



  
An officer duly authorised by Tailte Éireann



# Grant Vortex Condensing Oil Boiler

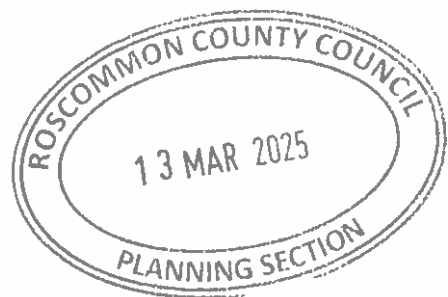
## Dimensions

Weight	152 kg
Height	908 mm
Width	800 mm
Depth	505 mm

## Specification

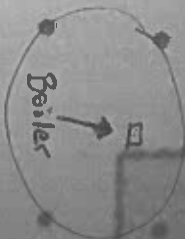
To place an outdoor oil boiler at the back of the property, close to the building as specified by our registered plumber. See attached sheet.

Type of oil boiler to be installed - Outdoor Grant vortex condenser boiler



*h McG*  
12/3/25

A10CC



Part of  
PPPs

Street





  
**Taite**  
**Éireann**  
Clárúcháin, Luacháil,  
Suirbhéireacht  
Registration Valuation  
Surveying

**This map should be read in conjunction with the folio.**

For details of the terms of use and limitations of scale, accuracy and other conditions relating to Land Registry maps, see [www.tallte.ie](http://www.tallte.ie).

(centre-line of parcel(s) adjudged)

Freehold

Leasehold ~~26 FEB 2025~~

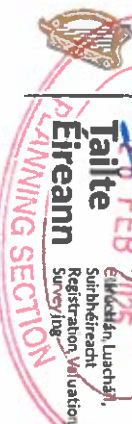
Subleasehold

'S' Register

**The T<sub>E</sub> Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a T<sub>E</sub> 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 Deed and Title Act 2006.



562050 mE, 795050 mN



Official Tailte Éireann Registration Map  
This map should be read in conjunction with the folio.

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

For details of the terms of use and limitations of scale, accuracy and other conditions relating to Land Registry maps, see [www.tailte.ie](http://www.tailte.ie).

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

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

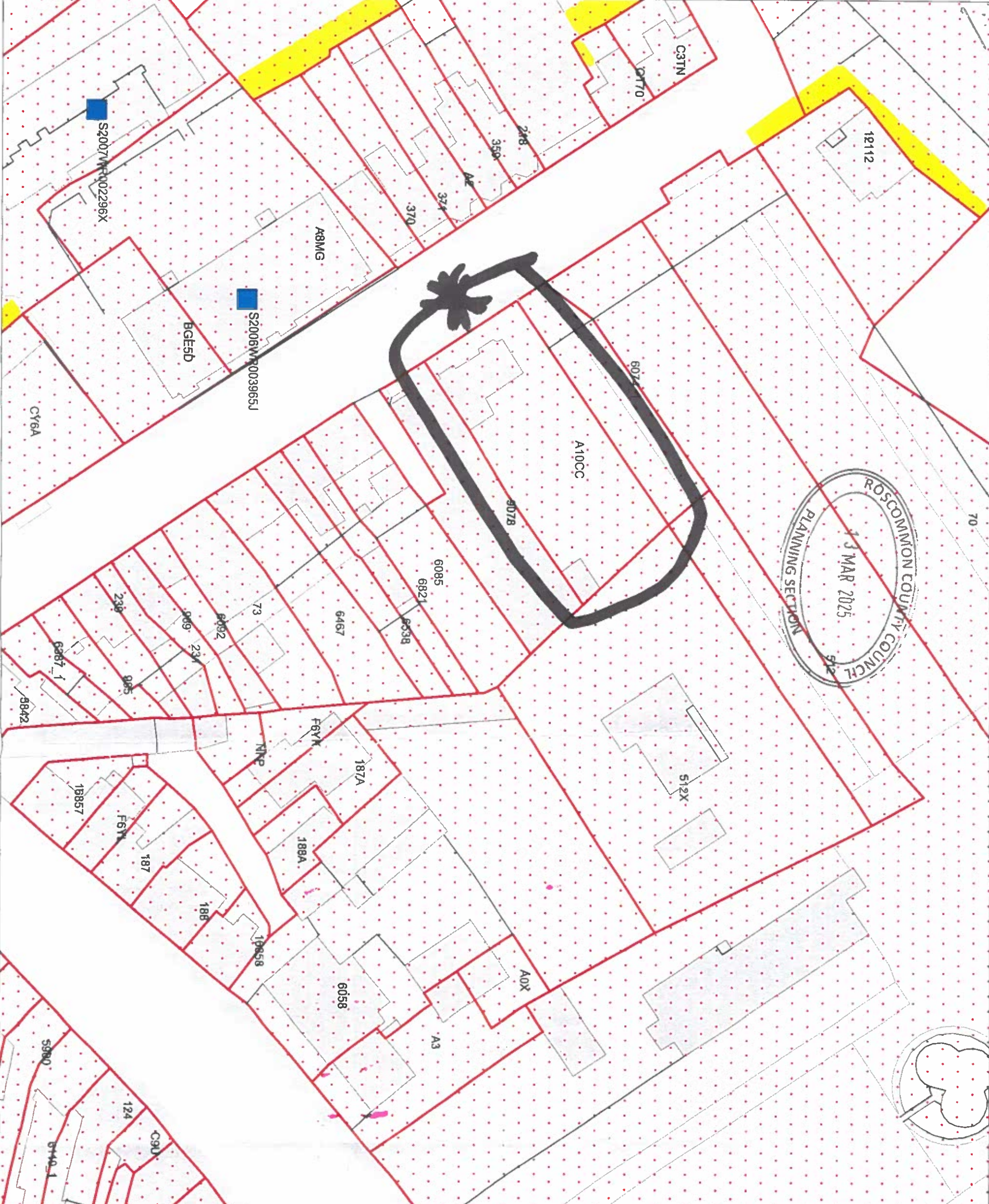
(see Section 8(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

- 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](http://www.landdirect.ie)

**Tailte Éireann Registration operates a non-conclusive boundary system.**  
The TÉ Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TÉ 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 Deed and Title Act 2006.

1:500



561890 mE, 794920 mN

Creation Date: 20 February 2025 07:50:41

Application Number: S2025LR003193N