

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Michael Crann,



Reference Number: DED 900
Application Received: 23rd May, 2025
Name of Applicant: Michael Crann
Agent: Rathcroghan Design

WHEREAS a question has arisen as to whether the construction of a slatted shed and associated site works at Cartroncarrowntogher, Elphin, 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 of Part 3 Article 6 Schedule 2 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 Act, 2000, as amended.
- (e) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works are development.
- (b) The construction of a new slatted shed as described in this case is an exempted development.
- (c) 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 construct a slatted shed and associated works at Cartroncarrowntogher, Elphin, 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:

Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 7th August, 2025

cc agent via email: Rathcroghan Design
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 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

From: Carmel Curley
Sent: Thursday 7 August 2025 15:14
To: Martin Dowd
Subject: DED900 - Michael Crann
Attachments: DED 900 - Notification of Decision & Stamped Plans.pdf

Hi Martin,

Please find attached Notification of Decision & stamped plans (if required) for the Section 5 Declaration of Exempted Development – DED 900 for Michael Crann.

Regards,

Carmel

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

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

[MAP LOCATION](#)



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

Reference Number: DED 900

Re: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to construct a slatted shed and associated site works under the Planning & Development Act (Exempt Development) Regulations 2018 at Cartroncarrowtogher, Elphin, Co. Roscommon.

Applicants: Michael Crann

Date: 11th July 2025 (Site Inspection on 14/07/2025)

WHEREAS a question has arisen as to whether to construct a slatted shed and associated site works in Cartroncarrowtogher, Elphin, 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) Class 6 of Part 3 Article 6 Schedule 2 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 Act, 2000, as amended
- (e) The planning history of the site

Site Location & Development Description

The subject site is located in Cartroncarrowtogher, Elphin, Co. Roscommon and the land is in agricultural use. The site is accessed via an existing farm entrance of the L-5650 road, the proposed structure is situated in a field west of the existing farmyard. The proposed structure is located in the 'N61 Boyle to Fourmilehouse' study area.

It is proposed to construct a new slatted shed with the proposed structure stated at 170.8m².

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 the likely zone of influence of the proposed development.

Appropriate Assessment

The closest European site to the site of the proposed development is Ardagh Bog PNHA (Site Code 001222) which is located circa 6.3km to the west of the proposed 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 has been traced relating to the subject 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 (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.

The proposed shed (170.8m² stated):

The construction of a new slatted shed appears to come within the scope of Class 6 of Part 3 of Article 6 - *Exempted Development Rural* of the Regulations.

PART 3 - Article 6 - Exempted Development - Rural

Column 1 - Description of Development

<p><i>Agricultural Structures</i> CLASS 6</p> <p>Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.</p>	<ol style="list-style-type: none">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 300 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 line 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 100 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 unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
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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 proposed development constitutes development, as defined in Section 3 of the said Act.

With regard to the compliance with the conditions and limitations of Class 6 of Part 3 of Schedule 2 (Exempted Development - Rural) the following assessment sets out how these apply to the current proposal:

1. As per the submitted details the proposed structure is for agricultural use.
2. The gross floor space of the structure together with any other such structures situated within 100 metres will not exceed 300 square metres gross floor space in aggregate. Existing buildings do not fall within Class 6 as they are storage buildings.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line 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. Onus on applicant to comply with this.
4. The structure is to be situated approx. 99m from the public road.
5. The proposed structure does not exceed 8 metres in height.
6. Based on information provided and site inspection there is a house approx. 70m from the proposed structure but based on the information provided it is in ownership of the applicant.
7. Based on information provided, the structure pre-painted sheeting.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 6 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended, the construction of a new slatted shed as described in this case is considered to be an exempted development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations, it is reasonable to conclude that on the basis of the information available, it is considered 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 EIA or AA does not apply with respect to the current referral case.

I am satisfied that an Environmental Impact Assessment Report or Natura Impact Statement 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 a NIS is required.

Recommendation

WHEREAS a question has arisen as to whether to construct a slatted shed and associated site works in Cartroncarrowtogether, Elphin, 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) Class 6 of Part 3 Article 6 Schedule 2 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 Act, 2000, as amended
- (e) The planning history of the site

AND WHEREAS I have concluded that

- a) The works are development.
- b) The construction of a new slatted shed as described in this case is an exempted development.
- c) 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 I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Civil Technician

Date: 15th July 2025

Signed: 
Senior Executive Planner

Date: 7th August 2025









Comhairle Contae
Ros Comáin
Roscommon
County Council



Michael Crann,


Date: 28th May, 2025
Planning Reference: DED 900

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

Development: Permission to construct a slatted shed and associated site works under the Planning & Development Act (Exempted Development) regulations 2018 at Cartroncarrowntogher, Elphin, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of the application which was received on the 23rd May, 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/01/0/234909 dated 27th May, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 900**
This should be quoted in all correspondence and telephone queries.

Mise le meas,



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

cc agent via email: [Rathcroghan Design
rathcroghandesigns@gmail.com](mailto:rathcroghandesigns@gmail.com)

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

27/05/2025 15 26 32

Receipt No : L01/0/234909

MICHAEL CRANN
C/O MARTIN DOWD
RATHCROGHAN DESIGNS
BALLINAGARE
CO. ROSCOMMON

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED900	

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

Carmel Curley

From: Carmel Curley
Sent: Wednesday 28 May 2025 15:46
To: Martin Dowd
Subject: DED 900 - Michael Crann
Attachments: DED 900 - Acknowledgement Letter & Receipt.pdf

Hi Martin,

Please find attached Acknowledgement Letter & Receipt for the Section 5 Exempted Development Application submitted for Michael Crann – DED 900.

Regards,

Carmel

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

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

MAP LOCATION





Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the

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

Name of Applicant(s)	Michael Cran
Name of Agent	Martin Dowd Rathcroghan Designs Bellinagare
Nature of Proposed Works	To construct slated shed and associated site works
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	CARTRONCARROWTUGH Elphin Digital Map 1981 ITM 584013, 790641
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>174.0 m²</u> b) <u>170.8 m²</u>
Height above ground level:	7.117 m
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	Pre-painted sheeting

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	NAP PLASTER
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)	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	98.89 m
Does the proposed development involve the provision of a piped water supply	YES (EXISTING)
Does the proposed development involve the provision of sanitary facilities	No

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

Signature:

Mark Del (AGENT)

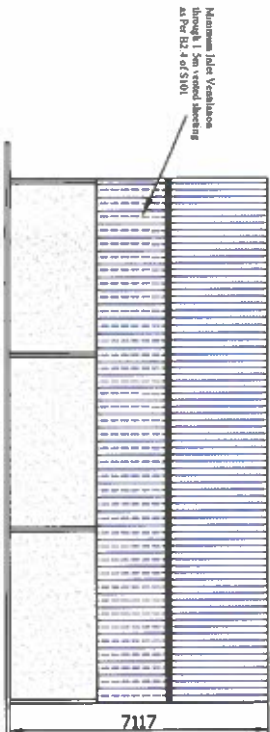
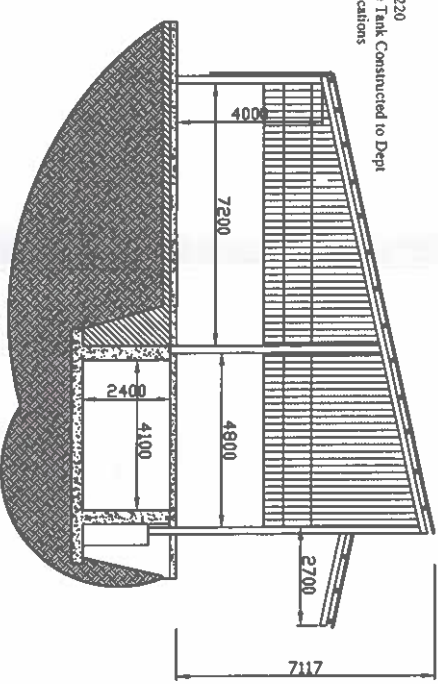
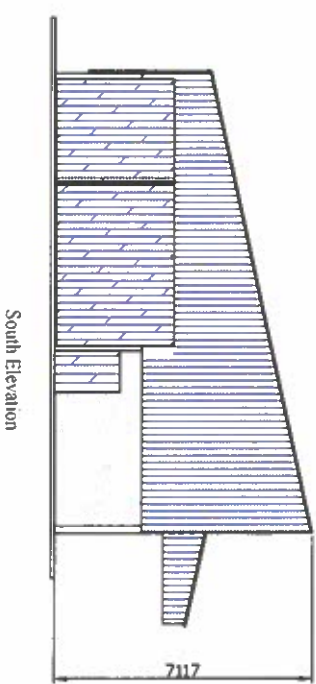
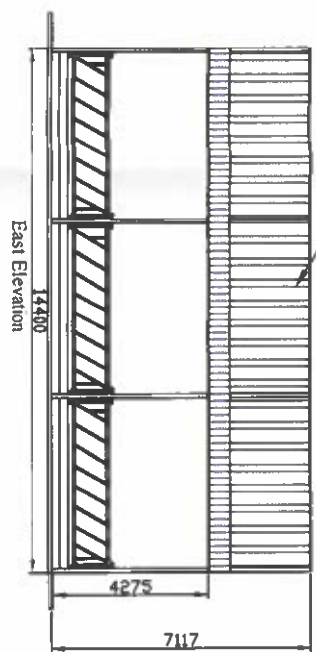
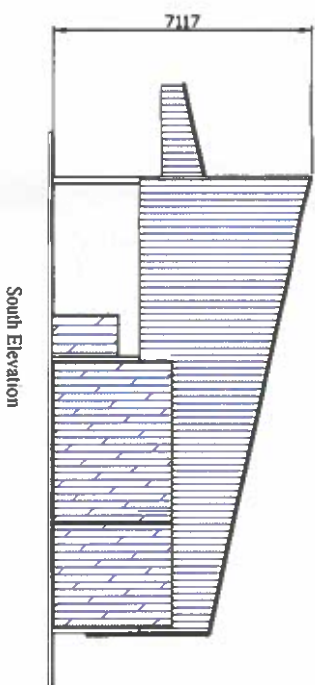
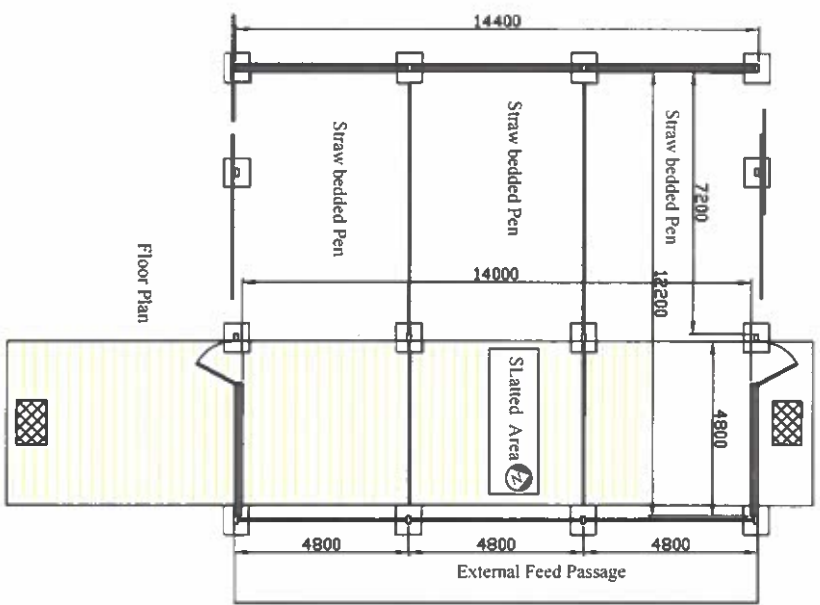
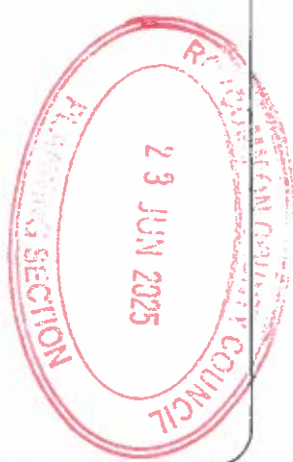
Date:

21/05/2025



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



External Walls to be Mass Concrete Walls using 37N concrete

Stanchions to be IPE 220 Reinforced Concrete Tank Constructed to Dept of Agriculture Specifications

Roof Material to be Prepared Sheet on 150 x 75 Purlins secured to IPE 200 Rafters carried by IPE 200 Stanchions

RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castlereagh, Co. Roscommon
Ph: 086 2328484 E-mail: martin@rathcroghan.com



Client

Michael Crann

Title

Proposed Slatted Shed

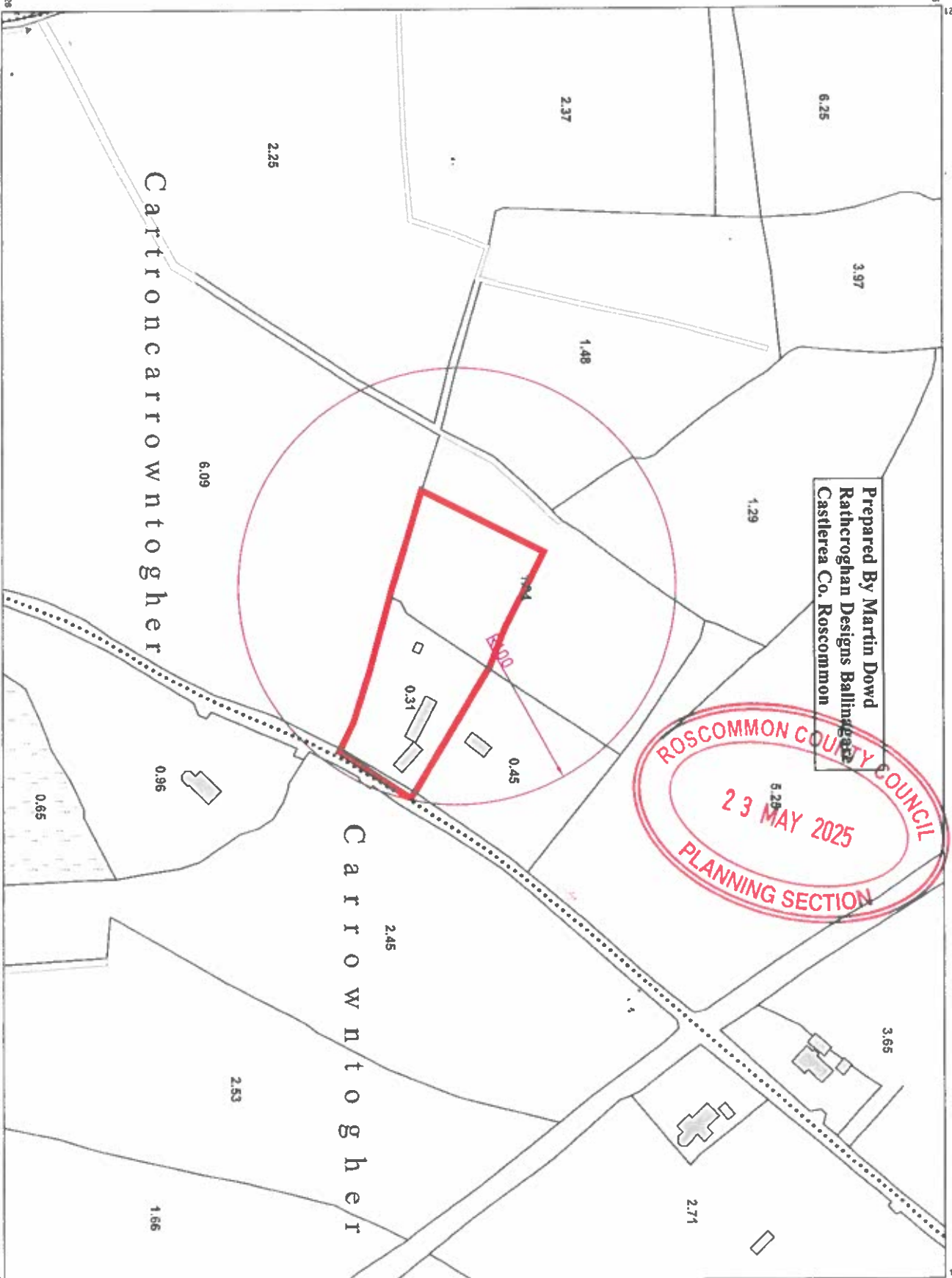
Scale: 1:200 UNLESS NOTED
Drawn: MARTIN DW/D
Date: 07-02-2025

Sheet 1 OF 1

Draw. No. 23-142

Planning Pack Map

Prepared By Martin Dowd
Rathcroghan Designs Ballinacree
Castlerea Co. Roscommon



OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: www.tailte.ie, search 'Capture Resolution'.

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



**Tailte
Éireann**

CENTRE COORDINATES:
ITM 584013,790641
PUBLISHED: 19/05/2025
ORDER NO.: 50467345_1
MAP SERIES: 1:5,000
MAP SHEETS: 1981, 1982

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland
D08F8E4

www.tailte.ie

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Rathcroghan Designs
BALLYCONBOY, BALLINAGARE, CASTLEREA, CO.
ROSCOMMON
Planning and Building Consultants
Associate Member of The Society Chartered Surveyors
Ireland
MOBILE : 086 2328484
Email – rathcroghandesigns@gmail.com

**The Planning Authority,
Roscommon
Aras An Chontae,
Roscommon.**

23rd Sept 2024

Re:Planning application for Exempted Development on behalf of Michael Crann

Dear sir or madam,

Please find enclosed application for exempted development on behalf of Michael Crann Can you please contact me by phone on 08623284 in order to make payment of the required fee.

Yours sincerely.

Martin Dowd

Martin Dowd



RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castlereagh, Co. Roscommon
Ph: 086 2328484
E-mail: rathcroghandesigns@gmail.com



Client

Michael Crann

Title
Proposed

Site Layout

Scale: 1:500 UNLESS NOTED
Sheet 1 of 1
Proj. No. 25-128

Drawn: MARTIN DDWD

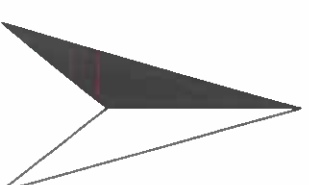
Date: 19-03-2025

Site Area 0.604Ha

Schedule

1. Existing Dwelling in Applicants Ownership
2. Existing Outbuilding Pre 1963
Used for Storage Class 9 Rural 65m²
3. Existing Hayshed Class 9 Rural 109m²
4. Existing Pump House Class 9 Rural
5. Proposed Slatted Shed Class 6 Rural 170.8m²
6. Proposed Ancillary Concrete

N



Proposed Level



Storm Sewer



Soakpit

