

ROSCOMMON COUNTY COUNCIL

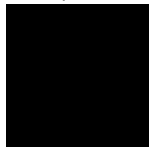
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Mary Beades,



Reference Number: DED 907
Application Received: 6th June, 2025
Name of Applicant: Mary Beades
Agent: N/A

WHEREAS a question has arisen as to whether the renovation of a residential property with works including with works including 1)replace all existing front & side windows. Replace kitchen & bathroom windows with new windows. All those replacements will be the same as original; 2)replace existing front door with a new front door of the same size; 3)close up existing rear door and replace with a new and smaller window; 4)replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations at Ballinamona, Brideswell, Athlone, Co. Roscommon., N37 RT04, 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) 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:

- (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 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 renovate a residential property with works including with works including 1)replace all existing front & side windows. Replace kitchen & bathroom windows with new windows. All those replacements will be the same as original; 2)replace existing front door with a new front door of the same size; 3)close up existing rear door and replace with a new and smaller window; 4)replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations at Ballinamona, Brideswell, Athlone, Co. Roscommon., N37 RT04, 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: 12th August, 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

From: Carmel Curley
Sent: Tuesday 12 August 2025 15:24
To: Mary Beades
Subject: DED 907 - Notification of Decision
Attachments: DED 907 - Notification of Decision.pdf

Hi Mary,

Please find attached Notification of Decision for your Section 5 Declaration of Exempted Development Application – DED 907.

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 Act 2000 (as amended)**

Reference Number:	DED 907
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the renovation of residential property with works including 1)replace all existing front & side windows. Replace kitchen & bathroom windows with new windows. All those replacements will be the same as original; 2)replace existing front door with a new front door of the same size; 3)close up existing rear door and replace with a new and smaller window; 4)replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations
Name of Applicant:	Mary Beades
Location of Development:	Ballinamona, Brideswell, Athlone, Co. Roscommon, N37 RT04
Site Visit:	15/07/2025

WHEREAS a question has arisen as to whether the following works; for the renovation of residential property with works including 1)replace all existing front & side windows. Replace kitchen & bathroom windows with new windows. All those replacements will be the same as original; 2)replace existing front door with a new front door of the same size; 3)close up existing rear door and replace with a new and smaller window; 4)replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations **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) 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 property is a single story dwelling with a garden area to the side and rear of the property in Ballinamona, Brideswell, Athlone, Co. Roscommon. The property is accessed off the R-363 road. The proposed development consists of the renovation of the dwelling with works including the replacement of external doors and windows with minor alterations to some of the existing openings to the rear.

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 development. No Protected structures or structures listed in the National Inventory of Architectural Heritage the likely zone of influence of the development.

Appropriate Assessment

The closest European site to the site of the proposed development is Ballynamona Bog and Corkip Lough SAC (Site Code 002339) which is located circa .5km to the southwest 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 renovation of a single story house, external works include the replacement of windows/doors with alterations to existing rear door to be converted to a window and an existing rear window converted to a double door. 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.

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 renovation of residential property with works including 1)replace all existing front & side windows. Replace kitchen & bathroom windows with new windows. All those replacements will be the same as original; 2)replace existing front door with a new front door of the same size; 3)close up existing rear door and replace with a new and smaller window; 4)replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations in Ballinamona, Brideswell, Athlone, 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) 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 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 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 of the renovation of residential property with works including 1)replace all existing front & side windows. Replace kitchen & bathroom windows with new windows. All those replacements will be the same as original; 2)replace existing front door with a new front door of the same size; 3)close up existing rear door and replace with a new and smaller window; 4)replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations in Ballinamona, Brideswell, Athlone, Co. Roscommon, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 

Date: 17th July 2025

Assistant Engineer

Signed: 

Date: 11th August 2025

Senior Executive Planner









Comhairle Contae
Ros Comáin
Roscommon
County Council



Mary Beades,

Date: 18th June, 2025
Planning Reference: DED 907

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

Development: Permission for the renovation of residential property with works including 1)replace all existing front & side windows. Replace kitchen & bathroom windows with new windows. All those replacements will be the same as original; 2)replace existing front door with a new front door of the same size; 3)close up existing rear door and replace with a new and smaller window; 4)replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations under the Planning & Development Act (Exempted Development) regulations 2018 at Ballinamona, Brideswell, Athlone, Co. Roscommon, N37 RT04.

A Chara,

I wish to acknowledge receipt of the application which was received on the 6th June, 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/01/0/235200 dated 12th June, 2025 receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 907**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

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

Roscommon County Council
Aras an Chontae
Roscommon
08066 37100

12/06/2025 14:48:01

Receipt No: L01/0/235200

MARY BEADES

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED907	

Total : 80 00 EUR

Tendered :
Credit/Debit Card 80 00
9503

Change 0 00

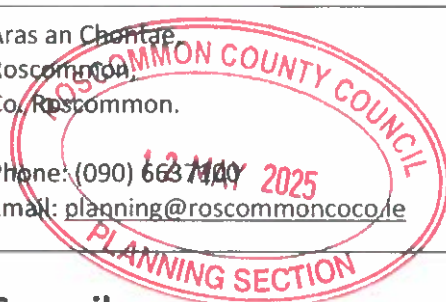
Issued By : Louis Carroll
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council

Áras an Chontae
Roscommon,
Co. Roscommon.

Phone: (090) 663 7100
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)	Mary Beades
Name of Agent	N/A
Nature of Proposed Works	Renovation of residential property. Energy Upgrade
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Ballinamona, Brideswell, Athlone, Co. Roscommon. N37RT04 Townland: Knocknanool Grid reference: M9479443882
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>120 square metres</u> b) <u>120 square metres</u>
Height above ground level:	300 mm
Total area of private open space remaining after completion of this development	> half and acre
Roofing Material (Slates, Tiles, other) (Specify)	slates- no change

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Pebble dash, as it currently exists
Is proposed works located at front/rear/side of existing house.	inside the property, replacement of windows and doors.
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	Rental
Distance of proposed building line from edge of roadway	approx 70 m
Does the proposed development involve the provision of a piped water supply	already in place
Does the proposed development involve the provision of sanitary facilities	already in place

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

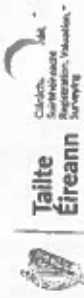
Signature: Mary Beade
 Date: 7-5-25



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

- (a) Fee ~~enclosed~~ - Please contact [REDACTED]
- (b) Site location map enclosed. Link to Grid reference: https://irish.gridreferencefinder.com?gr=M9479443882|Point_s_C|1&t=Point%20C&v=r
- (c) Do not have one as the renovation only affects the facade and structure internally
- (d): Replace side and front windows.
 Replace front door
 Replace bathroom window at rear
 Replace kitchen window at rear
 Close up existing back door
 Replace existing living room window at rear with new double door to improve accessibility and egress in the event of a fire.



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

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

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(v) 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

Tailte Éireann Registration operates a non-conclusive boundary system.

The T&E Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a T&E 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



Instructions: Right-click (or Tap) on the Map to Display the Grid Reference and Location Information

Instructions: Find a grid reference on the map by simply right-clicking on the map. Enter a location search below.

Location (Road , Town) Go

Grid Reference Go

X (Easting) Y (Northing) Go

Lat Long Go

ITM X ITM Y Go

What3Words Go



- Link for All Points | Elevation Chart | Show Points on OpenStreetMap | Distance Matrix | Heatmap | Toggle Show Pin Labels | Delete All Points
- Export Points to CSV | Export Points to Excel | Export Points to Google Earth (KML) | Export Points to GPX (route) | Export Points to GPX (waypoints)



Advertisement

Advertisement

3rd June 2025

RE: further information for Section 5 Declaration of Exempted Development (Mary Beades)

Dear Ms Curley,

I refer to your correspondence on the 13th of May requesting further information and I would like to respond as follows.

1. The dwelling will be used for residential purposes.
2. Please find enclosed site location map as requested.
3. The site layout map to a scale of 1:500 was submitted with the application and as per telephone conversation (26th May) it was agreed that this map was sufficient.
4. The proposed works are as follows;
 - a. Replace all existing front and side windows. Replace kitchen and bathroom windows with new windows. All those replacements will be the same as the original.
 - b. Replace existing front door with a new front door of the same size.
 - c. Close up existing rear door and replace with a new and smaller window.
 - d. Replace existing living room window at the rear of the dwelling with a new double door to improve access and egress to comply with building regulations. The proposed double door to the rear of the dwelling does not materially affect the external appearance of the house to the rear, and could be considered under Section 4(1)(H) of the Planning and Development Act 2000 as amended. Please find enclosed drawings showing existing floor plan and rear elevation and drawings showing new floor plan and rear elevation.

I trust the above will allow the application to be considered further.

Yours sincerely,



Mary Beades



Planning Pack Map



Taite Éireann

CENTRE COORDINATES:
ITM 594742.743907

PUBLISHED: 30/05/2025
ORDER NO.: 50469951_1

MAP SERIES: 1:5,000
MAP SHEETS: 2963 3033

COMPILED AND PUBLISHED BY:
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Phoenix Park,
Dublin 8,
Ireland
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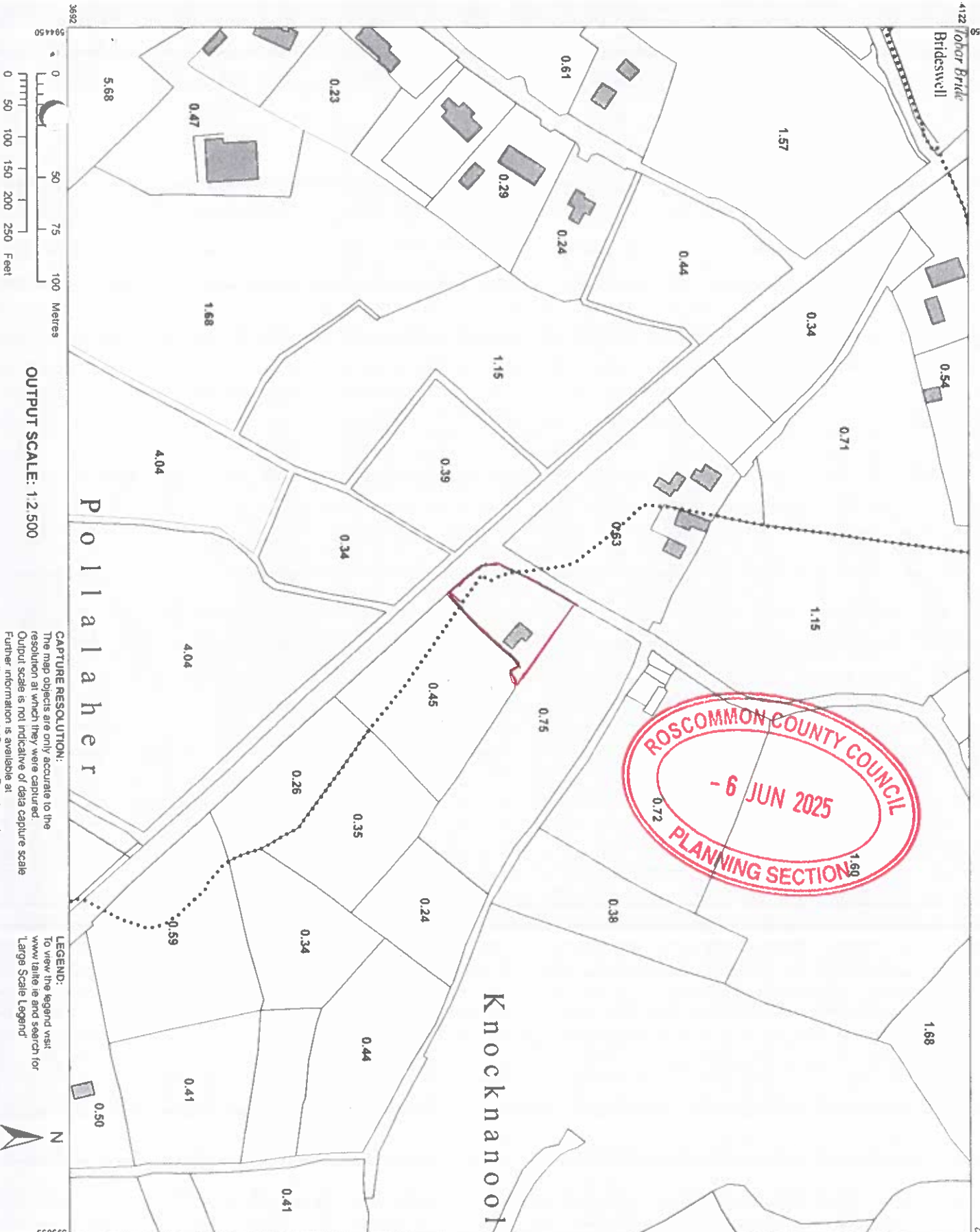
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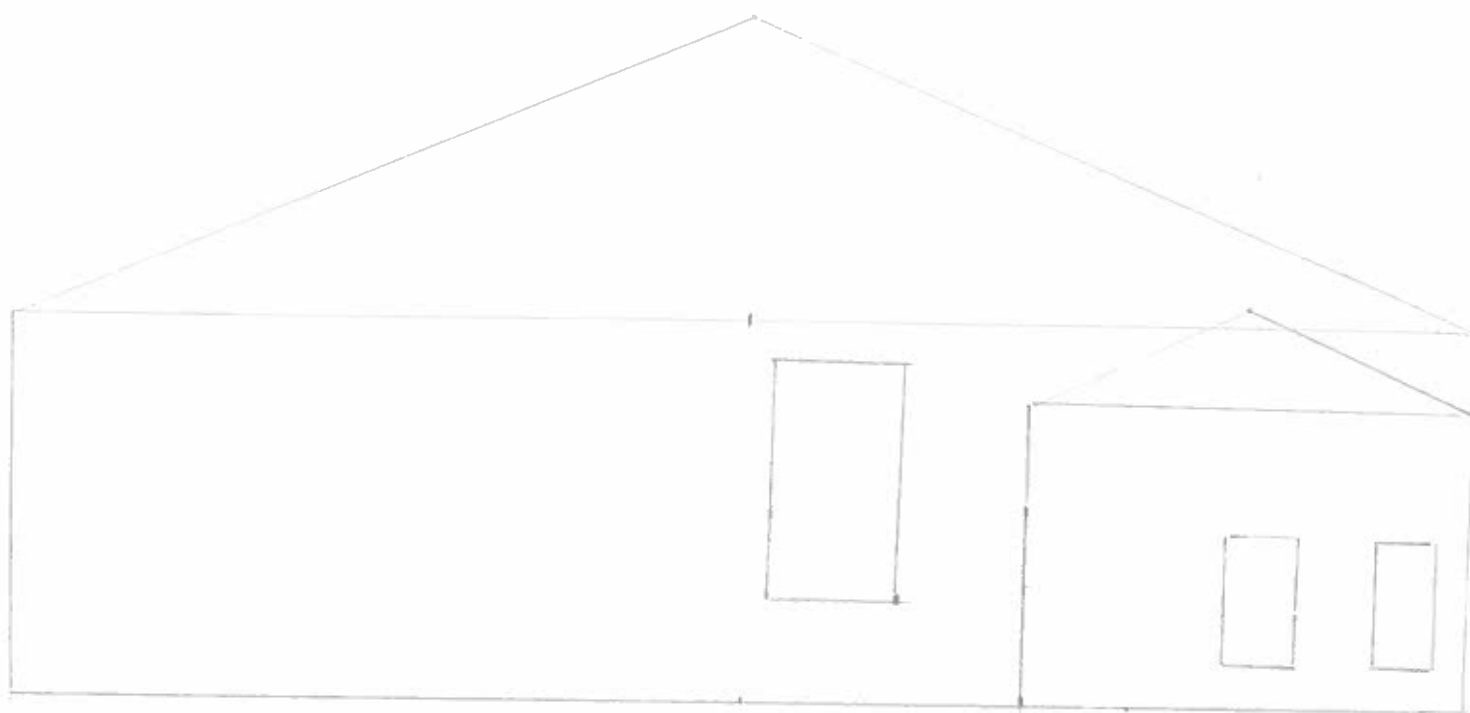
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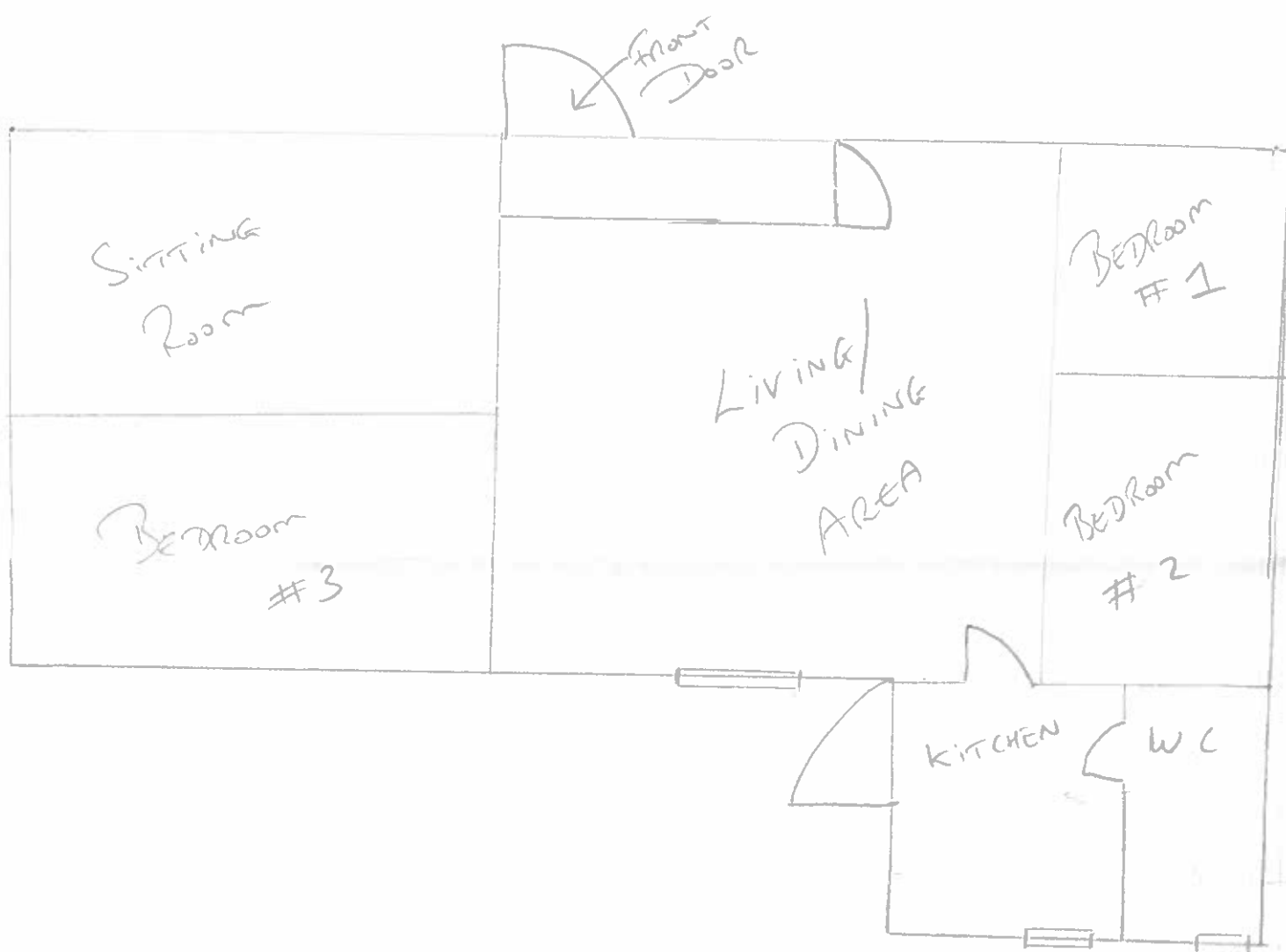
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The map objects are only accurate to the resolution at which they were captured.
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Further information is available at www.taite.ie search 'Capture Resolution'.

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



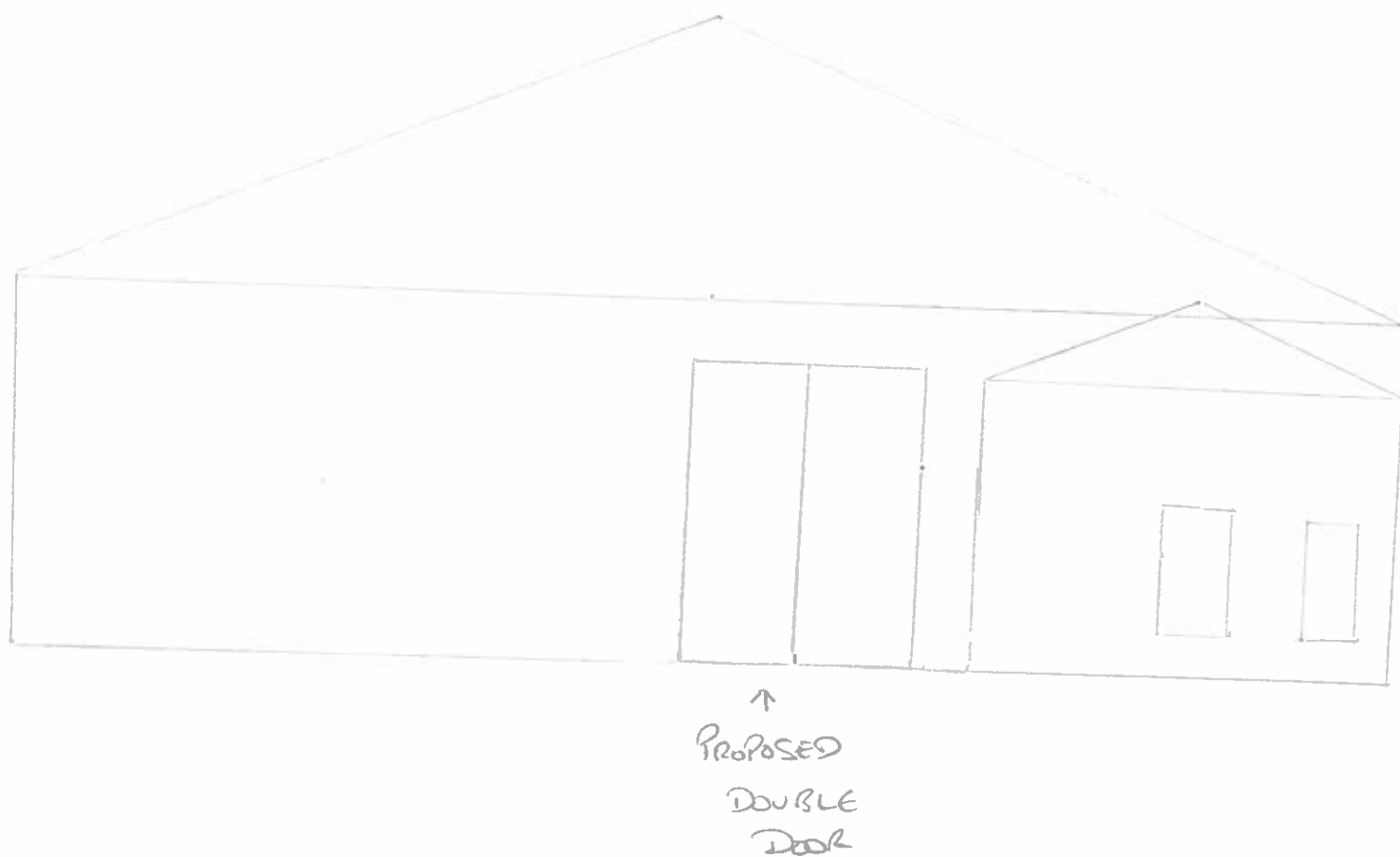
EXISTING
REAR
ELEVATION



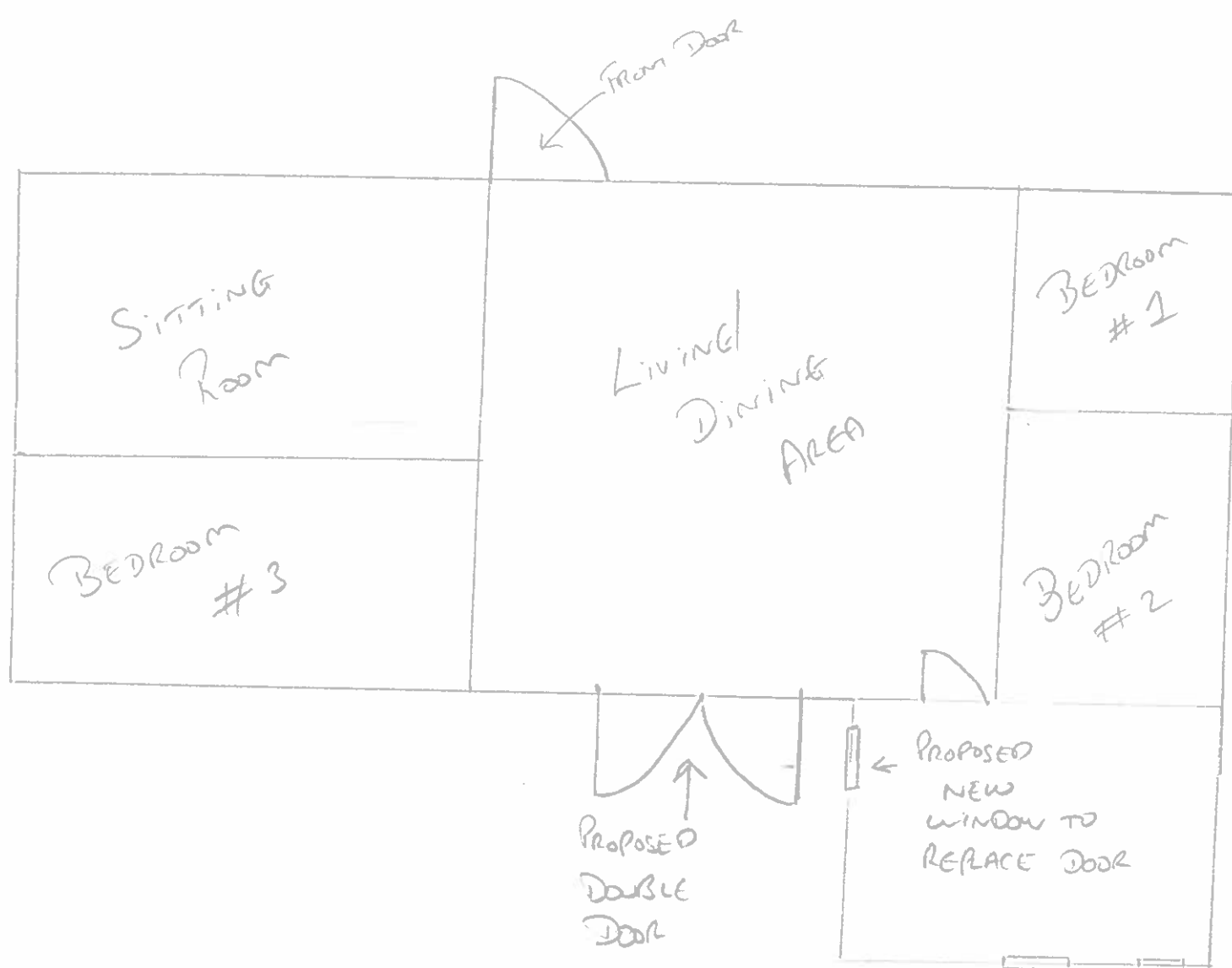
EXISTING
FLOOR PLAN
REAR PLAN

SCALE 1:50

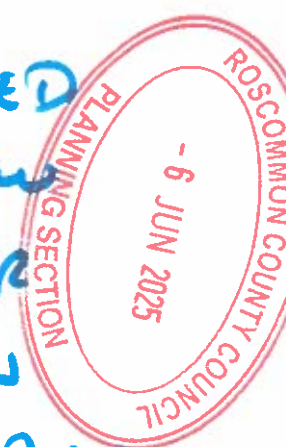




PROPOSED
REAR
ELEVATION



PROPOSED
NEW
FLOOR
PLAN
REAR PLAN



Scale 1:50