

**ROSCOMMON COUNTY COUNCIL**

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

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

**NOTIFICATION OF DECISION**

**REGISTERED POST**

Thomas Silke,

Reference Number: DED 909  
Application Received: 9<sup>th</sup> June, 2025  
Name of Applicant: Thomas Silke  
Agent: James Lohan Consulting Engineers Ltd

WHEREAS a question has arisen as to whether the construction of a 265.35m<sup>2</sup> farm machinery storage shed at Moore, Castlerea, 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 9 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 farm machinery 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 265.35m<sup>2</sup> farm machinery storage shed at Moore, Castlerea, 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: 12<sup>th</sup> August, 2025



cc agent via email: James Lohan Consulting Engineers Ltd  
[james@jlce.ie](mailto:james@jlce.ie)

**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:** Tuesday 12 August 2025 15:13  
**To:** James Lohan  
**Cc:** Jack Keegan  
**Subject:** DED 909 - Thomas Silke  
**Attachments:** DED 909 - Stamped Plans & Maps.pdf; DED 909 - Notification of Decision.pdf

Hi James,

Please find attached Notification of Decision for the Section 5 Declaration of Exempted Development submitted on behalf of Thomas Silke – DED 909. Please also find attached stamped plans & map should they be required. Please note that a hard copy of same will be issued to the applicant via registered post.

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 Acts 2000 (as amended)**

**Reference Number:** DED 909

**Re:** Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to construct an 265.35m<sup>2</sup> farm machinery storage shed under the Planning & Development Act (Exempt Development) Regulations 2018 at Moore, Castlerea, Co. Roscommon.

**Applicants:** Thomas Silke

**Date:** 28<sup>th</sup> July 2025 (Site Inspection on 24/07/2025)

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**WHEREAS a question has arisen as to whether to construct an 265.35m<sup>2</sup> farm machinery storage shed in Moore, Castlerea, 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 9 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 Moore, Castlerea, Co. Roscommon and the land is in agricultural use. The site is accessed via an existing farm yard of the L-1613 road, the proposed structure is situated in a field to the east of the existing farm yard.

It is proposed to construct a farm machinery storage shed with the proposed structure stated at 265.35m<sup>2</sup>.

**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 Bellanagare Bog PNHA/SAC/SPA (Site Code 000592/004105) which is located circa 2.3km to the northeast 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, recent planning history has been traced relating to the subject site.

- 06/1827 - To construct a slatted shed and cattle crush – Conditional
- 00/272 - Erect an extension to dwellinghouse, along with alterations to roof and elevations – Conditional

## **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 (265.35m<sup>2</sup> stated):**

The construction of a farm machinery storage shed appears to come within the scope of Class 9 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 9</p> <p>Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.</p>	<ol style="list-style-type: none"><li>1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.</li><li>2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.</li><li>3. No such structure shall be situated within 10 metres of any public road.</li><li>4. No such structure within 100 metres of any public road shall exceed 8 metres in height.</li><li>5. No such structure shall be situated 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.</li><li>6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</li></ol>
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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 9 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 and for storing of machinery.
2. Combined areas of existing and proposed structure under Class 9 does not exceed 900m<sup>2</sup>.
3. The structure is to be situated approx. 16m from the public road.
4. The proposed structure does not exceed 8 metres in height.
5. Based on information provided and site inspection there is a house approx. 60m to the north east of the proposed structure, letter of consent provided in the application.
6. Based on information provided, the structure is to be painted sheeting.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 9 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended, the construction of a machinery 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 an 265.35m<sup>2</sup> farm machinery storage shed in Moore, Castlerea, 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 9 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 farm machinery 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:   
Assistant Engineer

Date: 28<sup>th</sup> July 2025

Signed:   
Senior Executive Planner

Date: 11<sup>th</sup> August 2025

















Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Thomas Silke,  


Date: 12<sup>th</sup> June, 2025  
Planning Reference: DED 909

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

Development: Permission for the construction of an 265.35m<sup>2</sup> farm machinery storage shed (exempt under Class 9) under the Planning & Development Act (Exempted Development) regulations 2018 at Moore, Castlereagh, Co. Roscommon.

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A Chara,

I wish to acknowledge receipt of the application which was received on the 9<sup>th</sup> 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/01/0/235180 dated 11<sup>th</sup> June, 2025, receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 909**  
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: James Lohan Consulting Engineers Ltd  
[james@jlce.ie](mailto:james@jlce.ie)



Roscommon County Council  
Aras an Chontae  
Roscommon  
09066 37100

11/08/2025 16:05:33

Receipt No. L01/0/235180

THOMAS SILKE  
C/O JAMES LOHAN CONSULTING ENGINEERS LTD  
UNIT 5 BALLYPHEASON HOUSE  
CIRCULAR RD  
ROSCOMMON

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED909	

Total	80.00 EUR
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Tendered	
Cheque	80.00
500411	

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



## Carmel Curley

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**From:** Carmel Curley  
**Sent:** Thursday 12 June 2025 12:51  
**To:** James Lohan  
**Cc:** jack@jlce.ie  
**Subject:** DED 909 - Thomas Silke  
**Attachments:** DED 909 - Ack Letter & Receipt.pdf

Hi James,

Please find attached Acknowledgement Letter & Receipt for DED Application 909 for Thomas Silke.

Thanks,

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







Comhairle Contae  
Ros Comáin  
Roscommon  
County Council

Áras 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)	Thomas Silke
Name of Agent	James Lohan Consulting Engineers Ltd, Unit 5, Ballypheason house, Circular road, Roscommon
Nature of Proposed Works	To construct a 265.35m <sup>2</sup> farm machinery storage shed, exempt under class 9
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Moore, Castlerea, Co. Roscommon O.S No. 2158 XY: 569242, 781707 Townland Moore
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>N/A</u> b) <u>265.35 Sqm extension</u>
Height above ground level:	Floor level- 150mm above ground level (Ridge height existing 6036mm above ground level)
Total area of private open space remaining after completion of this development	0.23 Hectares
Roofing Material (Slates, Tiles, other) (Specify)	Blue/Grey corrugated sheeting to match existing sheds in the yard.



## 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 to 2m high and blue/grey corrugated sheets from 2m to eaves, to match existing sheds in the yard.
Is proposed works located at front/rear/side of existing house.	Proposed works are to the side of existing yard
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 farm yard & sheds
Proposed use of land or structure	Agricultural farm yard & sheds
Distance of proposed building line from edge of roadway	Existing -16.73 from edge of existing road
Does the proposed development involve the provision of a piped water supply	Existing water mains
Does the proposed development involve the provision of sanitary facilities	N/A, there will be no sanitary facilities in the farm machinery shed

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

Signature: JACK KEEGAN (AGENT)

Date: 11/04/2025

**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







Planning Dept,  
Roscommon Co.Co.  
Aras An Chontae,  
Roscommon.

**Detailed Specification Of The Development Proposed**

Ref: Thomas Silke for site at Moore, Castlerea, Co. Roscommon

The proposed machinery shed will use used to store farm machinery which is not being used during the winter, which is currently being exposed to the elements in the winter months. The Machinery shed will also serve as a dry place for Mr. Silke to service and maintain his farm machinery.

The works involved are as follows:

1. Level and stone up the site
2. Dig foundations 7 pour them
3. Erect portal frame
4. Construct 2m high block walls
5. Finish walls & roof in corrugated sheeting
6. Install doors.
7. Section fix electrics

Kind Regards

Jack Keegan

**James Lohan Consulting Engineer Ltd,**  
**Unit 5, Ballypheason House, Circular Road**  
**Roscommon F42 C982**





28/03/2025

To whom it may concern,

I, [REDACTED] have no objection to Mr. Tom Slike constructing an agricultural storage shed on the lands to the south west of my property.

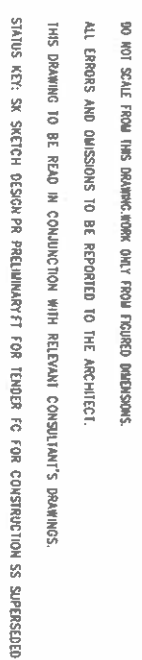
Kind Regards,


  
[REDACTED]



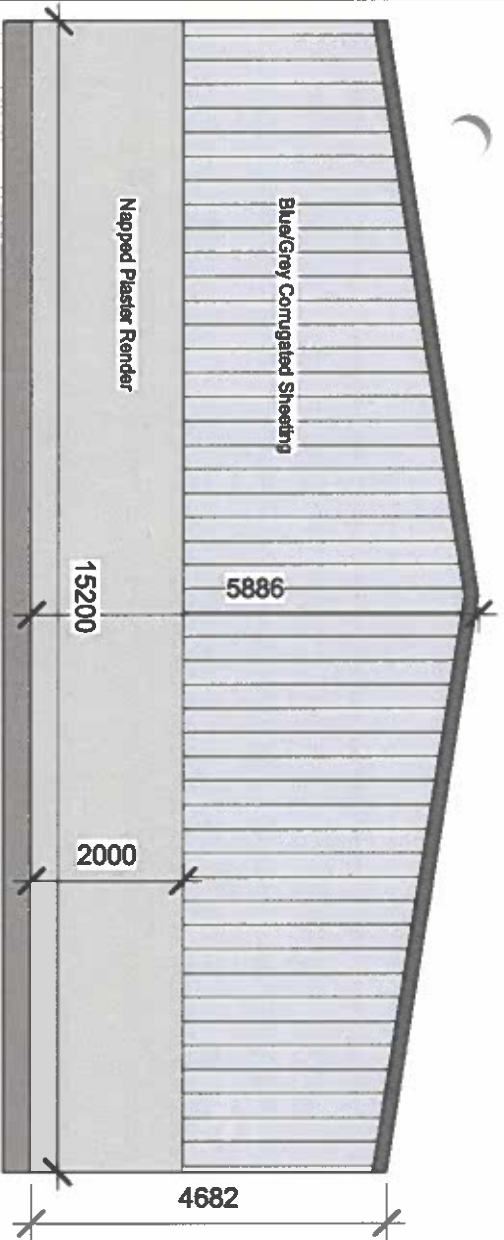


**TOTAL AREA : 265.35**

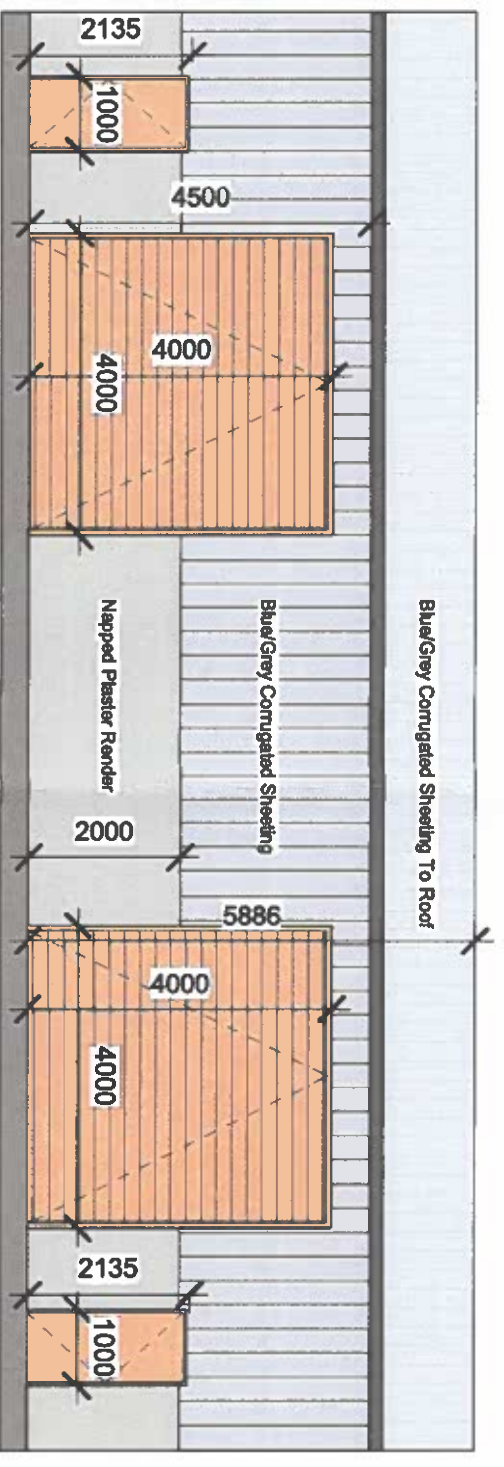


	<b>James Lohan</b>		217 E. 1st Street, Houston, TX 77002 713.261.1111 2000 West Loop, Suite 1000, Houston, TX 77027 713.261.1111		E-mail: <a href="mailto:lohan@jameslohan.com">lohan@jameslohan.com</a> Web: <a href="http://www.jameslohan.com">www.jameslohan.com</a>
	CLIENT THOMAS SLUKE MOORE CASTLEMAN CO. ROSSCOMBON	JOB IDEB APPLICATION D R A K I N G GROUND FLOOR PLAN	J O B N O N O N O N O	DATE 2/26/2005 2/26/2005 2/26/2005 2/26/2005 2/26/2005	REV 001 002 003 004 005

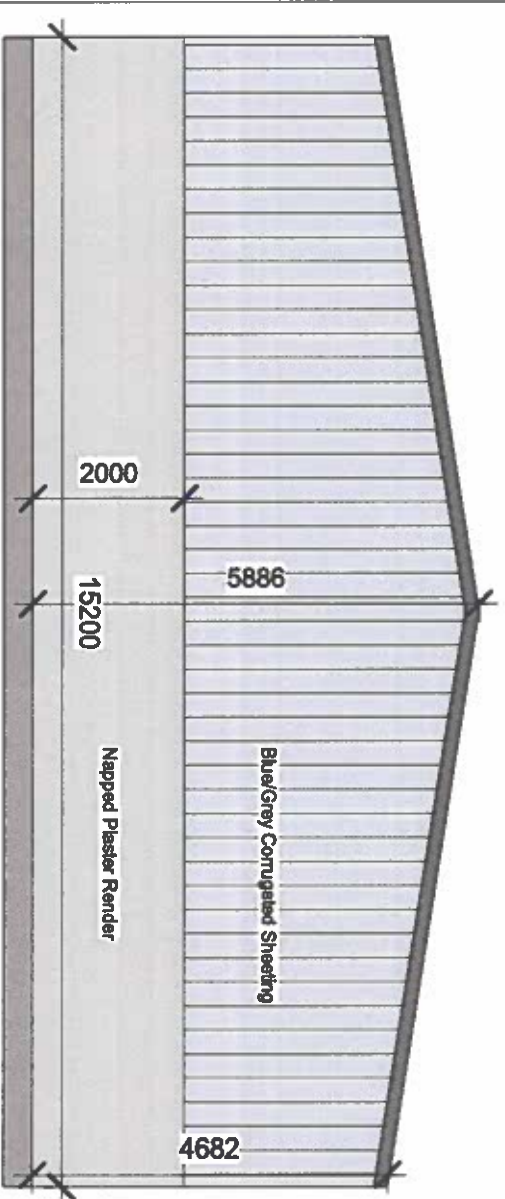




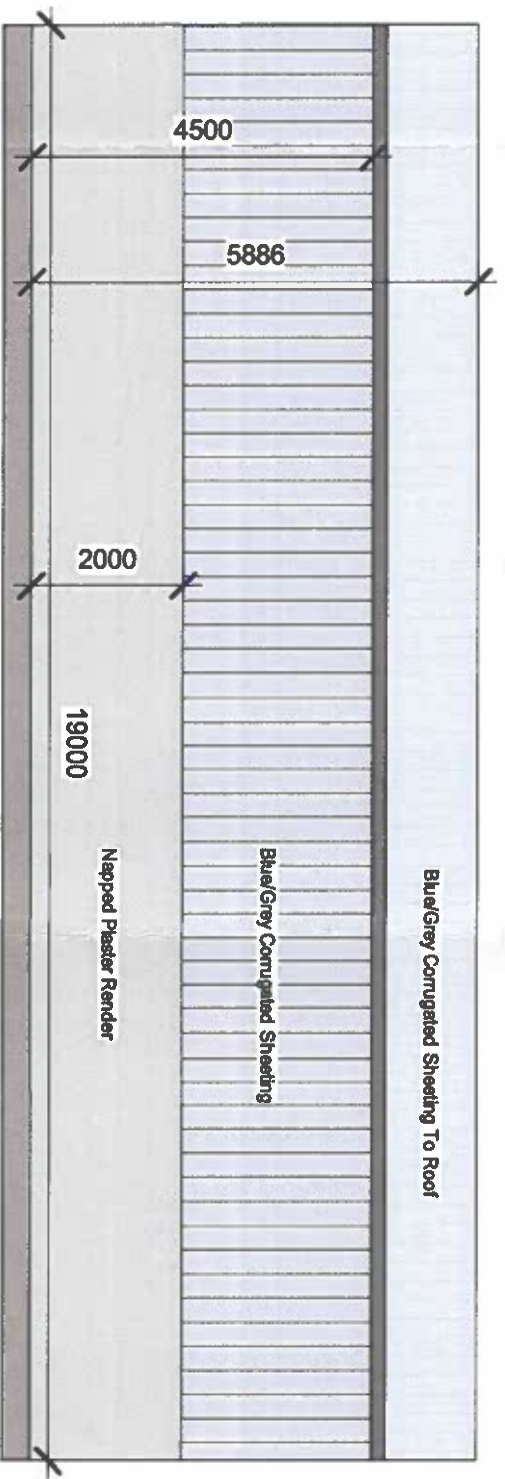
1 Rear Elevation (South)  
1 : 100



3 Side Elevation (East)  
1 : 100



2 Front Elevation (North)  
1 : 100



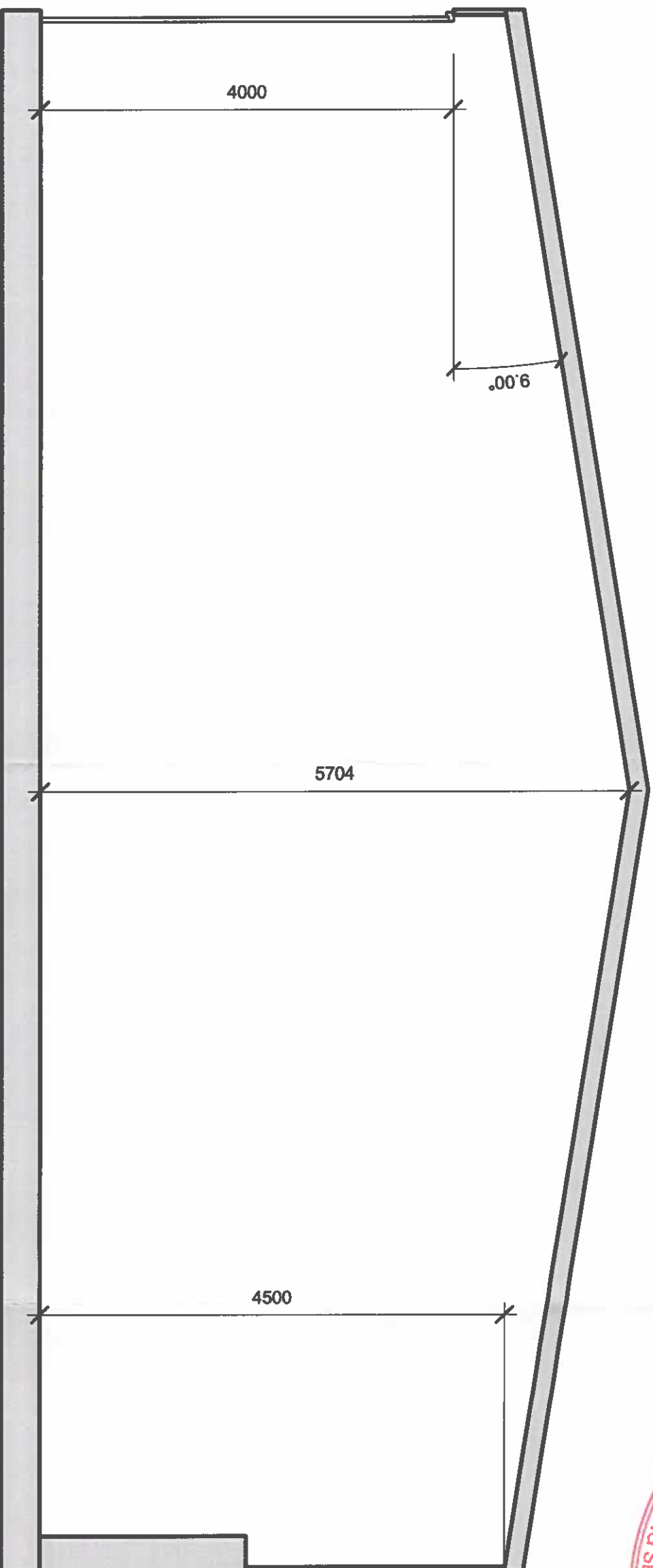
4 Side Elevation (West)  
1 : 100



REV	DATE	BY	CHK	APP	REV	DATE	BY	CHK	APP
1	20/05/2023	JL			1	20/05/2023	JL		
2	20/05/2023	JL			2	20/05/2023	JL		
3	20/05/2023	JL			3	20/05/2023	JL		
4	20/05/2023	JL			4	20/05/2023	JL		
5	20/05/2023	JL			5	20/05/2023	JL		
6	20/05/2023	JL			6	20/05/2023	JL		
7	20/05/2023	JL			7	20/05/2023	JL		
8	20/05/2023	JL			8	20/05/2023	JL		
9	20/05/2023	JL			9	20/05/2023	JL		
10	20/05/2023	JL			10	20/05/2023	JL		

<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023	<b>James Lohan</b> Architectural Services 20/05/2023
CLIENT THOMAS SLUKE	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005
SITE MONTREAU CO. ROSCOMMON	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005
CO. ROSCOMMON	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005	DATE 20/05/2023	JOB NO 24-005



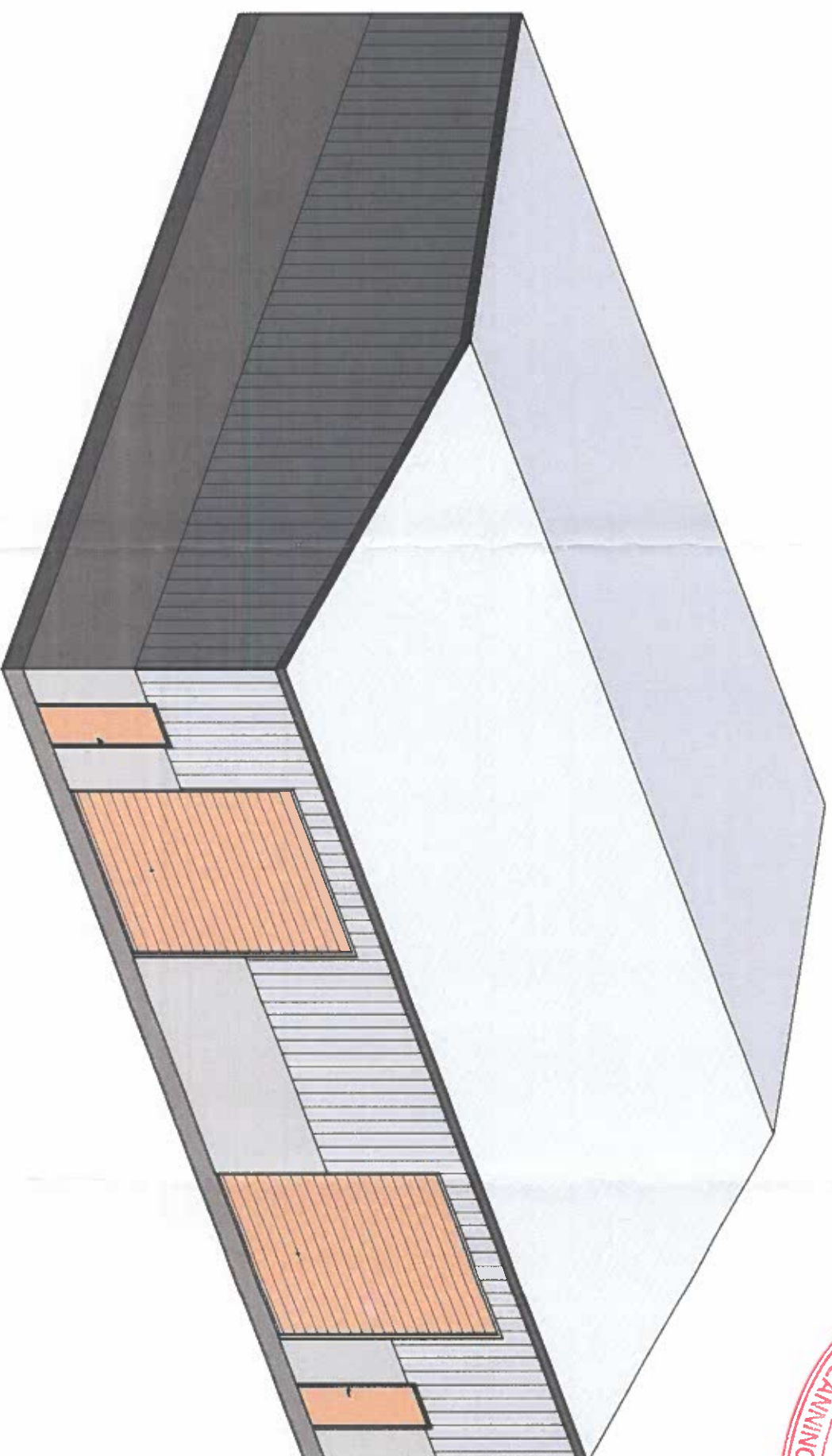


**J**ames Lohan  
Planning & Design Consulting Engineers

DO NOT SCALE FROM THIS DRAWING; WORK ONLY FROM PROVIDED DIMENSIONS.  
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.  
THIS DRAWING TO BE FIELD IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.  
STATUS: K&S SKETCH DESIGN PRELIMINARY; ET FOR TENDER; FC FOR CONSTRUCTION; SS SUPERSEDED

[illegible][illegible]





① {3D}



**James Lohan**  
Planning & Design Consulting Engineers

DO NOT SCALE FROM THIS DRAWING. WORK ONLY FROM PROVIDED DIMENSIONS.  
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.  
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.  
STATUS: KEY, SK, SWITCH DESIGN PRELIMINARY ET FOR TENDER PC FOR CONSTRUCTION SS SUPERSEDED

[illegible]

 <b>James Lohan</b> <small>Architectural Design Services</small>		1101 St. Margaret House, Greater London, England		E-mail: <a href="mailto:or@xosloha.com">or@xosloha.com</a> Tel: (020) 8434465
CLIENT	JOB	DRAWING	DRAWING	DATE
THOMAS BLUE	DEB APPLICATION	3D	3D	04/18/02/275
SITE	DRAWING	DRAWING	DRAWING	REV
MOORE,	3D	000	000	A
CARTIERA		SCALE	SCALE	DESIGNED BY
CO. ROSCOMMON		AS	AS	Jack Kington



**168979, 281899**

**168563, 281899**

- 9 JUN 2025  
 ROSCOMMON COUNTY COUNCIL  
 PLANNING SECTION

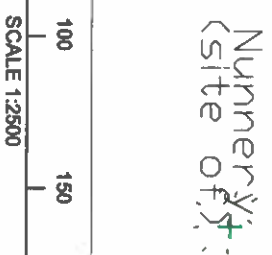
- 9 JUN 2025

**MOORE,  
CASTLEREA,  
CO. ROSCOMMON**

**SITE AREA OUTLINED IN RED  
= 0.341 HECTARES**

= 0.341 HECTARES

## LAND HOLDING OUTLINED IN BLUE



**SCALE 1:2500**

**168879, 281471**

0	50	100	150	200	250	Metres
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169563, 281471

DO NOT SCALE FROM THIS DRAWING; WORK ONLY FROM FINISHED DIMENSIONS. ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT. THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.

	/D
	/C
	/B
	/A
SIA DATE	REV#

**JAMES LOHME CONSULTING ENGINEER**

Ph: 080 6634365 / 0678228629  
email: james@jca.ie / oconnor@jca.ie  
web: www.jca.ie

CLIENT	JOE	JOE	NO	24-685	DATE
THAMES SLAVE	DD APPLICATION				24/04/2025
SITE	DRAWING	DRG NO		REV	
MOORE, CASTLEBY, CO. RESIDUATION	SITE LOCATION	002		A	
		SCALE	1:2500		

SCALE 12500



