

**ROSCOMMON COUNTY COUNCIL**

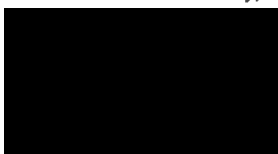
**PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

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

**NOTIFICATION OF DECISION**

**REGISTERED POST**

Patrick & Ann Fahey,



Reference Number: DED 930  
Application Received: 21<sup>st</sup> July, 2025  
Name of Applicants: Patrick & Ann Fahey  
Agent: N/A

WHEREAS a question has arisen as to whether renovation works to include replacement of:- front/back and interior doors, architrave, skirting boards, bathroom (install new), kitchen (install new), re-slab and plaster ceilings, new ensuite and bathroom, upgrade all plumbing and electrics throughout under the Planning & Development Act (Exempted Development) regulations 2018 at Paddy Joe The Barbers, Church Street, Roscommon, Co. Roscommon, F42 K338, is or is not development and is or is not exempted development:

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (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, renovation works to include replacement of:- front/back and interior doors, architrave, skirting boards, bathroom (install new), kitchen (install new), re-slab and plaster ceilings, new ensuite and bathroom, upgrade all plumbing and electrics throughout under the Planning & Development Act (Exempted Development) regulations 2018 at Paddy Joe The Barbers, Church Street, Roscommon, Co. Roscommon, F42 K338, 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: 22nd 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.

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

<b>Reference Number:</b>	DED 930
<b>Re:</b>	Permission for the renovation works to include; 1)replacement of:- front/back and interior doors; 2)architrave; 3)skirting boards; 4)bathroom (install new); 5)kitchen (install new); 6)re-slab and plaster ceilings; 7)new ensuite and bathroom & 8)upgrade all plumbing and electrics throughout under the Planning & Development Act (Exempt Development) Regulations 2018
<b>Name of Applicant:</b>	Patrick & Ann Fahey
<b>Location of Development:</b>	Paddy Joe The Barbers, Church Street, Roscommon, Co. Roscommon, F42 K338.
<b>Site Visit:</b>	11/08/25

**WHEREAS a question has arisen as to whether the following works** Permission for the renovation works to include 1)replacement of:- front/back and interior doors; 2)architrave; 3)skirting boards; 4)bathroom (install new); 5)kitchen (install new); 6)re-slab and plaster ceilings; 7)new ensuite and bathroom & 8)upgrade all plumbing and electrics throughout **at the above address is or is not development and is or is not exempted development.**

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) 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 site consists of a terraced south facing dwelling located on Church Street, Roscommon, County Roscommon. The dwelling is accessed off the L-7046 road. The proposed development consists of renovation of an existing dwelling, with works including; 1) replacement of:- front/back and interior doors; 2) Architrave; 3) skirting boards; 4) bathroom (install new); 5) kitchen (install new); 6) re-slab and plaster ceilings; 7) new ensuite and bathroom & 8) upgrade all plumbing and electrics throughout

**Archaeological and Cultural Heritage**

The subject dwelling is located within the boundaries of Architectural Conservation Area: Roscommon ACA (Zone: R184453). No Protected structures or structures listed in the National Inventory of Architectural Heritage in the likely zone of influence of the proposed development.

### **Appropriate Assessment**

The closest European site to the proposed development is Lough Ree SAC (Site Code 000440) which are both located circa. 3.8km from the subject site. Also, Ballinturly Turlough SAC (Site Code 000588) which are both located circa. 4.8km from 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 can, therefore, be excluded.

### **Planning History**

As of Roscommon County Council's Planning Registry, there is no recent planning history traced to this 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, 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 works constitute development, as defined in Section 3 of the said Act.

The proposal includes the renovation of an existing dwelling, with works including the replacement of the front, back and interior doors, the Architrave, the skirting boards, the bathroom (install new), the kitchen (install new), all ceilings to be re-slabbed and plastered, new en suite and bathroom to be installed & all plumbing and electrics to be upgraded throughout. 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 whether a proposed development;** for the renovation of an existing dwelling, with works to include; 1)replacement of:- front/back and interior doors; 2)architrave; 3)skirting boards; 4)bathroom (install new); 5)kitchen (install new); 6)re-slab and plaster ceilings; 7)new ensuite and bathroom & 8)upgrade all plumbing and electrics throughout at Paddy Joe The Barbers, Church Street, Roscommon, Co. Roscommon, F42 K338, 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) 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 renovation of an existing dwelling, with works to include; 1)replacement of:- front/back and interior doors; 2)architrave; 3)skirting boards; 4)bathroom (install new); 5)kitchen (install new); 6)re-slab and plaster ceilings; 7)new ensuite and bathroom & 8)upgrade all plumbing and electrics throughout falls 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 for the renovation of an existing dwelling, with works to include; 1)replacement of:- front/back and interior doors; 2)architrave; 3)skirting boards; 4)bathroom (install new); 5)kitchen (install new); 6)re-slab and plaster ceilings; 7)new ensuite and bathroom & 8)upgrade all plumbing and electrics throughout, is exempt development. I recommend that a declaration to that effect should be issued to the applicant.

*Seán Tiernan*

**Signed:**

Planner

**Date:** 12<sup>th</sup> August 2025



**Signed:**

A/Senior Planner

**Date:** 22<sup>nd</sup> August 2025













Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Patrick & Ann Fahey,



Date: 23<sup>rd</sup> July, 2025  
Planning Reference: DED 930

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

Development: Permission for renovation works to include replacement of:- front/back and interior doors, architrave, skirting boards, bathroom (install new), kitchen (install new), re-slab and plaster ceilings, new ensuite and bathroom, upgrade all plumbing and electrics throughout under the Planning & Development Act (Exempted Development) regulations 2018 at Paddy Joe The Barbers, Church Street, Roscommon, Co. Roscommon, F42 K338.

\*\*\*\*\*

A Chara,

I wish to acknowledge receipt of the application which was received on the 21<sup>st</sup> July, 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: L01/O/235849 dated 22<sup>nd</sup> July, 2025 receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 930**  
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  
09066 37100  
\*\*\*\*\*

22/07/2025 09:34:40

Receipt No. : L01/0/235849

PATRICK & ANN FAHEY

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED930	

Total : 80.00 EUR

Tendered :  
Cash 80.00

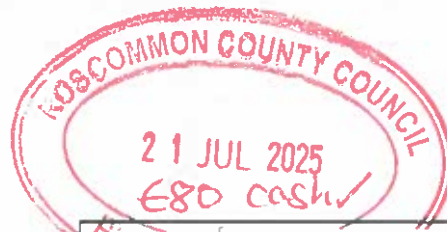
Change : 0.00

Issued By : Louis Carroll  
From : Central Cash Office





Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Áras an Chontae,  
Roscommon,  
Co. Roscommon.

Phone: (090) 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)	Patrick Fahey Ann Fahey
Name of Agent	
Nature of Proposed Works	windows, doors, kitchen bathroom, Floors replaster, Paint, Rewire, Heating
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Paddy Joe THE BARBERS CHURCH ST ROSCOMMON Co Roscommon. F42K338
Floor Area: a) Existing Structure b) Proposed Structure	a) 843.33 F b) 843.33 F
Height above ground level:	5.8 metres
Total area of private open space remaining after completion of this development	260 sq ft.
Roofing Material (Slates, Tiles, other) (Specify)	Files

## Roscommon County Council

### Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Sand & Cement Colour Blue
Is proposed works located at front/rear/side of existing house.	inside
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	
Proposed use of land or structure	Rented Property
Distance of proposed building line from edge of roadway	on the foot path
Does the proposed development involve the provision of a piped water supply	No
Does the proposed development involve the provision of sanitary facilities	No

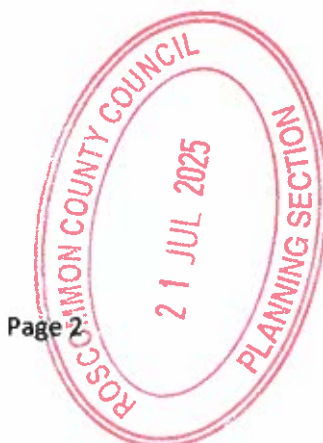
### Planning & Development Act 2000 (as amended), regarding Exempted Development

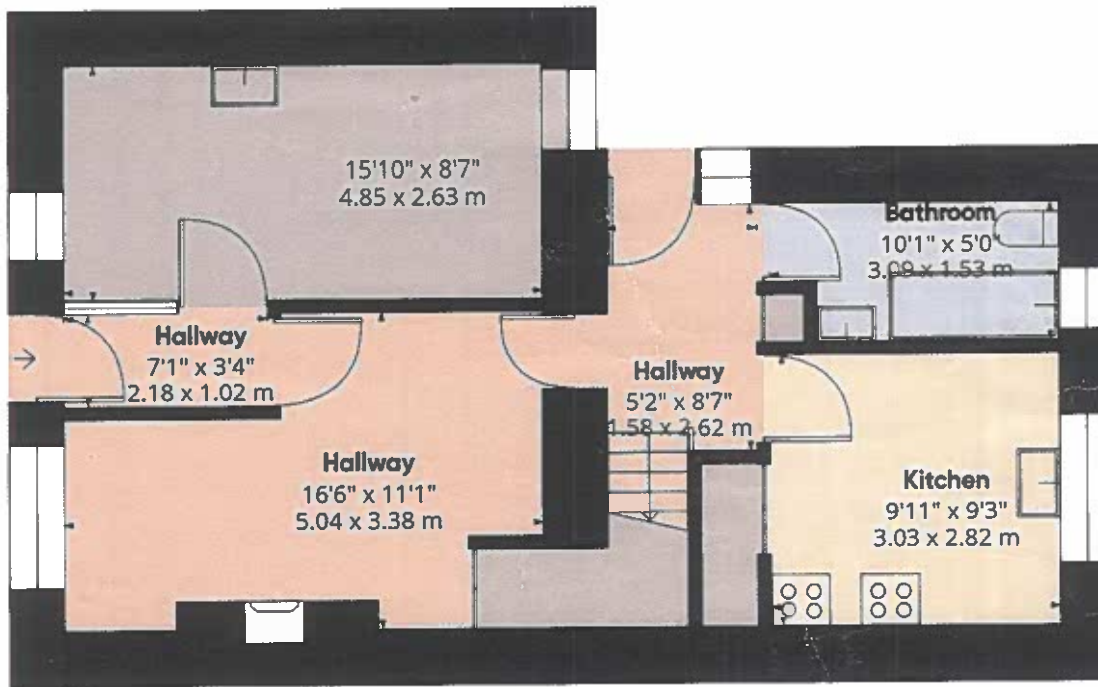
Signature: Patrick Fahey

Date: 8/7/2025

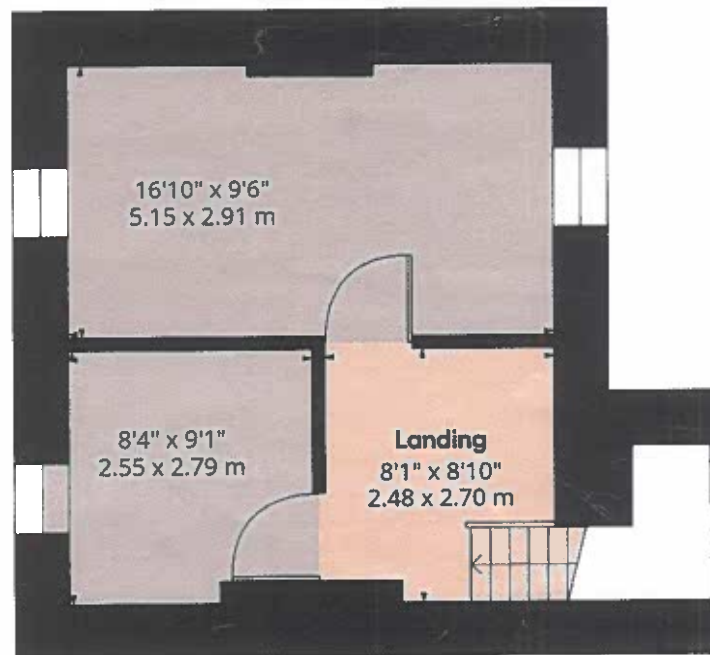
**Note:** This application must be accompanied by: -

- (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





Ground Floor



Floor 1



Approximate total area<sup>n</sup>

843.33 ft<sup>2</sup>

78.35 m<sup>2</sup>

(1) Excluding balconies and terraces

While every attempt has been made to ensure accuracy, all measurements are approximate, not to scale. This floor plan is for illustrative purposes only.

GIRAFFE 360

# Proposed works at Property F42 K33J

Replace front door

Replace Back door

Replace all interior doors (7)

Replace all architrave

Replace all Skirting boards

Remove existing bathroom and Replace with new

Remove existing Kitchen and Replace with new

Remove all wooden Panels from ceiling and Re slab and Plaster.

Put en suite in bedroom upstairs and new toilet and shower on landing upstairs.

Remove existing Plumbing Throughout the house and Replace with new upgrade all electrical Installations.





## Site Location Map



**Tailte Éireann**

CENTRE  
COORDINATES:  
ITM 587389,764423

**PUBLISHED:** 21/07/2025  
**ORDER NO.:** 50479797 1

MAP SERIES: 6 inch Raster  
MAP SHEETS: RN039

21 JUL 2025

COMPILED AND PUBLISHED BY:  
Tate & Lyle,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

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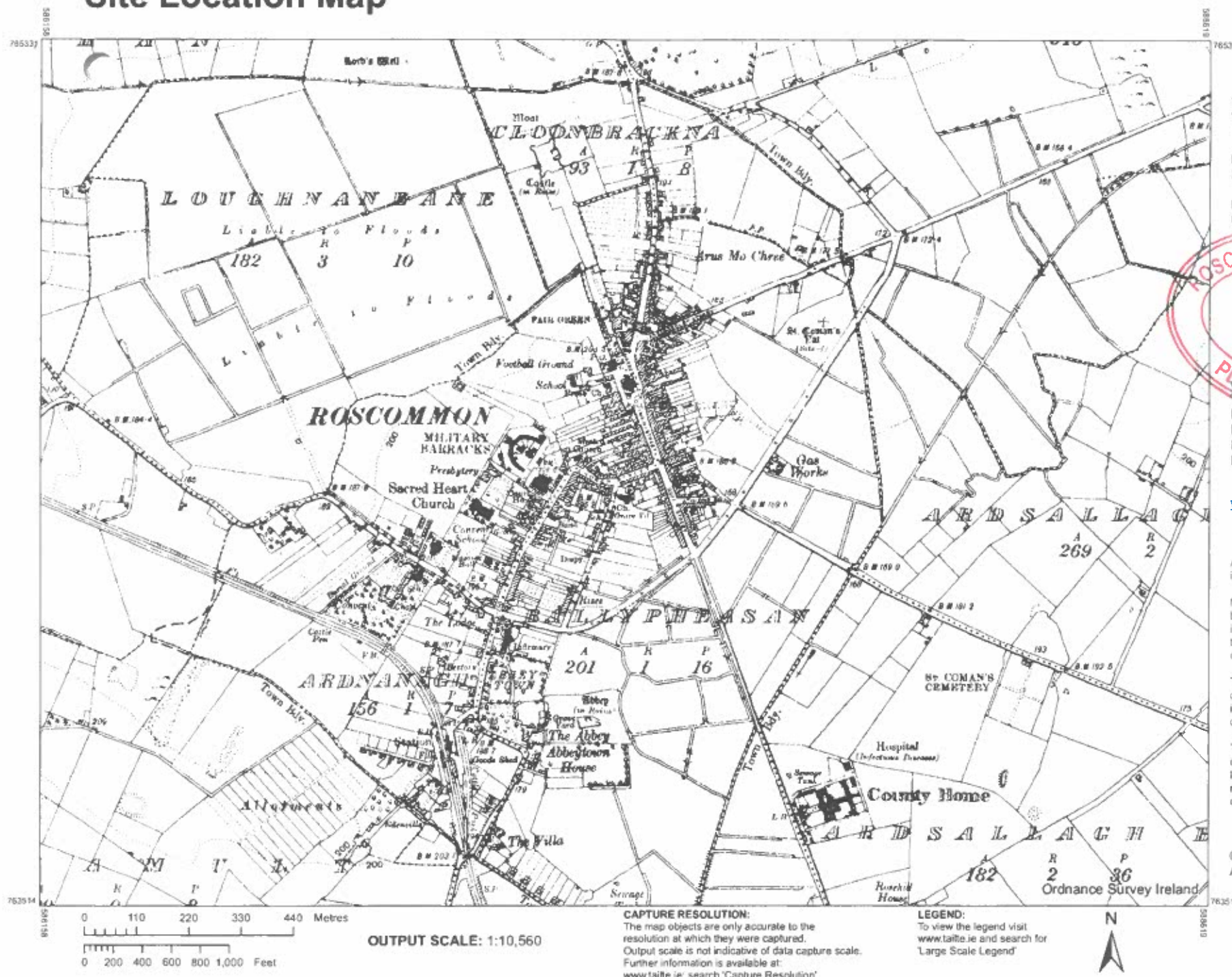
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# Planning Pack Map



**Tailte  
Éireann**

**CENTRE  
COORDINATES:**  
ITM 587389,764423

**PUBLISHED:** 21/07/2025  
**ORDER NO.:** 50479797\_1

**MAP SERIES:** 1:1,000  
1:1,000  
1:1,000  
1:2,500  
**MAP SHEETS:** 2550-05  
2550-09  
2550-10  
2550-B

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

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Output scale is not indicative of data capture scale.  
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**LEGEND:**  
To view the legend visit  
[www.tailte.ie](http://www.tailte.ie) and search for  
'Large Scale Legend'





587550 mE, 764560 mN

**Tailte  
Éireann**Clárúchán, Luacháil,  
Suirbhéireacht  
Registration, Valuation,  
Surveying

Folio: RN28968F

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(centre-line of parcel(s) edged)

— Freehold

— Leasehold

— SubLeasehold

Burdens (may not all be represented on this 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)

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