

ROSCOMMON COUNTY COUNCIL

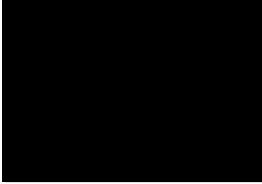
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Maura Bulter,



Reference Number: DED 939
Application Received: 5th August, 2025
Name of Applicant: Maura Bulter
Agent: Conlon Consulting Engineer Ltd

WHEREAS a question has arisen as to whether the renovation of an existing dwelling, with works including; 1)removal of internal walls; 2)replacement of all suspended flooring where deterioration has occurred; 3)flat roof to be replaced; 4) rewiring & replumbing; 5)upgrade of insulation at Carrownaglearagh, Elphin, Co. Roscommon, F45 RW35 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 renovation of an 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 an existing dwelling, with works including; 1)removal of internal walls; 2)replacement of all suspended flooring where deterioration has occurred; 3)flat roof to be replaced; 4) rewiring & replumbing; 5)upgrade of insulation at Carrownaglearagh, Elphin, Co. Roscommon, F45 RW35, 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: 3rd September, 2025

cc agent via email: Conlon Consulting Engineer Ltd
info@conlonconsulting.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 Coimisiún Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

ADVICE NOTE

This Declaration is based on the relevant Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) at the date of issue. In the event that the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended) change prior to the works being carried out this Declaration may no longer apply.

Carmel Curley

From: Carmel Curley
Sent: Wednesday 3 September 2025 15:02
To: [REDACTED]
Cc: info@conlonconsulting.ie
Subject: DED 939 - Section 5 Declaration of Exempted Development Application - Decision
Attachments: DED939 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for the Section 5 Declaration of Exempted Development Application – DED 939. Please note that a hard copy will also be issued via registered post.

Mise le meas,

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 939
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the renovation of an existing dwelling with works including 1)removal of internal walls; 2)replacement of all suspended flooring where deterioration has occurred; 3)flat roof to be replaced; 4)rewiring and replumbing & 5)upgrade of insulation
Name of Applicant:	Maura Bulter
Location of Development:	Carrownaglearagh, Elphin, Co. Roscommon, F45 RW35
Site Visit:	26/08/2025

WHEREAS a question has arisen as to whether the following works; for the renovation of an existing dwelling 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 site consists of a west facing, single-story dwelling located at Carrownaglearagh, Elphin, Co. Roscommon, F45 RW35. The property is accessed off the L-14314 road. The proposed development consists of the renovation of an existing dwelling with works including the removal of internal walls, replacement of all suspended flooring where deterioration has occurred, replacement of flat roof, rewiring & replumbing and the upgrading of insulation.

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 Protected structures or structures listed in the National Inventory of Architectural Heritage are in the likely zone of influence of the proposed development.

Appropriate Assessment

The closest European site to the site of the proposed development is Annaghmore Lough SAC (Site Code 001626) which is located circa 6.1km to the south.

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 an existing dwelling with works including the removal of internal walls, replacement of all suspended flooring where deterioration has occurred, replacement of flat roof, rewiring & replumbing and the upgrading of insulation. 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 an existing dwelling at Carrownaglearagh, Elphin, Co. Roscommon, F45 RW35 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 renovation of an 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 for the renovation of an existing dwelling at Carrownaglearagh, Elphin, Co. Roscommon, F45 RW35, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Seán Tiernan

Signed:

Date: 26th August 2025

Planner



Signed:

Date: 2nd September 2025

Senior Executive Planner









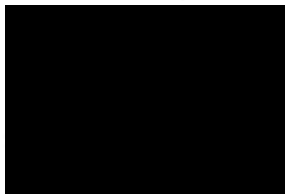




Comhairle Contae
Ros Comáin
Roscommon
County Council



Maura Bulter,



Date: 6th August, 2025
Planning Reference: DED 939

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

Development: WHEREAS a question has arisen as to whether the renovation of an existing dwelling, with works including; 1)removal of internal walls; 2)replacement of all suspended flooring where deterioration has occurred; 3)flat roof to be replaced; 4) rewiring & replumbing; 5)upgrade of insulation at Carrownaglearah, Elphin, Co. Roscommon, F45 RW35 is or is not development and is or is not exempted development.

A Chara,

I wish to acknowledge receipt of the application which was received on the 5th August, 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/236069 dated 6th August, 2025 receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 939**
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: Conlon Consulting Engineering Ltd
info@conlonconsulting.ie

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

06/08/2025 14:27:03

Receipt No : L01/0/238069

MAURA BUTLER
C/O CONLON CONSULTING ENGINEERING LTD
RACECOURSE RD
ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED939	

Total : 80.00 EUR

Tendered :
Cheque 80.00
500148

Change : 0.00

Issued By : Louis Carroll
From : Central Cash Office

Carmel Curley

From: Carmel Curley
Sent: Thursday 7 August 2025 12:13
To: info@conlonconsulting.ie
Subject: DED939 - Maura Bulter
Attachments: DED 939 - Ack Letter & Receipt.pdf

A Chara,

Please find attached Acknowledgement Letter & Receipt for the Section 5 Exempted Development Application submitted for Maura Bulter – DED939.

Mise le meas,

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





Comhairle Contae
Ros Comáin
Roscommon
County Council



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)	Ms Maura Butler
Name of Agent	Conlon Consulting Engineering Ltd.
Nature of Proposed Works	The proposed works comprise the removal of internal walls, and the replacement of all suspended flooring where deterioration has occurred. Flat roof to rear to be replaced. The rewiring and replumb of the property. Upgrade of insulation to improved part L performance.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Carrownaglearagh, Elphin Co Roscommon F45 RW35 Folio number: [REDACTED] ITM: 590938,790063 Map Sheet: 1983
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>129m²</u> b) <u>129m²</u>
Height above ground level:	0.8m
Total area of private open space remaining after completion of this development	1109 m ²
Roofing Material (Slates, Tiles, other) (Specify)	Slate and UPVC flat roof.

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, external finish (Unchanged)
Is proposed works located at front/rear/side of existing house.	Remove wall internally. Re-roof rear flat roof.
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	Residential
Distance of proposed building line from edge of roadway	21.4m
Does the proposed development involve the provision of a piped water supply	Existing supply
Does the proposed development involve the provision of sanitary facilities	Existing supply

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

Signature: 
Date: 30/07/2025

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 Department,
Aras an Chontae,
Roscommon,
Co Roscommon

CCE REF: [REDACTED]

DATE: 30/07/2025

**RE: Application under Section 5 of the Planning and Development Act 2000 (as amended)
– Declaration of Exempted Development on behalf of Ms. Maura Butler**

Dear Sir/Madam,

I am writing to you on behalf of my client, Ms. Maura Butler, to apply for a Declaration under Section 5 of the Planning and Development Act 2000 (as amended), to determine whether proposed works at her property constitute exempted development.

Please find enclosed the following documentation in support of this application:

- Completed Section 5 application form
- Site location map and relevant floor plans
- Application fee of €80

The proposed works involve internal alterations to an existing dwelling, including the removal of internal walls, rewiring and replumbing works of the property, and the replacement of the suspended floor and flat roof to the rear. Upgrade the insulation to improve the property's performance.

The dwelling is a per 1963 structure, and we include an affidavit confirming same.

Should you require any further information or clarification, please do not hesitate to contact me at the details provided above.

Your sincerely,


Johanna McGuirk BEng(Hons) MSc PGDip; MIEI
CONLON CONSULTING ENGINEERING LTD.



**CONFIDENTIAL
INFORMATION
REMOVED**

SITE LOCATION MAP



**CENTRE
COORDINATES:
ITM 590938,790063**

PUBLISHED: 30/07/2025 **ORDER NO.:** 50481852_1

MAP SERIES: 1:5,000
MAP SHEETS: 1983

CLIENT: Maura Butler

TITLE: Site Location Map
SUBMISSION: Proposed Planing
PROJECT NO: 3698

SHEET NO:1001

**Taite Éireann. License Number
CYAL50352598**

COMPILED AND PUBLISHED BY:

Phoenix Park,
Dublin

008F6E4

www.taille.ie

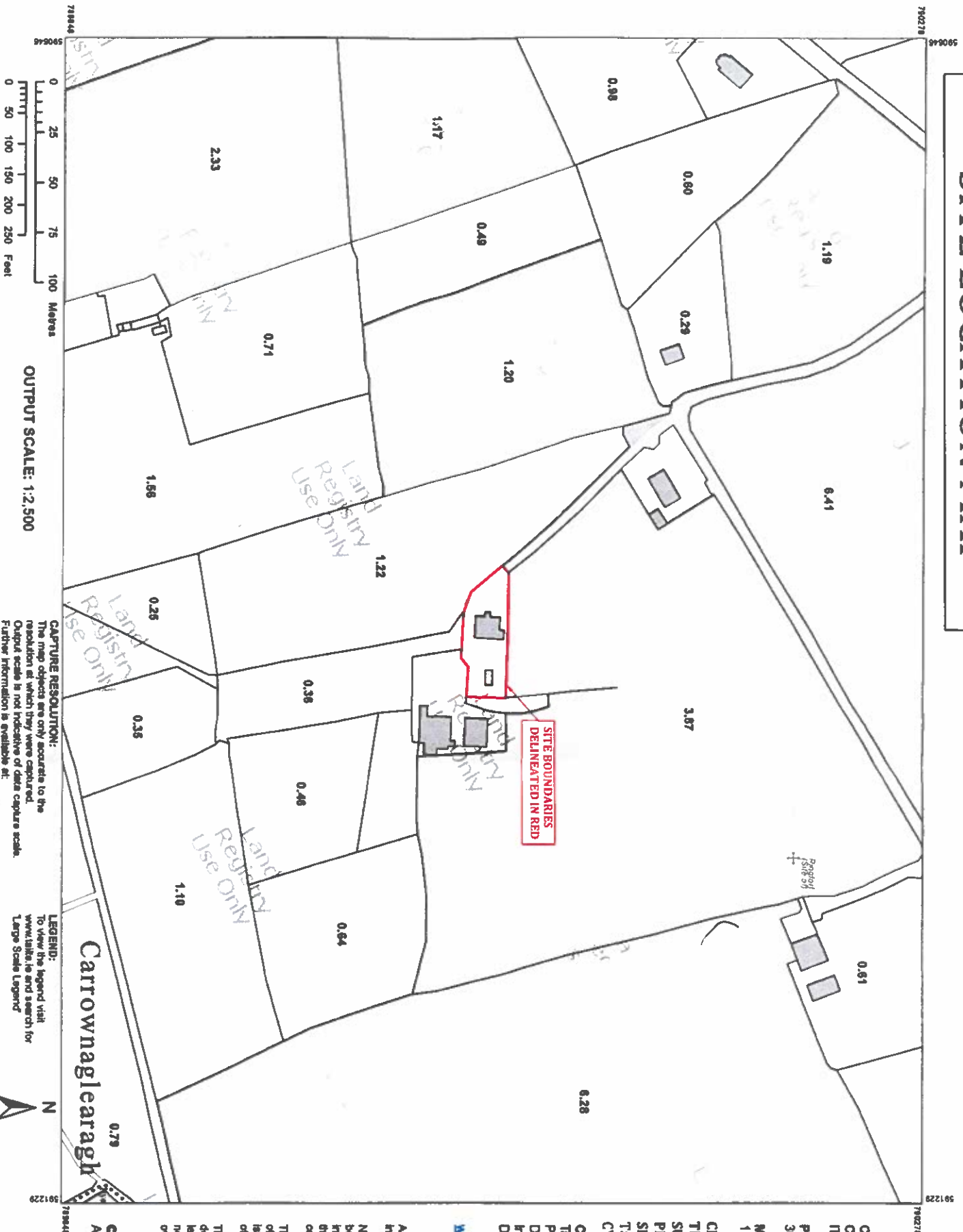
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The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

This topographic map does not show legal property boundaries, nor does it show ownership of physical features.

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**CONLON CONSULTING
ENGINEERING LTD**

Tel: 090 666 5341

EMAIL: conlonconsulting@earthlink.net

Client: Maura Butler

Drawing No: 3698_1001

Drawing Title: Site Location Map

Drafted By:
L. Pinheiro

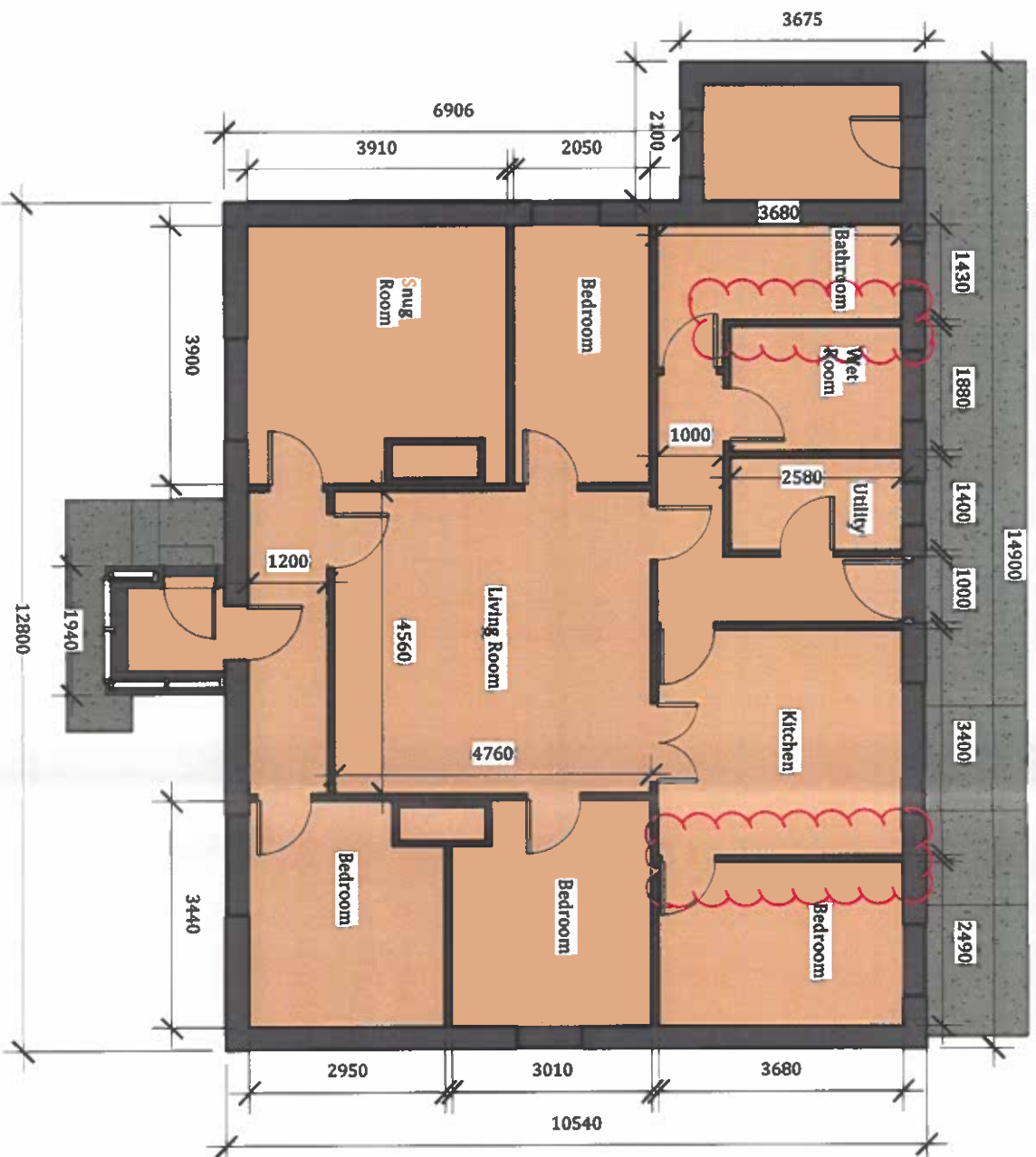
Date:	Scale:
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30/07/2025	1:2500
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Rev:	Comment
REV0	Planning

Issue Date:
July 25

Date: _____



1 GF Floor
1 : 100



- RED Cloud denote walls to be demolished.

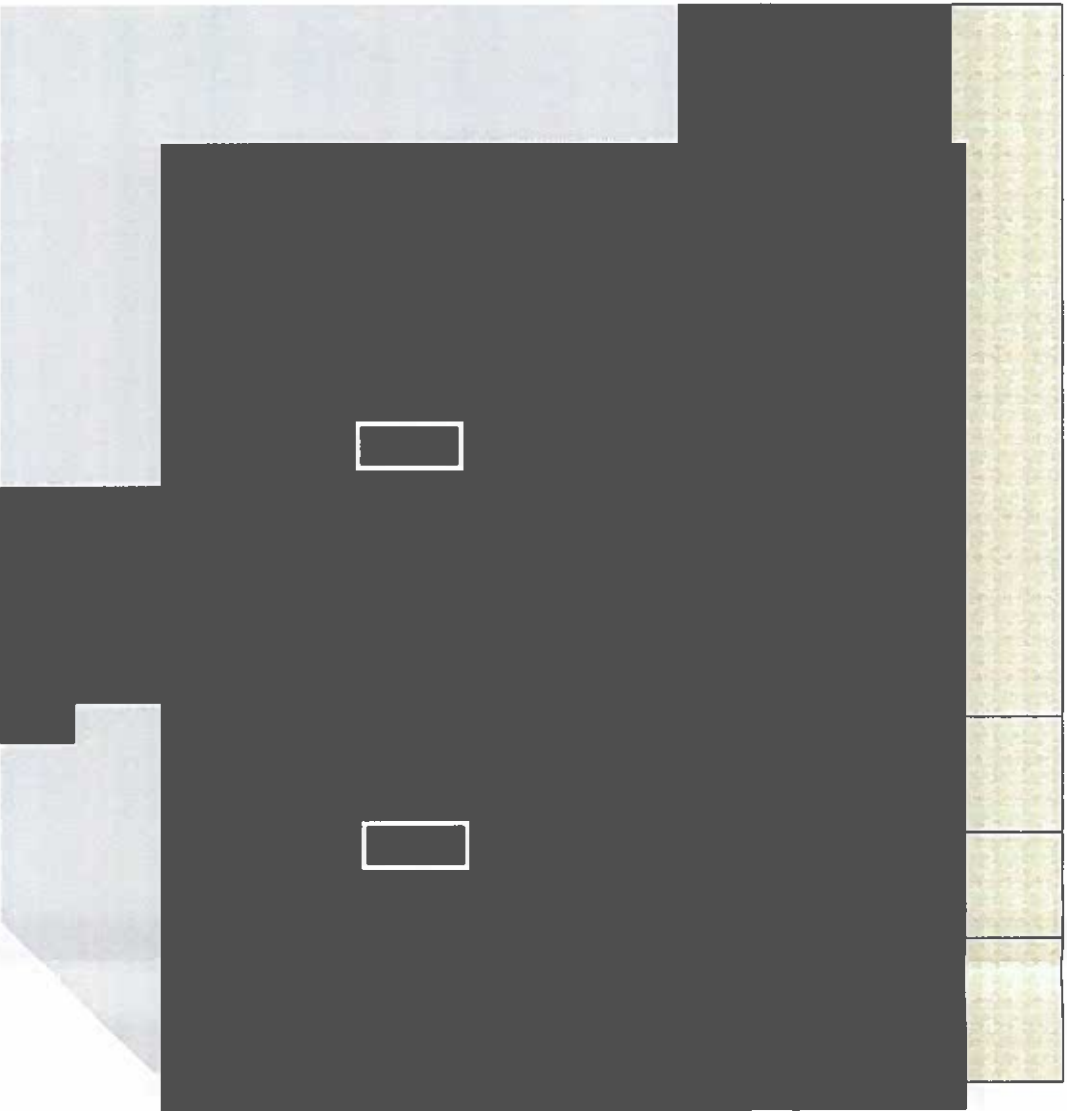


CONLON CONSULTING
ENGINEERING LTD.

Tel: 090 666 5341
Web: www.conlonconsulting.ie
Email: info@conlonconsulting.ie

Date	17/07/2025	Ground Floor
Client/s	Maura Butler	Agent: CONLON CONSULTING ENGINEERING RACECOURSE ROAD ROSCOMMON F42 ET67
Site:	Carrowmagleagh, Co. Roscommon	Drawn by:
Project Name	Existing Plans	Checked by:
Project Number	3697	Sheet No.: 1001
		Scale: 1 : 100





▪ Flat Roof



1 Site
1 : 100

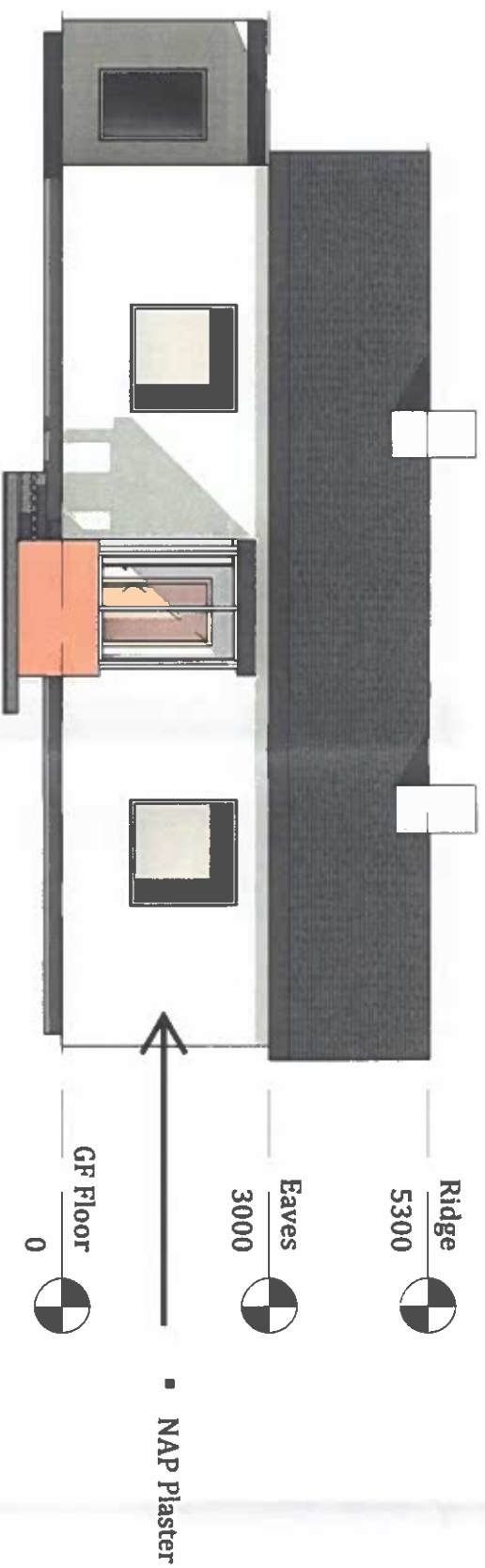


CONLON CONSULTING
ENGINEERING LTD.

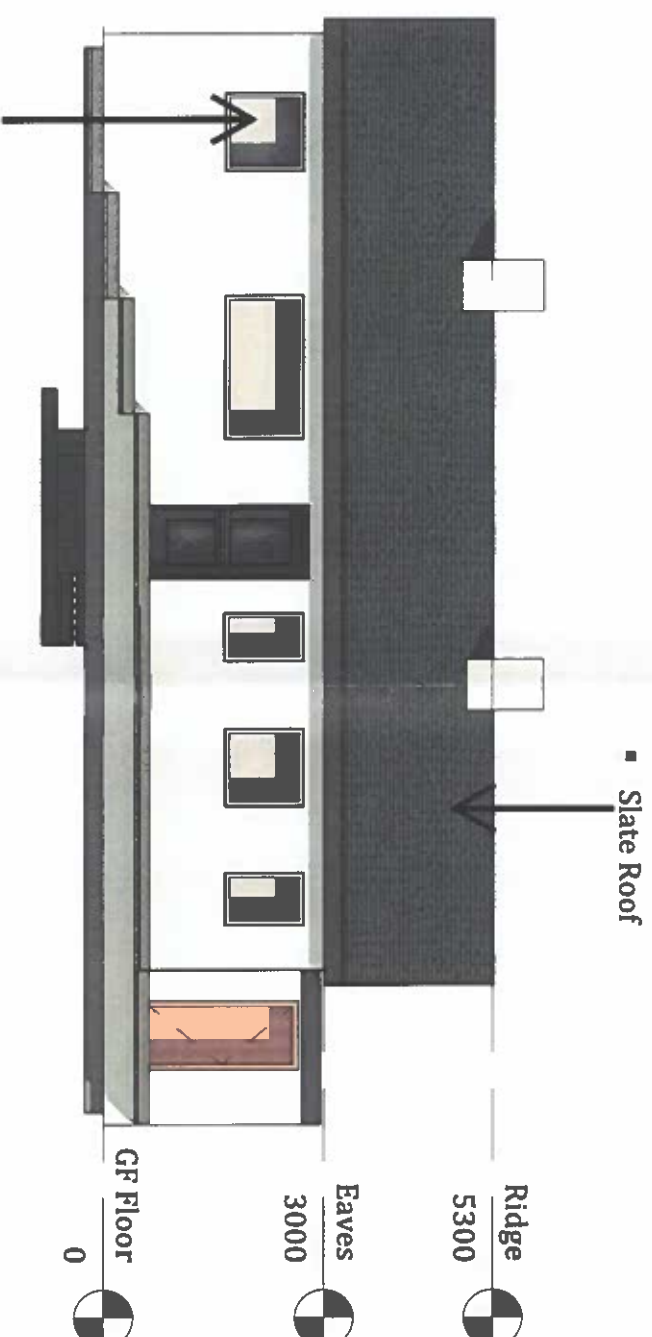
Tel: 090 666 5341
Web: www.conlonconsulting.ie
Email: info@conlonconsulting.ie

Date	17/07/2025			Roof Layout	
Client/s:	Maura Butler			Agent: CONLON CONSULTING ENGINEERING RACECOURSE ROAD ROSCOMMON F42 ET67	
Site : Carrowmaglearagh, Co. Roscommon					
Project Name	Existing Plans			Drawn by:	L. Pinheiro
				Checked by:	E. Conlon
Project Number	3697			Sheet No.:	1002
				Scale:	1 : 100

1
Elevation 1
1 : 100



2
Elevation 2
1 : 100



■ UPVC Windows



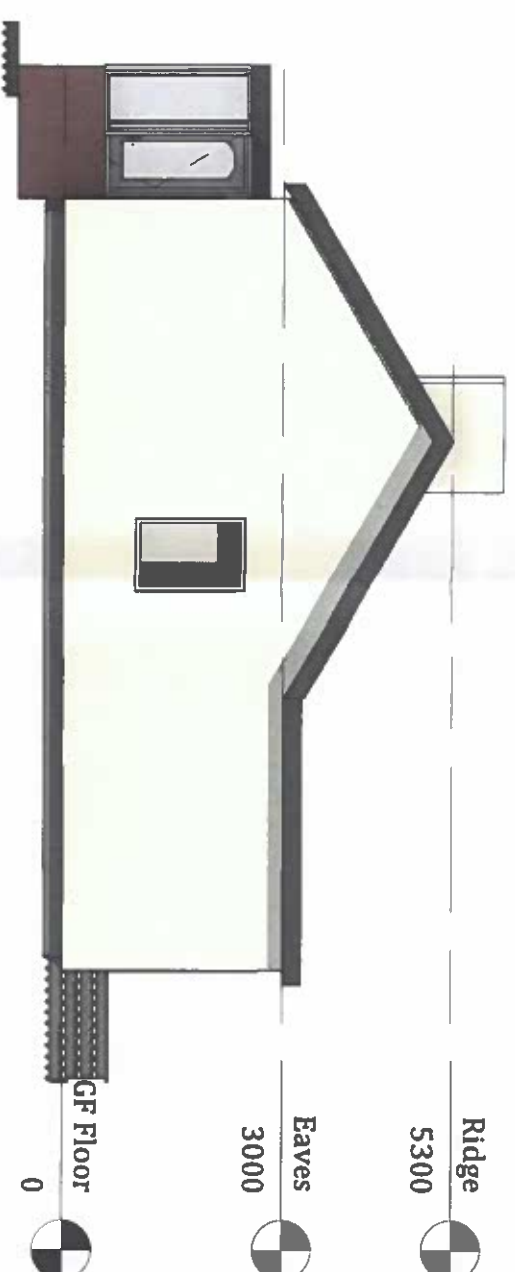
CONLON CONSULTING
ENGINEERING LTD.

Tel: 090 666 5341
Web: www.conlonconsulting.ie
Email: info@conlonconsulting.ie

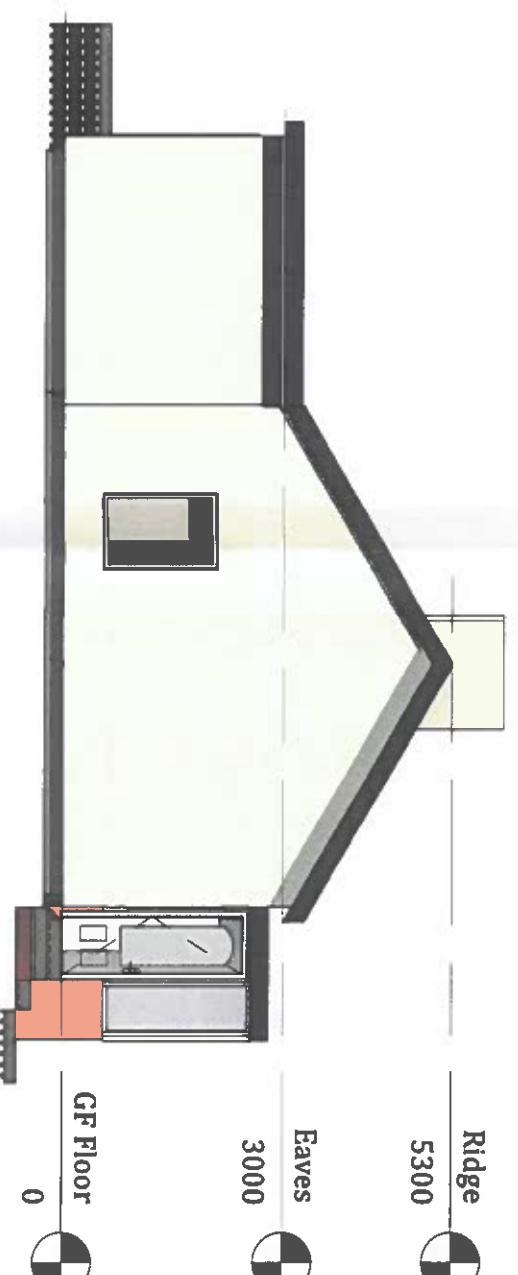
Date	17/07/2025	Elevations
Client/s	Maura Butler	Agent: CONLON CONSULTING ENGINEERING RACECOURSE ROAD ROSCOMMON F42 ET67
Site:	Carrowmagleagh, Co. Roscommon	Drawn by: L. Pinheiro
Project Name	Existing Plans	Checked by: E. Conlon
Project Number	3697	Sheet No.: 1003
		Scale: 1 : 100




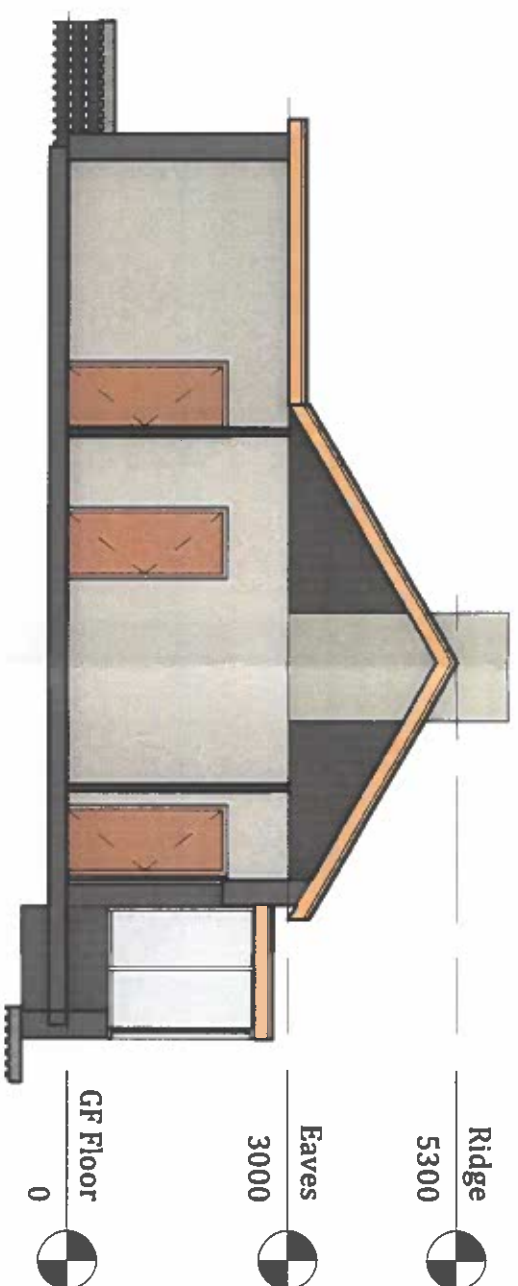
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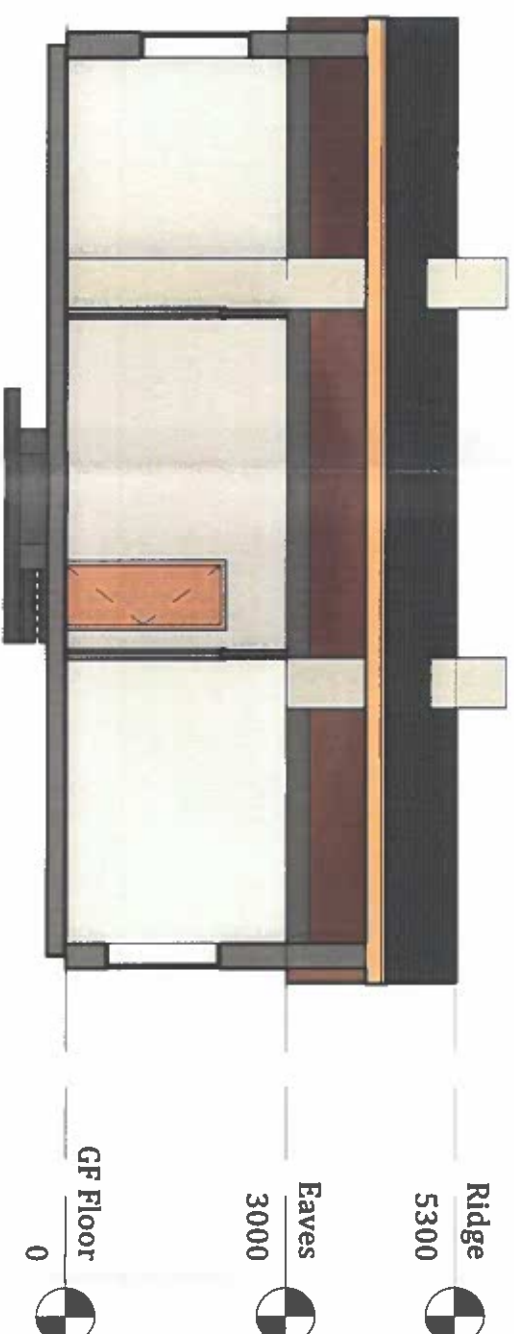
2
1 : 100



 <p>CONLON CONSULTING ENGINEERING LTD.</p> <p>Tel: 090 666 5341 Web: www.conlonconsulting.ie Email: info@conlonconsulting.ie</p>			
Date	17/07/2025		
Client/s:	Maura Butler		
Site :	Carrowmaglearagh, Co. Roscommon		
Project Name	Existing Plans		
Project Number	3697	Checked by:	E. Conlon
Sheet No.:	1004	Scale:	1 : 100
		Drawn by:	L. Pinheiro
		Agent: CONLON CONSULTING ENGINEERING RACECOURSE ROAD ROSCOMMON F42 ET67	



1
Section 1
1 : 100



2
Section 2
1 : 100



CONLON CONSULTING
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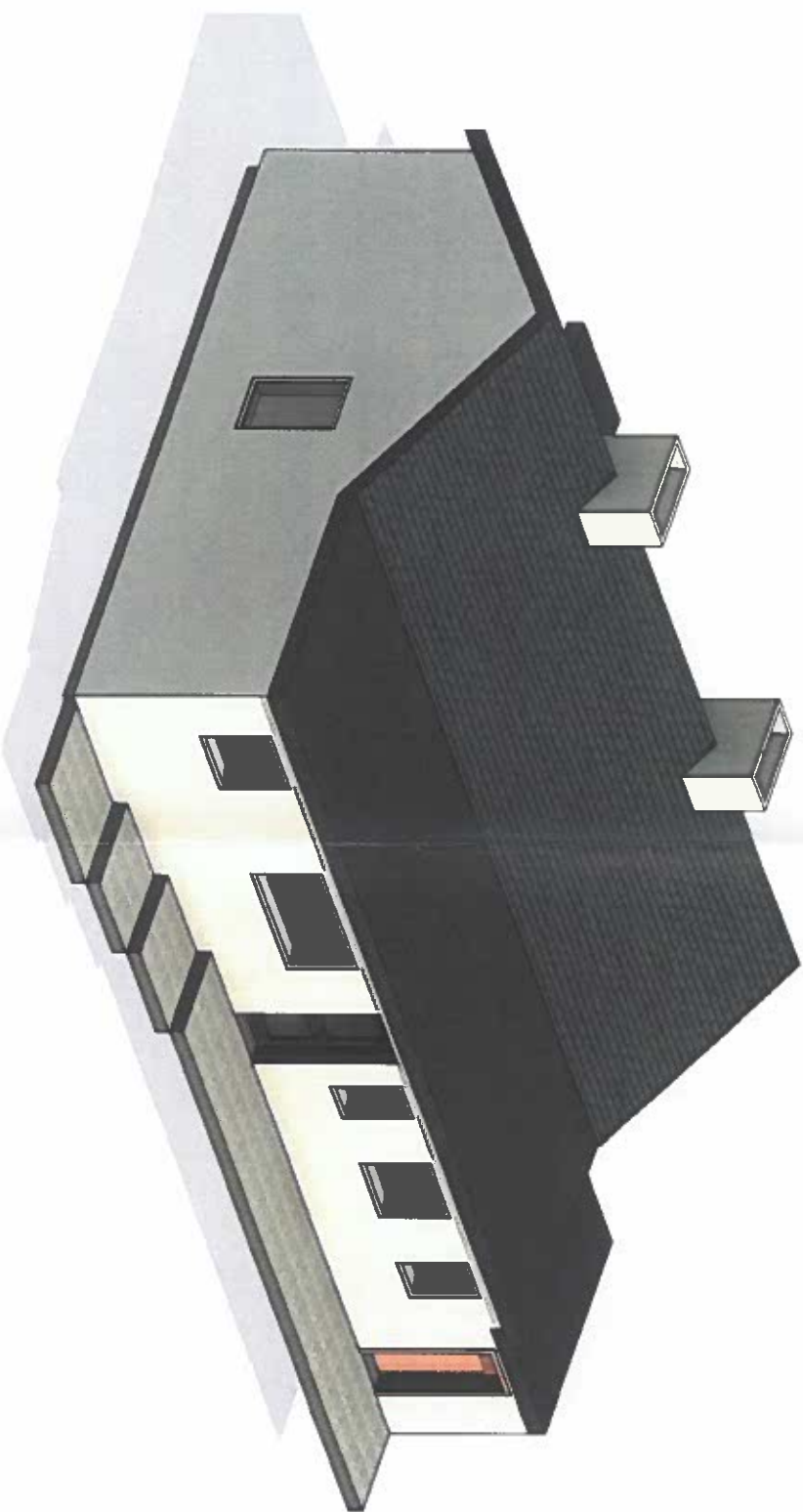
Date	17/07/2025	Sections		
Client/s:	Maura Butler	Agent:	CONLON CONSULTING ENGINEERING RACECOURSE ROAD ROSCOMMON P42 ET67	
Site :	Carrowmagleearagh, Co. Roscommon	Drawn by:	L. Pinheiro	
Project Name	Existing Plans	Checked by:	E. Conlon	
Project Number	3697	Sheet No.:	1005	Scale: 1 : 100



1
3D




 CONLON CONSULTING ENGINEERING LTD. Tel: 090 666 5341 Web: www.conlonconsulting.ie Email: info@conlonconsulting.ie		Date 17/07/2025		3D	
Client/s: Maura Butler		Agent: CONLON CONSULTING ENGINEERING RACECOURSE ROAD ROSCOMMON F42 ET67		Drawn by: L. Pinheiro	
Site : Carrowmagleagh, Co. Roscommon		Existing Plans		Checked by: E. Conlon	
Project Name		Project Number 3697		Sheet No.: 1006	
				Scale: NTS	



1
3D 2



 CONLON CONSULTING ENGINEERING LTD. Tel: 090 666 5341 Web: www.conlonconsulting.ie Email: info@conlonconsulting.ie		Date 17/07/2025		3D	
Client/s: Maura Butler		Agent: CONLON CONSULTING ENGINEERING RACECOURSE ROAD ROSCOMMON F42 ET67		Drawn by: L. Pinheiro	
Site: Carrowmagleagh, Co. Roscommon		Existing Plans		Checked by: E. Conlon	
Project Name		Project Number 3697		Sheet No.: 1007	
				Scale: NTS	