

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

CHIEF EXECUTIVE'S ORDER

Order No:

PL/135/26

Reference Number:

DED 941

Name of Applicant:

John Quigley

Agent:

N/A

WHEREAS a question has arisen as to whether the renovation of an existing cottage and the inclusion of a single storey extension at Killeenrevagh, Knockcroghery, Co. Roscommon, F42 YX60., 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 1 of Part 1 Schedule 2 Article 6 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 Acts 2000 as amended.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) 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.
- (c) The proposed development exceeds the conditions and limitations associated with Class 1 Part 1 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended, and is not an exempted development.

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 cottage and the inclusion of a single storey extension at Killeenrevagh, Knockcroghery, Co. Roscommon, F42 YX60., is development that is **not 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: 04 February, 2026

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DETERMINATION

REGISTERED POST

John Quigley,



Reference Number: **DED 941**

Application Received: **7th August, 2025**

Name of Applicant: **John Quigley**

Agent: **N/A**

WHEREAS a question has arisen as to whether the renovation of an existing cottage and the inclusion of a single storey extension at Killeenrevagh, Knockcroghery, Co. Roscommon, F42 YX60., 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 1 of Part 1 Schedule 2 Article 6 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 Acts 2000 as amended.

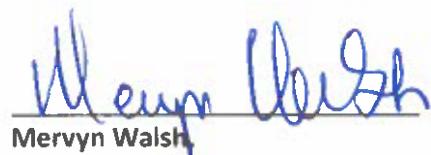
AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) 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.
- (c) The proposed development exceeds the conditions and limitations associated with Class 1 Part 1 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended, and is not an exempted development.

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 cottage and the inclusion of a single storey extension at Killeenrevagh, Knockcroghery, Co. Roscommon, F42 YX60., is development that is not exempted development as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:



Mervyn Walsh,
Administrative Officer,
Planning.

Date: 4th February, 2026

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.

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.

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

Reference Number:	DED 941
Re:	Permission for the renovation of an existing cottage and the inclusion of a single storey extension under the Planning & Development Act (Exempt Development) Regulations 2018
Name of Applicant:	John Quigley
Location of Development:	Killeenrevagh, Knockcroghery, Co. Roscommon, F42 YX60.
Site Visit:	11 th September 2025

WHEREAS a question has arisen as to whether the following works for the renovation of an existing cottage and the inclusion of a single storey extension 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) Class 1 Part 1 Schedule 2 Article 6 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 Acts 2000 as amended.

Site Location & Development Description

The site consists of a south facing cottage in the townland of Killeenrevagh. The subject site is located c. 2.5km from the village of Knockcroghery. The is accessed off the L-7134 Local Secondary Road c. 15m from the junction with the N61 National Road. The proposed development consists of the renovation of an existing cottage and the inclusion of a single storey extension.

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 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) located c. 1.8km from the proposed development.

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 per Roscommon County Councils' Planning Registry, there is no 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.

PART 1 - Article 6 - Exempted Development – General

Development within the curtilage of a house

Development Description	Conditions and Limitations
<i>Development within the curtilage of a house</i> CLASS 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.	<p>1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</p> <p>(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.</p> <p>(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres</p> <p>2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.</p> <p>(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.</p> <p>(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level</p>

	<p>constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres</p> <p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p> <p>4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.</p> <p>(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.</p> <p>(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.</p> <p>5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.</p> <p>6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.</p> <p>(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.</p> <p>(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden</p>
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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 works constitute development, as defined in Section 3 of the said Act.

Extension

- Inclusion of a single storey extension to the side (18.5m²).

CLASS 1

With regard to the compliance with the conditions and limitations of Class 1 of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

After a site inspection, it appears the applicant is proposing adding an extension to the side of the existing cottage. The location of the existing dwelling and its proximity to the road likely creates challenges in terms of the addition of an extension to the rear of the existing dwelling. Notwithstanding, Class 1 Part 1 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended, refers to:

'The extension of a house by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.'

The applicant proposes an 18m² extension to the side of the existing dwelling. The proposed development is not located to the rear of the dwelling and does not appear to be a conversion of use of any structure listed in Class 1. A structure was observed abutting the lateral elevation of the dwelling on inspection however the proposals relate to a new extension with no reference to the conversion of this structure. The applicants proposal in this instance does not constitute an exempted development as the proposed development exceeds Class 1 Part 1 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for the renovation of an existing cottage and the inclusion of a single storey extension at Killeenrevagh, Knockcroghery, Co.

Roscommon, F42 YX60 is or is not development and is or is not exempted development, I have considered this question, and I have had regard particularly to –

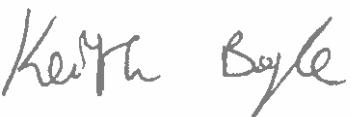
- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 1 Part 1 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended.
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.

AND WHEREAS I have concluded that

- The works outlined above are development.
- 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.
- The proposed development exceeds the conditions and limitations associated with Class 1 Part 1 Schedule 2 Article 6 of the Planning and Development Regulations, 2001, as amended, and is not an exempted development.

AND WHEREAS I have concluded that the said development for the renovation of an existing cottage and the inclusion of a single storey extension at Killeenrevagh, Knockcroghery, Co. Roscommon, F42 YX60, is not exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Graduate Planner

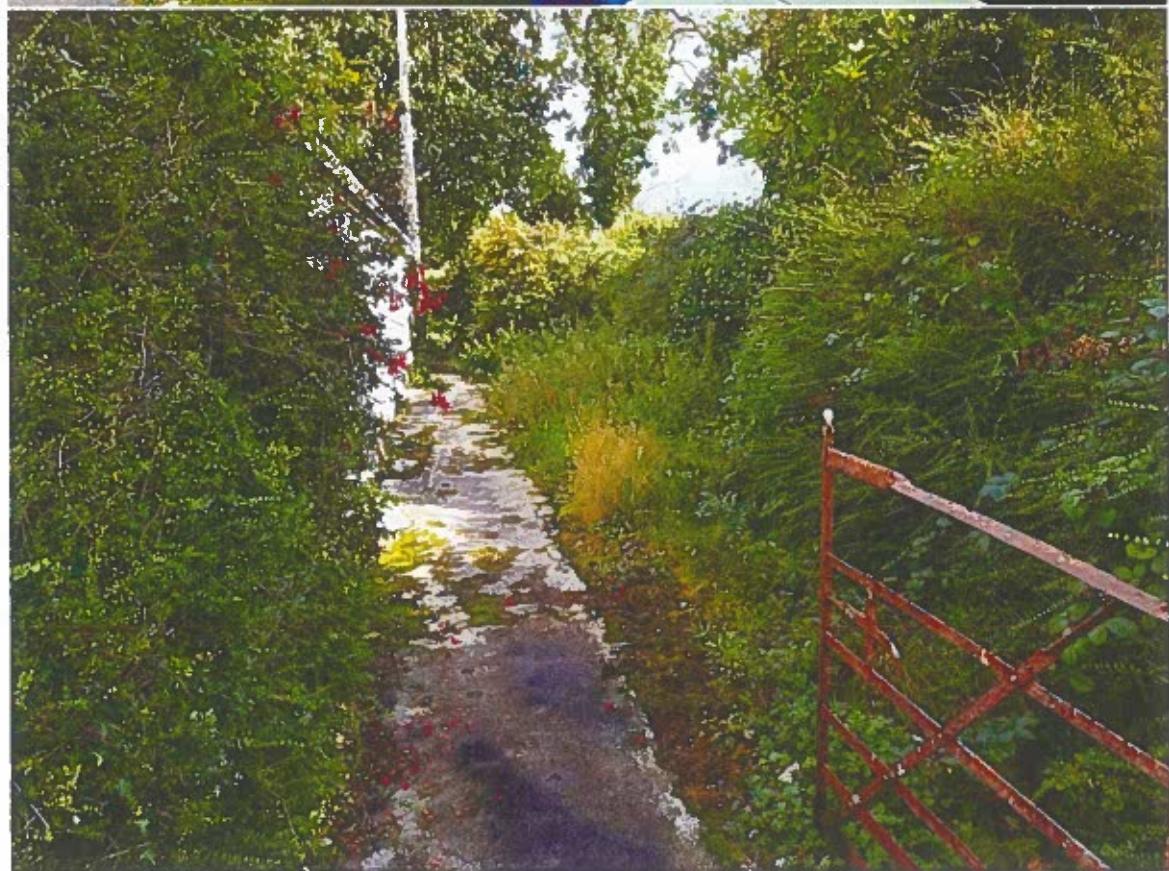
Date: 27th January 2026

Signed:

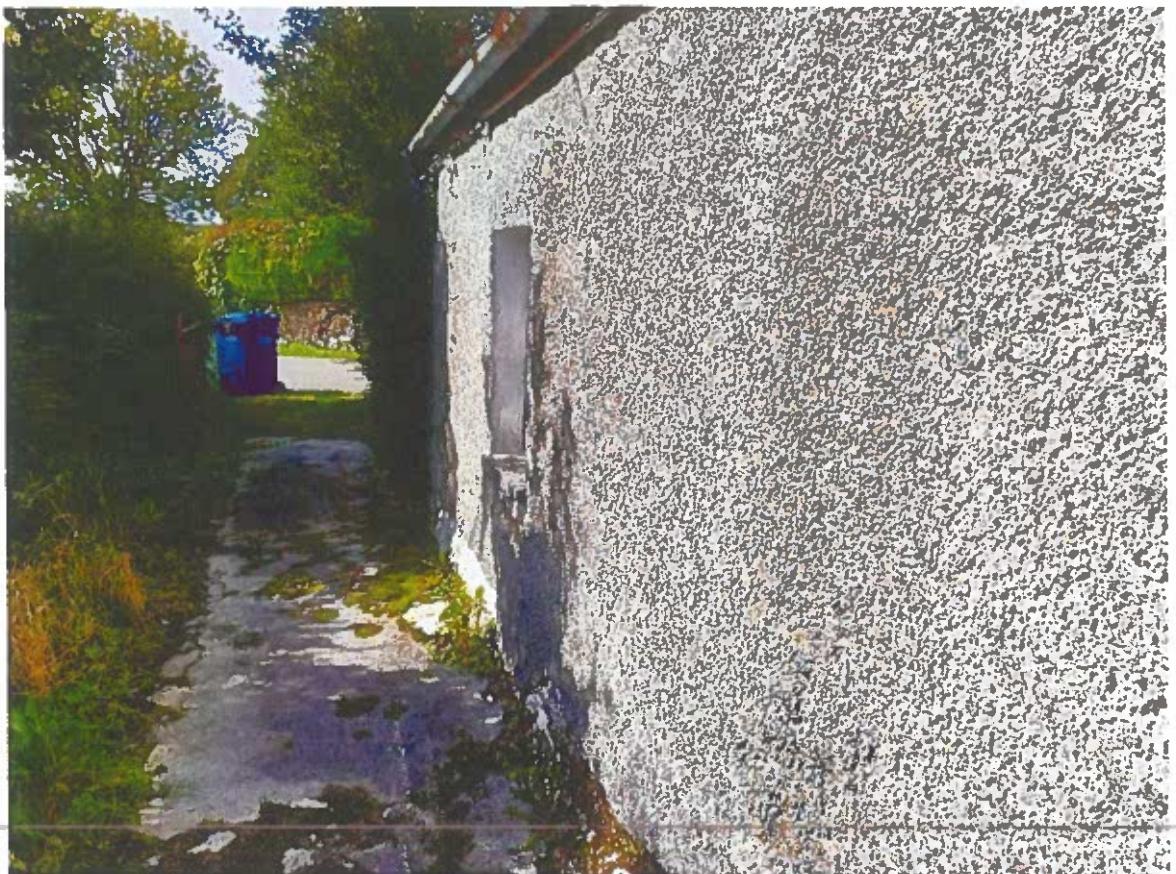


Senior Executive Planner

Date: 27th January 2026









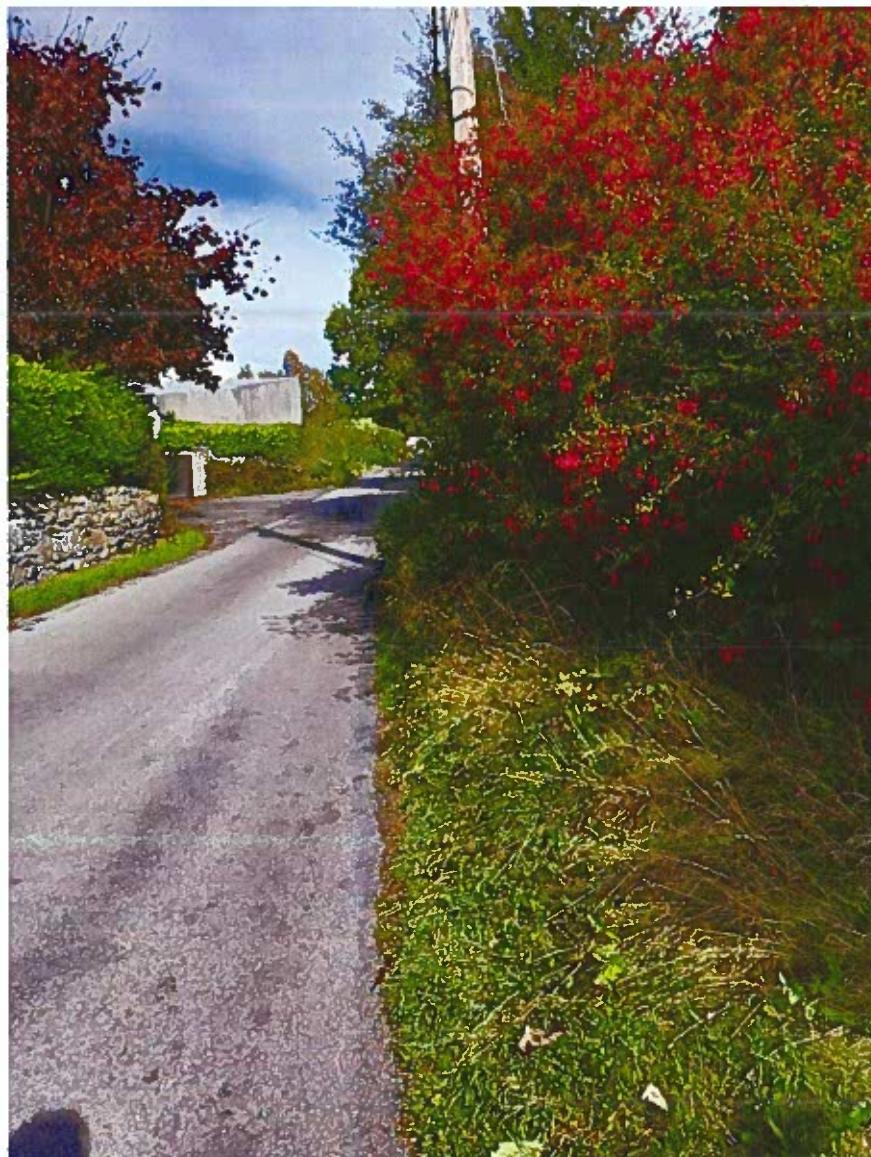










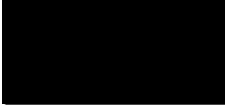




Comhairle Contae
Ros Comáin
Roscommon
County Council



John Quigley,



Date: 2nd September, 2025

Planning Reference: DED 941

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 cottage and the inclusion of a single storey extension at Killeenrevagh, Knockcroghery, Co. Roscommon, F42 YX260. is or is not development and is or is not exempted development.

A Chara,

I wish to acknowledge receipt of your application which was received on the 7th 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. L01/0/236333 dated 22nd August, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is DED 941
This should be quoted in all correspondence and telephone queries.

Mise le meas,

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

Roscommon
09066 37100

22-08-2025 14:42:26

Receipt No. : L01/106001/236333

***** REPRINT *****

JOHN QUIGLEY

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES 80.00
GOODS 80.00
VAT 0.00
DED941

Total 80.00 EUR

Tendered:
Credit/Debit Card 80.00
1001

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

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)	John Quigley
Name of Agent	AS ABOVE
Nature of Proposed Works	RENOVATION OF EXISTING COTTAGE AND INCLUSION OF A SINGLE STOREY EXTENSION
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	KILLEEN REVAGH, KNOCKCROGHAN Co Roscommon. F42 YX60
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>39.75 m²</u> b) <u>18.59 m²</u>
Height above ground level:	150 mm
Total area of private open space remaining after completion of this development	0.228 Hectares
Roofing Material (Slates, Tiles, other) (Specify)	CORRUGATED SHEETING

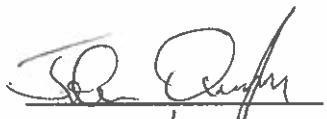
Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	LIME RENDER. WHITE
Is proposed works located at front/rear/side of existing house.	SIDE
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	DERELICT HOUSE
Proposed use of land or structure	RESIDENTIAL
Distance of proposed building line from edge of roadway	20 METERS
Does the proposed development involve the provision of a piped water supply	NO
Does the proposed development involve the provision of sanitary facilities	YES - THE ADDITION OF A BATHROOM

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

Signature:

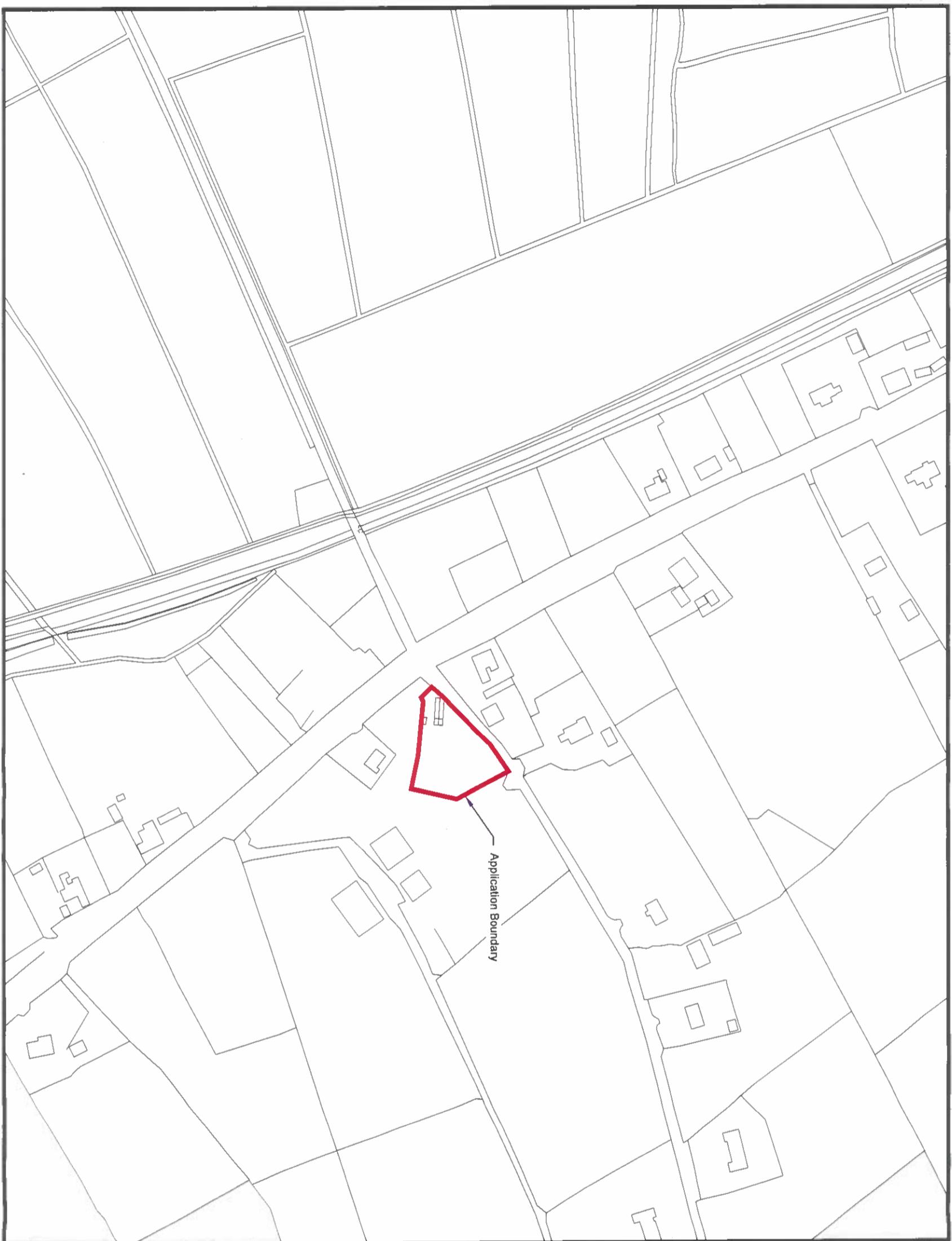


07/08/25

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





Site Location
Scale 1:2500

CLIENT: John Quigley
Killeenrevagh
Knockcroghery
Co. Roscommon

SITE AREA:
0.2289 Hectares
Outlined in Red

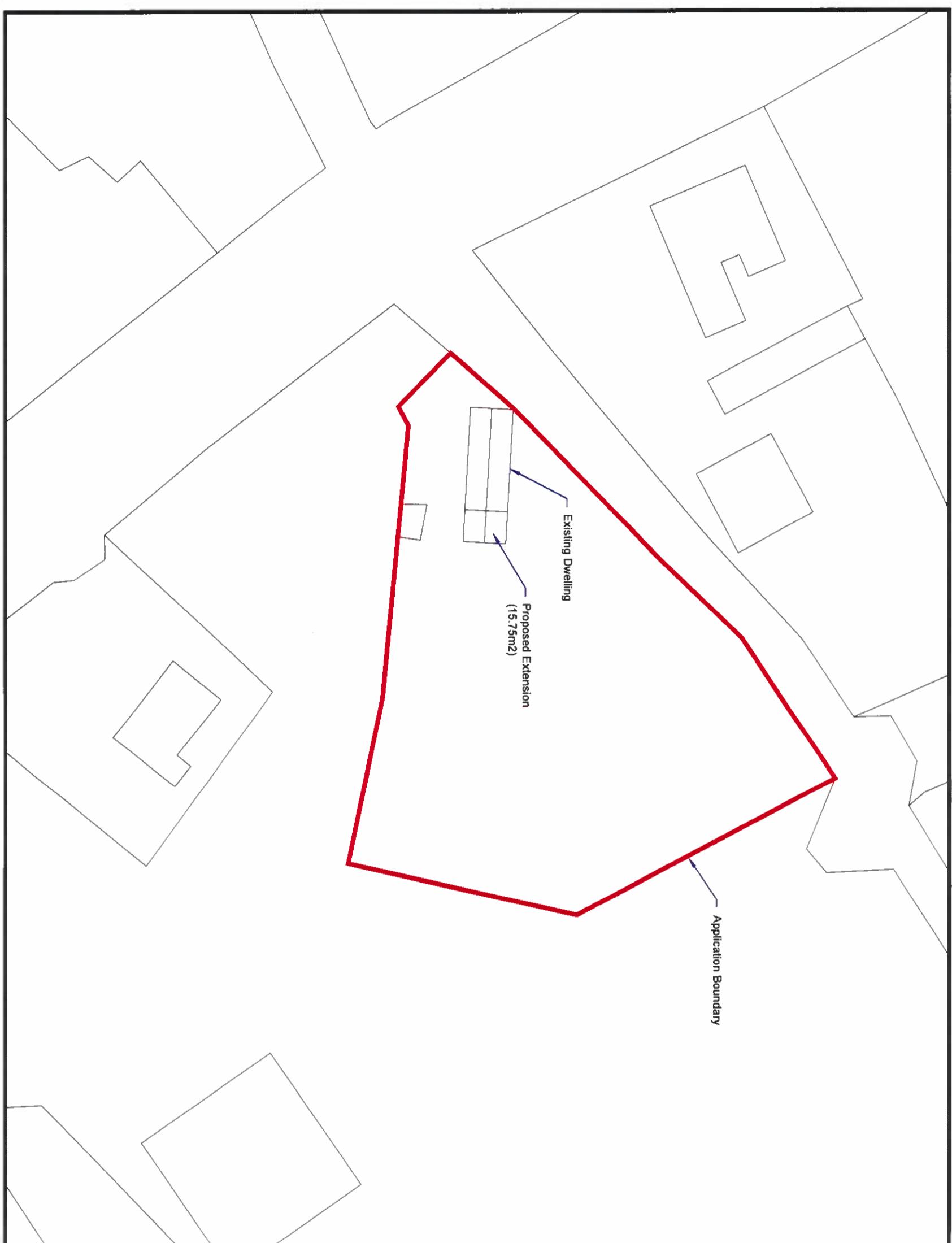
TITLE:
Site Location

SCALE: 1:2500 @ A3 DATE: 29-07-2025

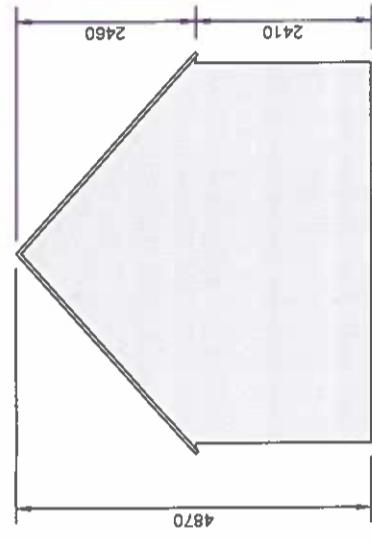
DRAWN BY: John Quigley DRG NO: 001



Site Layout
Scale 1:500

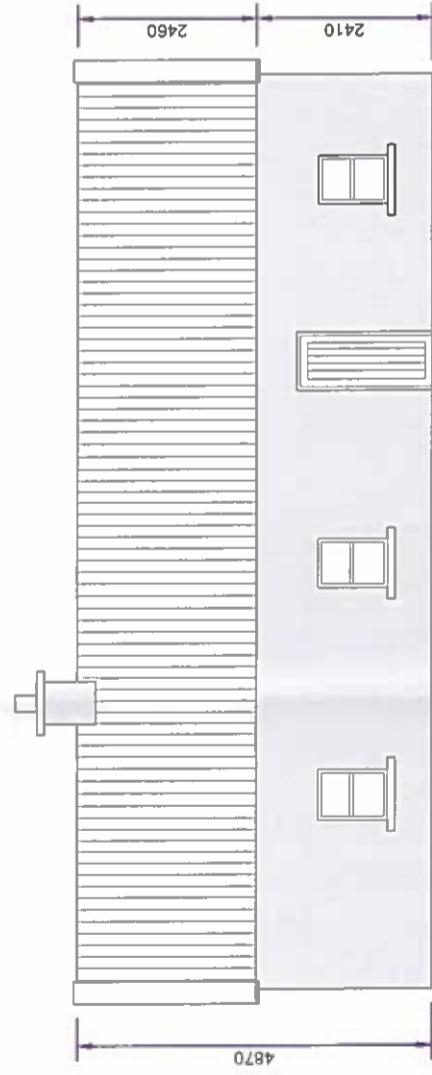
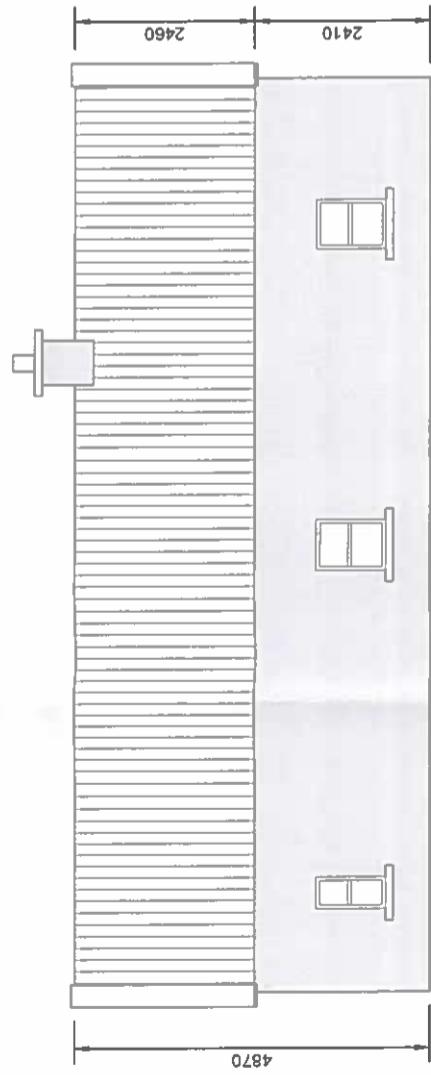


CLIENT:	John Quigley Killeenreagh Knockcroghery Co. Roscommon	SITE AREA:	0.2289 Hectares Outline in Red
TITLE:			
SCALE:	1:500 @ A3	DATE:	29-07-2025
DRAWN BY:	John Quigley	DRG No:	002

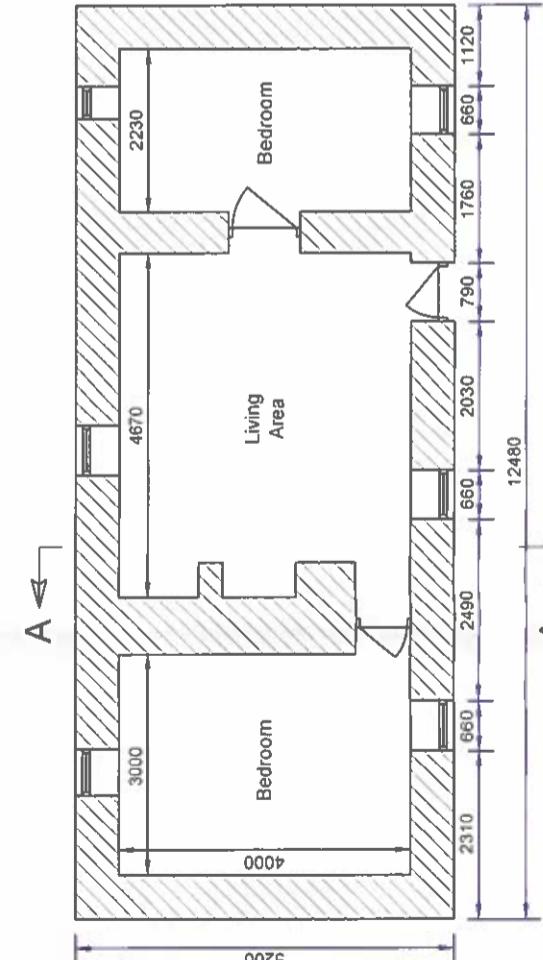
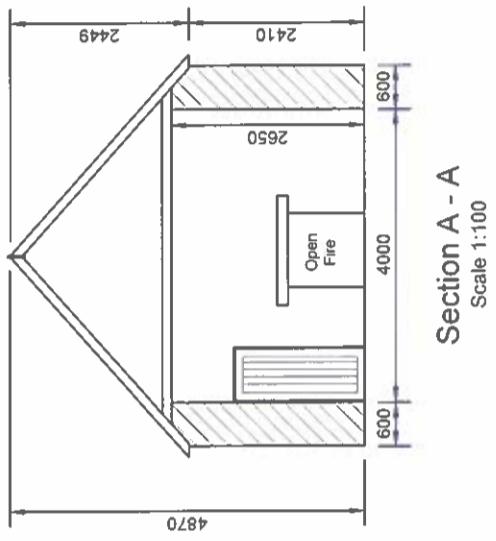
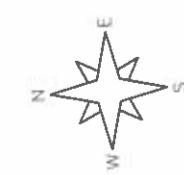


Existing Side Elevation (West)

Existing Rear Elevation (North)



Existing Front Elevation (South)



FLOOR AREA:
TOTAL = 39.75m²

Existing Floor Level:
F.F.L. = 49.50m

Note: All Dimensions in millimetres unless noted otherwise

CLIENT: John Quigley
Killeenrevagh
Knockcroghery
Co. Roscommon

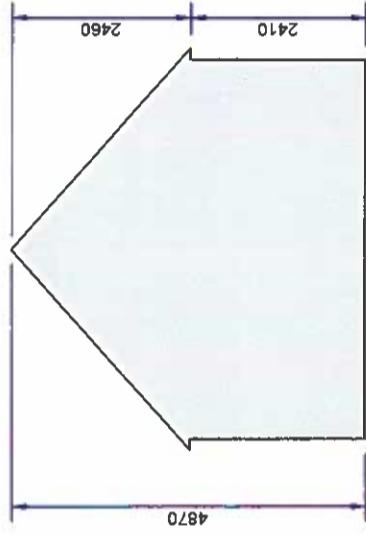
TITLE: Existing Dwelling - Plan, Elevations & Section

SCALE: 1:100 @ A3 DATE 29-07-2025

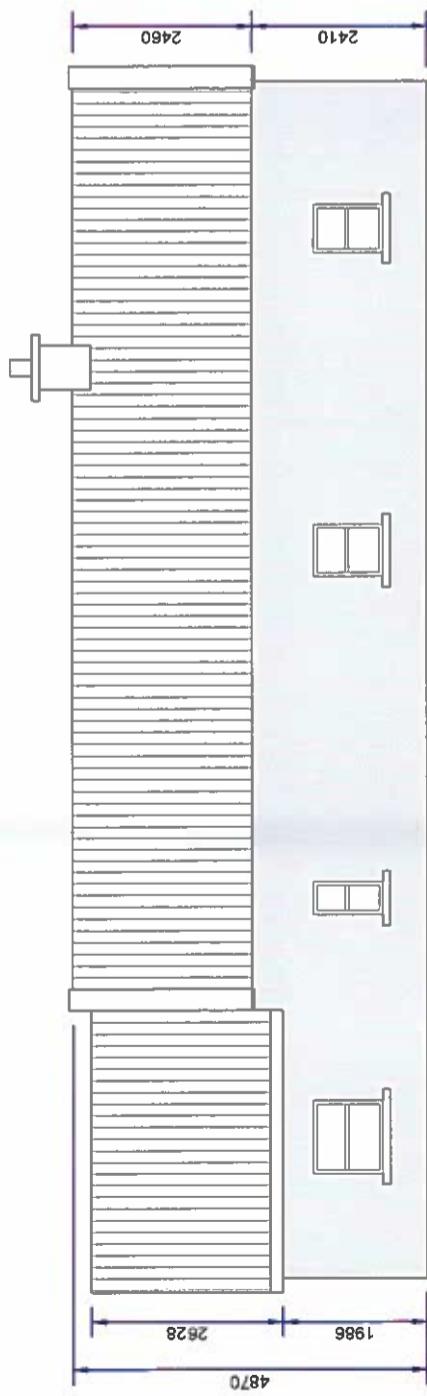
DRAWN BY: John Quigley DRG No. 003



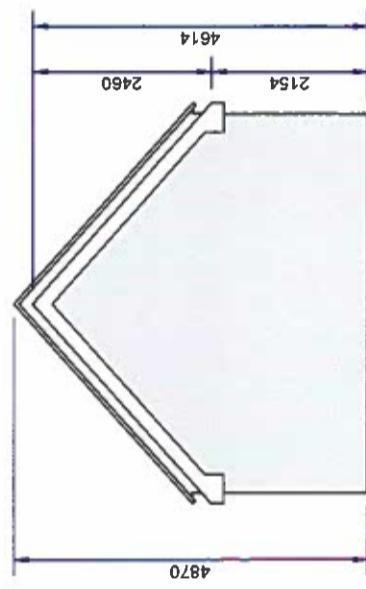
Proposed Side Elevation (West) Scale 1:100



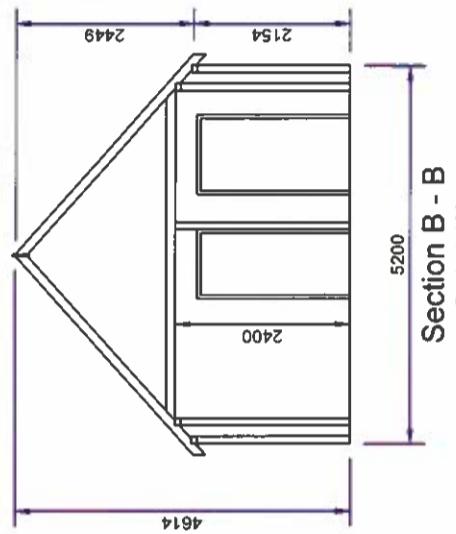
12480
Proposed Rear Elevation (North)
Scale 1:100



Proposed Side Elevation (West)

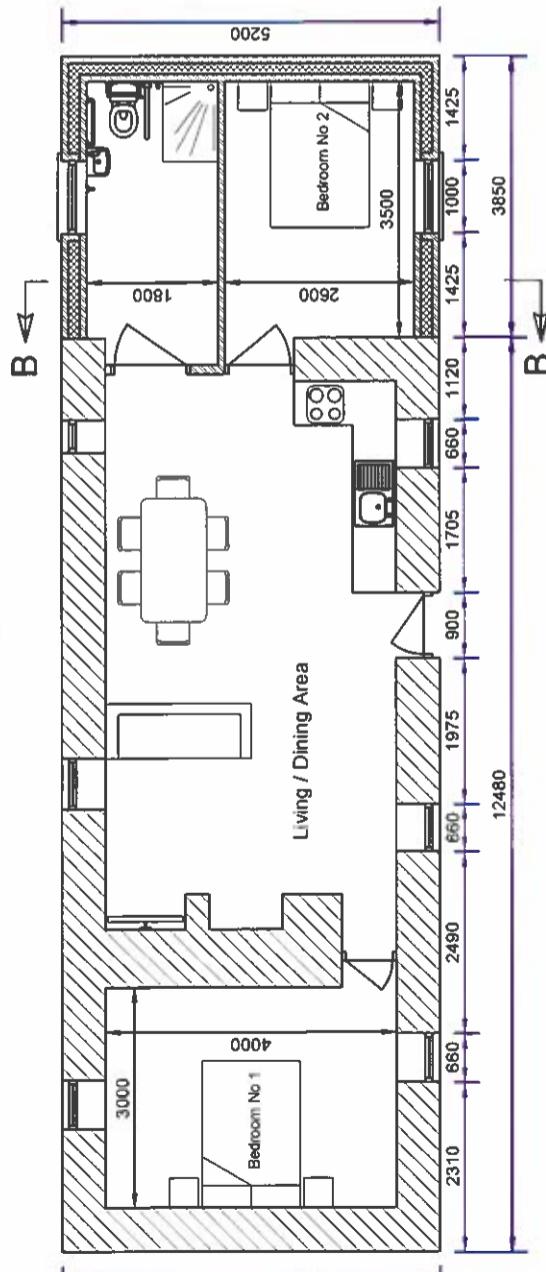


Proposed Side Elevation (East)



FLOOR AREA:
TOTAL = 58.34m²

Proposed Front Elevation (South)



Proposed Plan
Scale 1:100

Note: All Dimensions in millimetres unless noted
otherwise

Otherwise

Existing Dwelling - Plan, Elevations & Section

John Quigley 004