ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Pat Flanagan,



Reference Number:

DED 942

Application Received:

8th August, 2025

Name of Applicant:

Pat Flanagan

Agent:

James Lohan Consulting Engineer Ltd., Unit 6, Ballypheason House,

Circular Road, Roscommon.

WHEREAS a question has arisen as to whether the internal completion of a dwelling house with works including: 1)plasterboard walls & ceilings; 2)plastering & skimming; 3)second fix carpentry, paint & decorate internally; 4)complete plumbing/heating system; 5)complete electrical systems; 6)fitted kitchen; 7)tiling & bathroom & 8)timber floors, carpets, etc., at Ballytrasna, Boyle, 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) 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
- d) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- The works outlined above are development.
- The proposed refurbishment of a dwelling 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.

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; the internal completion of a dwelling house with works including: 1)plasterboard walls & ceilings; 2)plastering & skimming; 3)second fix carpentry, paint & decorate internally; 4)complete plumbing/heating system; 5)complete electrical systems; 6)fitted kitchen; 7)tiling & bathroom & 8)timber floors, carpets, etc., at Ballytrasna, Boyle, 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.

c.c.: James Lohan Consulting Engineer Ltd.,

Unit 6,

Ballypheason House,

Circular Road,

Roscommon.

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.

Date: 28 August, 2025

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 942

Re: Application for a Declaration under Section 5 of the Planning &

Development Act, 2000, as amended, regarding Exempted Development for the internal completion of a dwelling house with works including 1)plasterboard walls & ceilings; 2)plastering & skimming; 3)second fix carpentry, paint & decorate internally; 4)complete plumbing/heating system; 5)complete electrical systems; 6)fitted kitchen; 7)tiling &

bathroom & 8)timber floors, carpets, etc.

Name of Applicant: Pat Flanagan

Location of Development: Ballytrasna, Boyle, Co. Roscommon

Site Visit: 21/08/2025

WHEREAS a question has arisen as to whether the following works; for the internal completion of a dwelling house 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 north facing, two-story dwelling with a garden area surrounding the property located at Ballytrasna, Boyle, Co. Roscommon. The property is accessed off the L-50591 road. The proposed development consists of the internal completion of the dwelling with works including the plasterboarding of walls and ceilings, plastering and skimming, secondary fix of carpentry, painting & decorating internally, completion of plumbing and heating system, completion of electrical systems, fitting of kitchen, tiling & bathroom and insertion of timber floors, carpets, etc.

There are no European designated sites in, adjoining or in close proximity to the subject site. There is no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS.

Archaeological and Cultural Heritage

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

Appropriate Assessment

The closest European site to the site of the proposed development is Lough Gara SPA (Site Codes 004048) which is located circa 8.3km to the west.

Other destinations include Tullaghan Bog NHA (Site Code 001652) which is located circa 5.8km to the south, Lough Drumharlow PNHA (Site Code 001643) which is located circa 7.3km to the east and Drumman's Island (Lough Key) PNHA (Site Code 001633) which is located circa 2.4km to the north.

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

PD/06/152

Development Description: To erect a dwelling house and garage, and to construct a septic tank system

incorporating a proprietary effluent treatment unit

Applicant: Mr. John Keenan **Decision:** 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(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 internal completion of the dwelling with works including the plasterboarding of walls and ceilings, plastering and skimming, secondary fix of carpentry, painting & decorating internally, completion of plumbing and heating system, completion of electrical systems, fitting of kitchen, tiling & bathroom and insertion of timber floors, carpets, etc. 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 internal completion of a dwelling at Ballytrasna, Boyle, Co. Roscommon is or is not development and is or is not exempted development, I have considered this question, and I have had regard particularly to —

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (d) The planning history of the site

AND WHEREAS I have concluded that

- The works outlined above are development.
- The proposed internal completion of the existing dwelling as above fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:

development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

 The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

AND WHEREAS I have concluded that the said development for the internal completion of a dwelling at Ballytrasna, Boyle, Co. Roscommon, is <u>an exempted</u> development. I recommend that a declaration to that effect should be issued to the applicant.

Seán Tiernan

Signed:

Date: 22nd August 2025

Planner

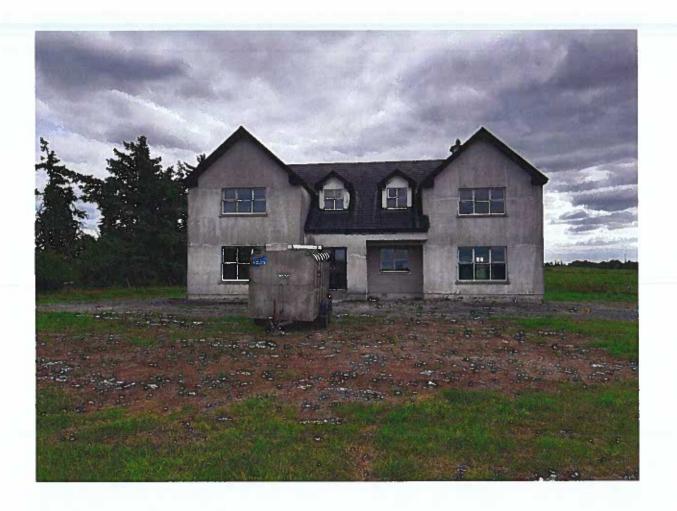
Signed:

Date: 26th August 2025

Senior Executive Planner





















Comhairle Contae Ros Comáin Roscommon County Council



Pat Flanagan,



Date:

14th August, 2025

Planning Reference:

DED 942

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 internal completion of a dwelling house with works including 1)plasterboard walls & ceilings; 2)plastering & skimming; 3)second fix carpentry, paint & decorate internally; 4)complete plumbing/heating system; 5)complete electrical systems; 6)fitted kitchen; 7)tiling & bathroom & 8)timber floors, carpets, etc at Ballytransa, Boyle, Co. Roscommon., 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 8th 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: L01/0/236162 dated 13th August, 2025 receipt enclosed herewith.

Please note your Planning Reference No. is DED 942

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





Roscommon County Council Aras an Chontae Roscommon 09066 37100

13/08/2025 10:32 02

Receipt No 1.01/0/236162

PAT FLANAGAN

C/O JAMES LOHAN CONSULTING ENGINEERS LTD CIRCULAR RD ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES GOODS 80 00 VAT Exempt/Non-vatable DED942

80.00

Total .

80 00 EUR

Tendered Cheque 500419

80.00

Change

0.00

Issued By Louis Carroll From : Central Cash Office

è



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 <u>Exempted Development</u>

Name of Applicant(s)	PAT FLANAGAN
Name of Agent	JAMES LOHAN
Nature of Proposed Works	INTERNAL COMPLETIONS OF A DWELLING HOUSE
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	BALLYTRAGNA, BOILE, ROSGMANN 1740-C
Floor Area: a) Existing Structure b) Proposed Structure	a) 300 SQ.M b) NIA
Height above ground level:	300mm
Total area of private open space remaining after completion of this development	3100 m
Roofing Material (Slates, Tiles, other) (Specify)	PROPOSER OSCOTTON WOUNT COUNTY

0 8 AUG 2025

PLANNING SECTION

Roscommon County Council

Application for a Declaration under Section 5 of the

EXISTING
NO FRITERNAL
NO
NA
PARTIMOLY COMPLETED HOUSE
DWELLING HOUSE
20m Existing
NO
No

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

Signature:

Date:

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: Pat Flanagan, Ballytrasna, Boyle, Roscommon

The property is being finished after being left at shell and core stage for approx 18 years it will now be completed and put in use as a family home.

The works involved are as follows:

- 1. Plaster Boarding walls and ceilings
- 2. Plastering and skimming
- 3. Second fix carpentry and paint and decorate internally.
- 4. Complete plumbing/heating system.
- 5. Complete electrical systems.
- 6. Fitted Kitchen
- 7. Tiling and Bathrooms
- 8. Timber floors, carpets etc.

Kind Regards

Janhes Lohan

James Lohan Consulting Engineer Ltd,

Unit 6, Ballypheason House, Circular Road

Roscommon F42 T384



PHOTO SURVEY OF INTERNAL CONDITION SHOWING WORKS TO BE COMPLETED

0 8 AUG 2025

PLANNING SECTION

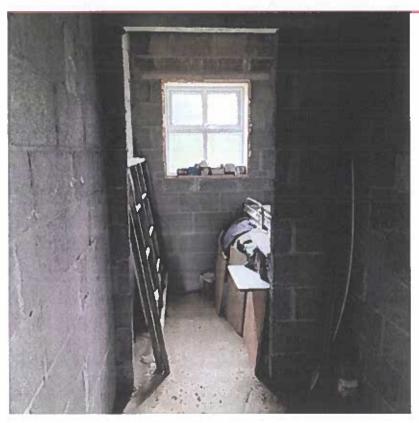


6.05

Location Internal

No structural defects noted. House is under construction with following works to be completed -

First and second fix electrics, First and second fix plumbing, Plaster-boarding, plastering, Finish floor and completions.

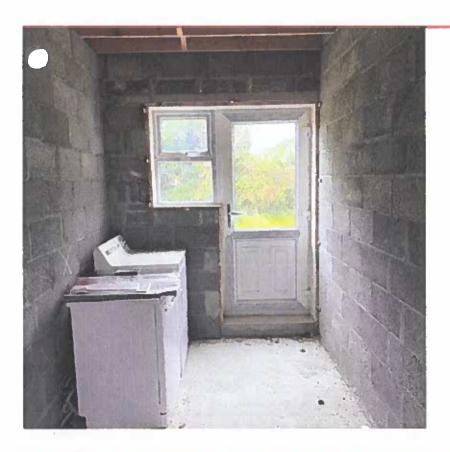


6.06

Location Internal

No structural defects noted. House is under construction with following works to be completed -





6.07

Location Internal

No structural defects noted. House is under construction with following works to be completed -

First and second fix electrics, First and second fix plumbing, Plaster-boarding, plastering, Finish floor and completions.



6.08

Location Internal

No structural defects noted. House is under construction with following works to be completed -





6.09

Location Internal

No structural defects noted. House is under construction with following works to be completed -

First and second fix electrics, First and second fix plumbing, Plaster-boarding, plastering, Finish floor and completions.



6.0 10

Location Internal

No structural defects noted. House is under construction with following works to be completed -



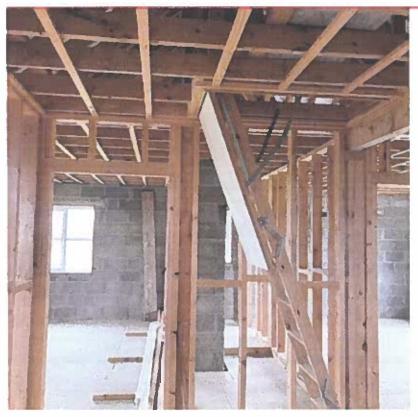


6.0 11

Location Internal

No structural defects noted. House is under construction with following works to be completed -

First and second fix electrics, First and second fix plumbing, Plaster-boarding, plastering, Finish floor and completions.



6.0 12

Location Internal

No structural defects noted. House is under construction with following works to be completed -





6.0 13

Location Internal

No structural defects noted. House is under construction with following works to be completed -

First and second fix electrics, First and second fix plumbing, Plaster-boarding, plastering, Finish floor and completions.



6.0 14

Location Internal

No structural defects noted. House is under construction with following works to be completed -



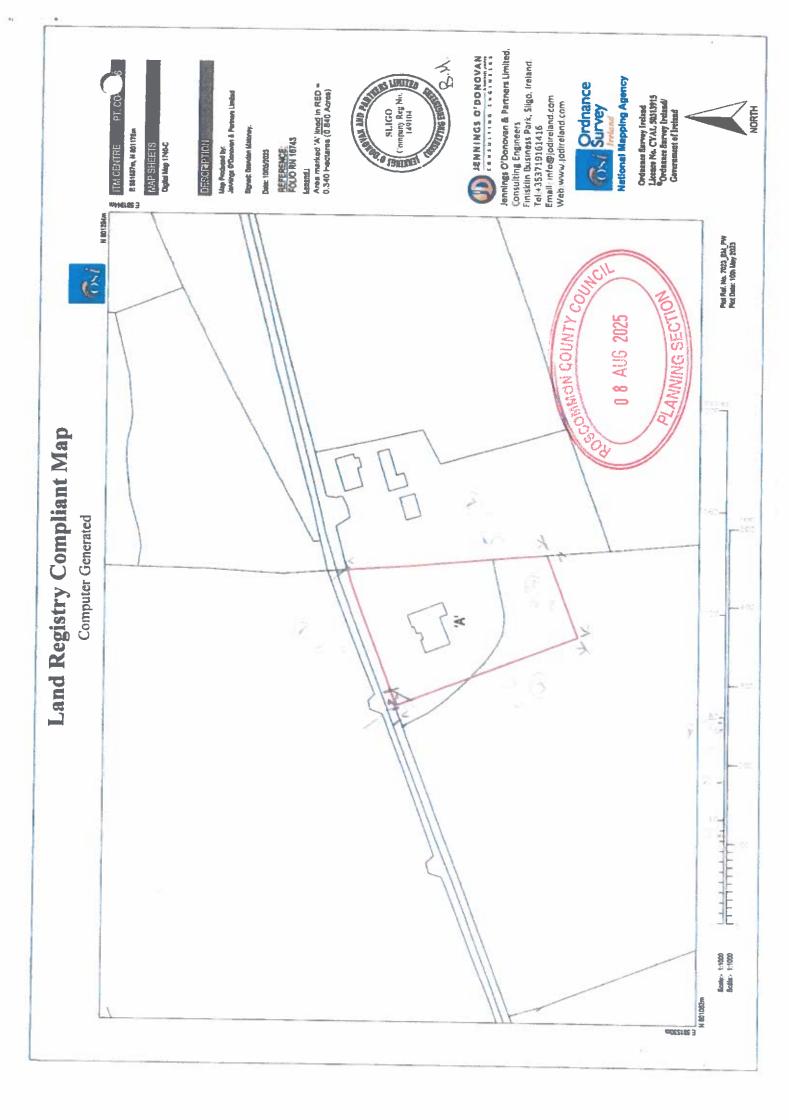


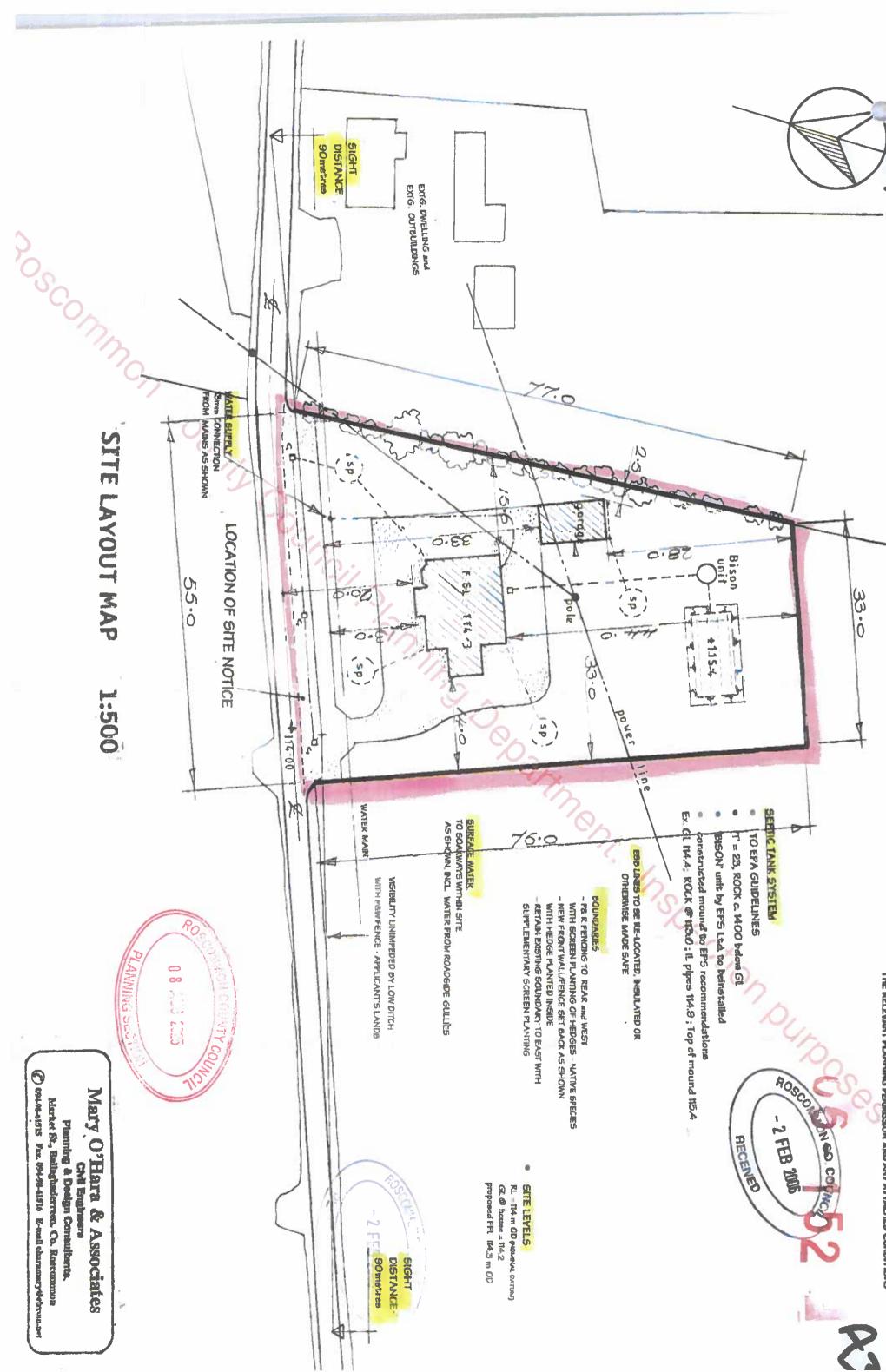
6.0 15

Location Internal

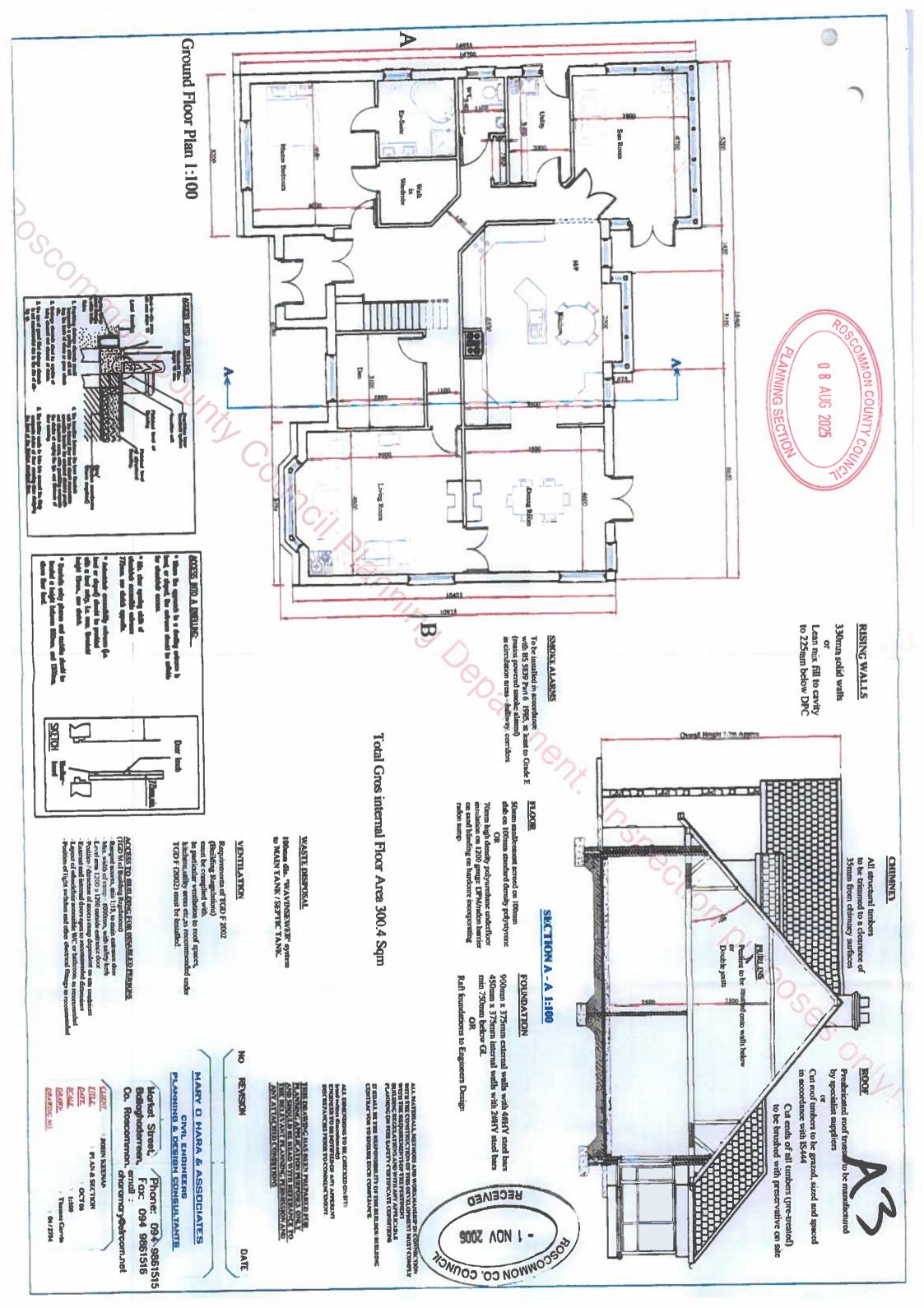
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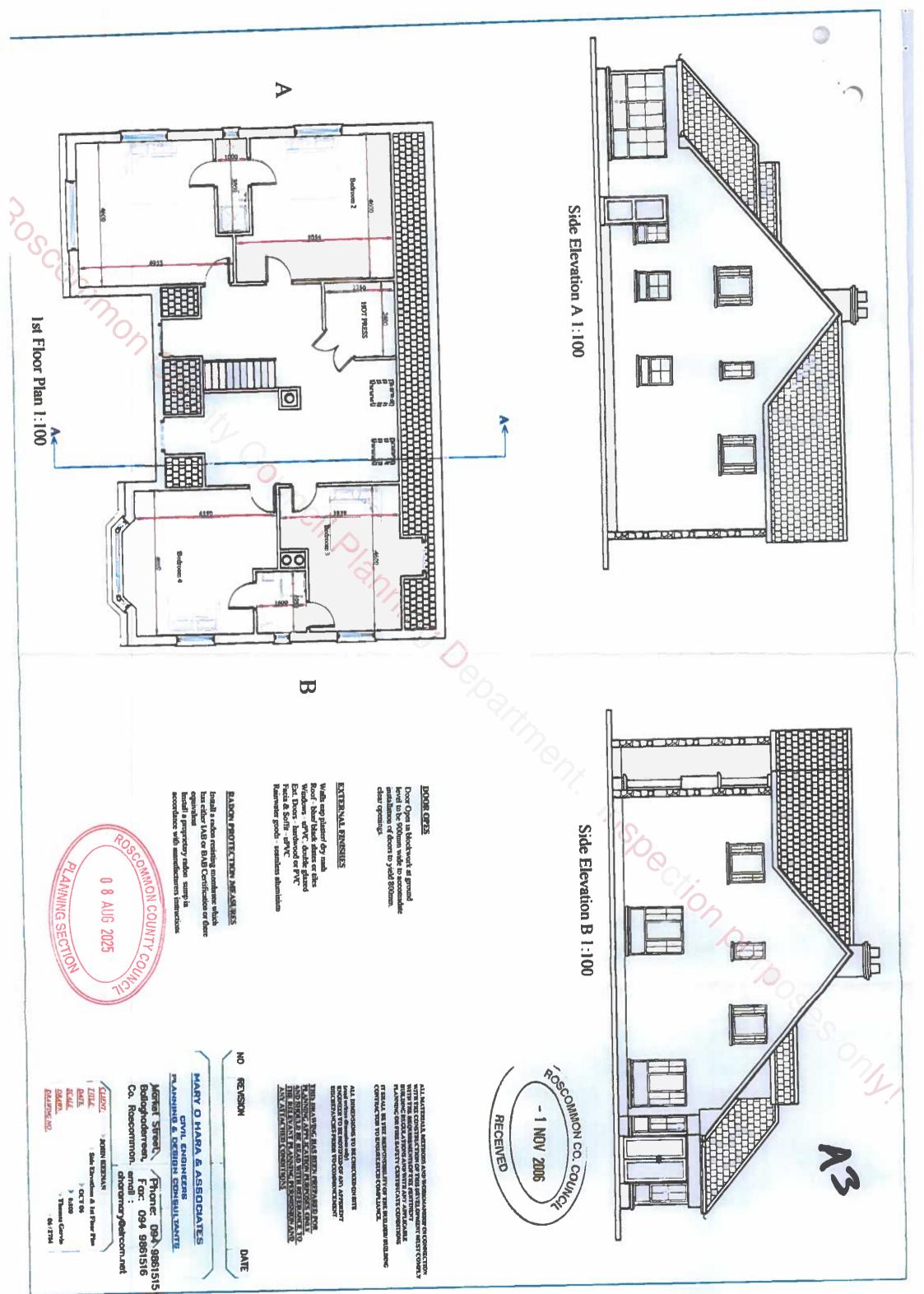


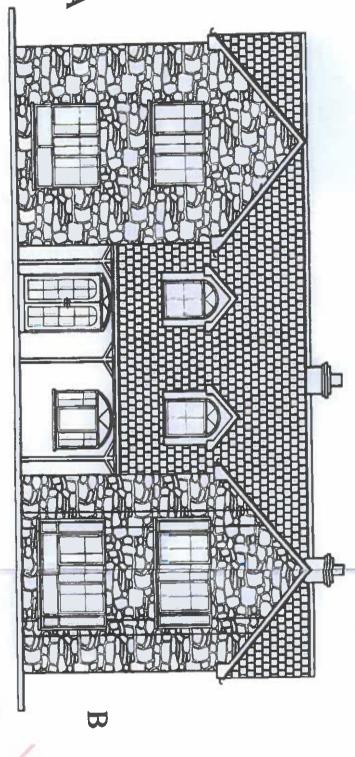




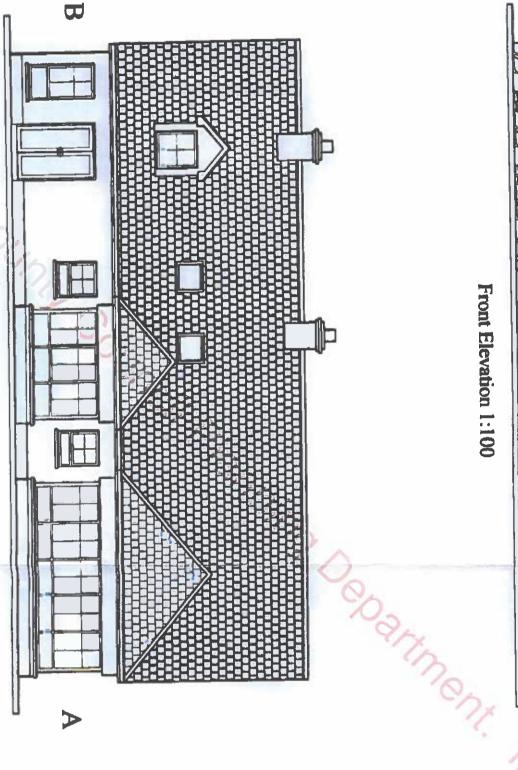
THIS DRAWING HAS BEEN PREPARED FOR PLANKING APPLICATION PURPOSES ONLY AND SHOULD BE READ WITH REFERENCE TO THE RELEVANT PLANKING PERMISSION AND ANY ATTACHED CONDITIONS







Front Elevation 1:100





Oscommon

Rear Elevation 1:100



MINISHES FUTURES

All ELECTRICAL INSTAGLATIONS & FITTINGS, all SANITARY WARE, BEATTING SYSTEMS AND OTHER PLUMBING FITTINGS and all JOINERY HITIDIOS AND FIXTURES to be installed according to clients instructions and in according with the relevant Codes of Practice or standards, and in particular with the requirements of TGD M of Buildings Regulations.



To comply with TECHNICAL GUIDANCE DOCUMENT W. BUILDING REGULATIONS 1997 min. with ** 800 mm. optium min. headroom 2.0m. (measured vertically) optium rise ** 175 mm. optium going ** 275 mm. optium pitch ** 35 degrees TRE ESCAPE WINDOWS:

Windows for fire escape to have an opening at cill level of 850mm x 500mm with cill hgt. over floor 1.100m max. Any windows with a cill height below 800mm to be fitted with a safety glass or appropriate guarding.

MALLS

100 canc. block outer leaf
115 cavity with 100mm mineral wool bat insulation
OR 100 cavity with 80mm polyurchane insulation100 conc. block inner testGalv. wall ties as per regulations.

ALL MATERIALS, METHODS AND WIDDLINANSHIP IN CONFIGUROUS WITH THIS CONFIDENCE ON DE THIS DEVELOPMENT MIST CONFIDENCE THIS DEVELOPMENT MIST CONFIDENCE THIS PRESENCE OF THE PROPERTY AND APPLICABLE PLANTED ON THE PROPERTY OF T

TO SHALL BY THE HESPONSIBILITY OF THE BUILDEN/BUILDING CONTRACTOR TO ENGLER SUCH CONTRACTS.

ALL CREASURES TO BE CHICKED OWSTE.
ENCORMEN TO BE CHICKED OF ANY APPEARING
DECRETANCIES TRACE OF DO COMMENCENSING.

ANY ATTACHED CONDITIONS

THE BELSVANT PLANNING PERMISSION AND
ANY ATTACHED CONDITIONS

3 **REVISION**

DATE

CIVIL ENBINEERS
PLANNING & DESIGN CONSULTANTS MARY O HARA & ASSOCIATES

Market Street: Phone: 094-9861515
Balloghoderreen, Fax: 094-9861516
Co. Roscommon. email: charamary@aircam.net

Thomas Garvin) 06 / 27M

00706

DRAWING NO.

DAULE LIMPE

JOHN KEENAN