

ROSCOMMON COUNTY COUNCIL
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)
SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
NOTIFICATION OF DETERMINATION

REGISTERED POST

James Sharkey & Catriona Cox,

Reference Number: DED 953
Application Received: 15th September, 2025
Name of Applicants: James Sharkey & Catriona Cox
Agent: N/A

WHEREAS a question has arisen as to whether the construction of an extension to the rear of the property at Sheerevagh, Ballinameen, Boyle, Co. Roscommon, F52 W886., 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 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (e) The planning history of the site.

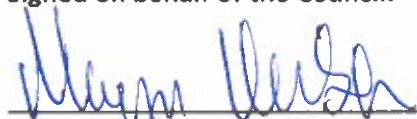
AND WHEREAS Roscommon County Council has concluded that:

- (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 extension complies with the conditions and limitations of Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

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 construction of an extension to the rear of the property at Sheerevagh, Ballinameen, Boyle, Co. Roscommon, F52 W886., 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:



Mervyn Walsh,
Administrative Officer,
Planning.

Date: 27th January, 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 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.



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

Reference Number:	DED 953
Re:	Permission for an extension to the rear of an existing dwelling under the Planning & Development Act (Exempt Development) Regulations 2018
Name of Applicant:	James Sharkey & Catriona Cox
Location of Development:	Sheerevagh, Ballinameen, Boyle, Co. Roscommon, F52 W886.
Site Visit:	29 th September 2025

WHEREAS a question has arisen as to whether the following works for an extension to the rear 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 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (e) The planning history of the site

Site Location & Development Description

The site consists of a south facing bungalow type dwelling. The subject site is accessed off the L-1216 Local Primary Road. The site is located c. 2.1km southeast of Ballinameen village and c. 5.3km southwest of Croghan village. The proposed development consists of the construction of an extension to the rear of an existing dwelling.

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 Cloonshanville Bog SAC (Site Code 000614) located c. 5.4km from the subject site.

Other Designations include Ardagh Bog PNHA (Site Code 001222) located c. 3.7km 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 per Roscommon County Councils' 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 (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 Description	Conditions and Limitations
<p><i>Development within the curtilage of a house</i></p> <p>CLASS 1</p> <p>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>	<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 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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Environmental Considerations

With regard to Article 9 (1)(a) of the Planning and Development Regulations 2001 (as amended), 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 Article 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.



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.

Extent of Works

- Construction to the rear of an existing dwelling

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:

1. (a) House has no previous extension; proposed extension is 30m².
(b) Proposed extension is only on ground floor level.
(c) Proposed extension is only on ground floor level.
2. House has no previous extension; therefore N/A.
3. Proposed extension is only on ground floor level.
4. (a) Rear wall does not exceed this height.
(b) Rear wall does not exceed this height.
(c) Roof height of extension is not higher than the existing house.
5. Extension does not reduce the open space to less than 25sq.m. The applicant has indicated a total of 2.9 acres of open space remaining.
6. (a) Windows are greater than 1m from the boundary it faces.
(b) Proposed extension is only on ground floor level.
(c) Proposed extension is only on ground floor level.
7. The proposed extension roof is a flat roof. The proposed roof will not be used for a balcony or roof garden as neither was referred to in the submitted application.

The applicants are proposing the construction of an extension to the rear of the existing dwelling. The proposed extension complies with the conditions and limitations of Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for the construction of an extension to the rear of the property as outlined above at Sheerevagh, Ballinameen, Boyle, Co. Roscommon, F52 W886, 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 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (e) The planning history of the site

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 extension complies with the conditions and limitations of Class 1 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

AND WHEREAS I have concluded that the said development for the construction of an extension to the rear of the property as outlined above at Sheerevagh, Ballinameen, Boyle, Co. Roscommon, F52 W886, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Graduate Planner

Date: 27/01/2026

Signed:



Senior Executive Planner

Date: 27/01/2026

















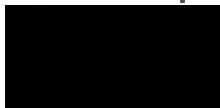




Comhairle Contae
Ros Comáin
Roscommon
County Council



James Sharkey & Catriona Cox,



Date: 23rd September, 2025

Planning Reference: DED 953

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 construction of an extension to the rear of the property at Sheerevagh, Ballinameen, Boyle, Co. Roscommon, F52W886, 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 15th September, 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. L01/0/236762 dated 19th September, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 953**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Mervyn Walsh,
Administrative Officer,
Planning Department.

Roscommon County Council
Aras an Chortae
Roscommon
09066 37100

19/09/2025 10:38:20

Receipt No : L01/0/236762

JAMES SHARKEY

PLANNING APPLICATION FEES 80 00
GOODS 80.00
VAT Exempt/Non-vatable
DED953

Total : 80 00 EUR

Tendered :
Credit/Debit Card 80 00
6808

Change : 0 00

Issued By : Aine McDermott
From : Central Cash Office

**ROS
COMMON**

Comhairle Contae
Ros Comáin
Roscommon
County Council

15 SEP 2025

PLANNING SECTION

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)	James Sharkey & Catriona Cox
Name of Agent	N/A
Nature of Proposed Works	Extension to rear of property
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Sheerevagh Ballinameen Boyle Co, Roscommon F52W886
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>58 sqm</u> b) <u>30 sqm</u>
Height above ground level:	8ft
Total area of private open space remaining after completion of this development	2.9 acres
Roofing Material (Slates, Tiles, other) (Specify)	Flat roof of timber construction finished with torch on felt.

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Block cavity wall with grey render finish.
Is proposed works located at front/rear/side of existing house.	Rear of existing house
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	Existing dwelling house
Proposed use of land or structure	The proposed use of the extension is for a kitchen / dining area to serve the existing dwelling
Distance of proposed building line from edge of roadway	15 M
Does the proposed development involve the provision of a piped water supply	A piped water supply is already in place.
Does the proposed development involve the provision of sanitary facilities	No, it does not include a toilet, shower or bathroom.

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

Signature: John Sharkey Cathiona Cox

Date: 28/08/25

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



Detailed Specification of Proposed Development

Applicant: James Sharkey & Catriona Cox

Address of Site: Sheerevagh, Ballinameen, Boyle, Co. Roscommon F42 W886

Planning Authority: Roscommon County Council

Application Type: Section 5 Declaration (Exempted Development)



Description of Proposed Development

The proposed development consists of the construction of a 30m² single-storey extension to the rear of the existing dwelling house.

The extension will be used as additional habitable accommodation ancillary to the main dwelling.

Design & Construction Details

- **Floor Area:** 30 square metres (gross external area).
- **Height:** Single-storey structure, not exceeding the ridge/eaves height of the existing dwelling.
- **Roof:** Flat roof construction using timber joists finished with torch-on felt roofing system.
- **External Walls:** Block cavity wall construction with grey render finish to match/complement the existing dwelling.
- **Fenestration:** Windows and doors to be provided to the rear elevation only, ensuring no overlooking of neighbouring properties.
- **Water Supply:** A piped water supply is already in place and available to the dwelling.
- **Sanitary Facilities:** No sanitary facilities are proposed as part of this extension.
- **Location on Site:**
 - Extension to be located to the rear of the existing dwelling house.
 - Positioned approximately 15 metres from the public road.
 - Sufficient private open space will remain after the extension is completed.

Services

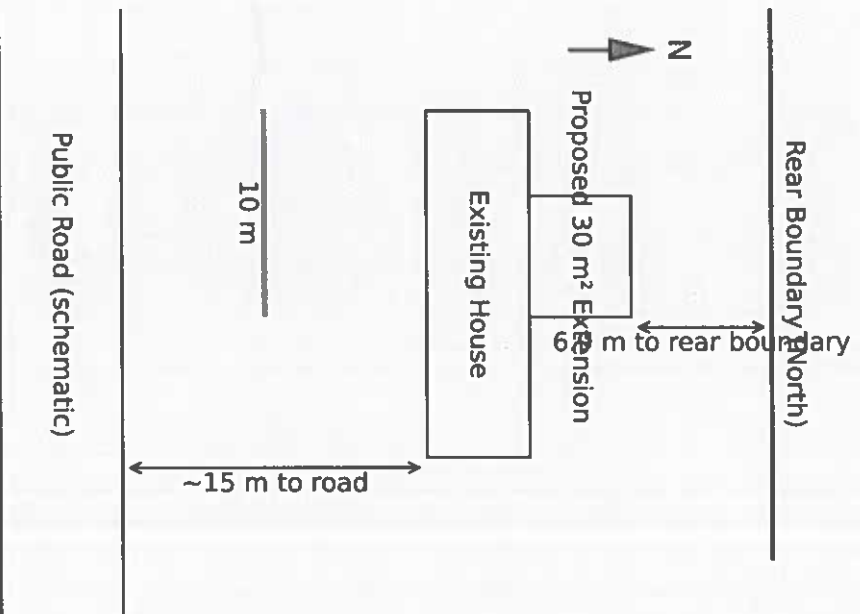
- **Water:** Existing piped water supply to be utilised.
- **Drainage:** No new connections required, as no sanitary facilities are proposed within the extension.
- **Surface Water:** Roof water to be disposed of via existing stormwater drainage system.

Summary

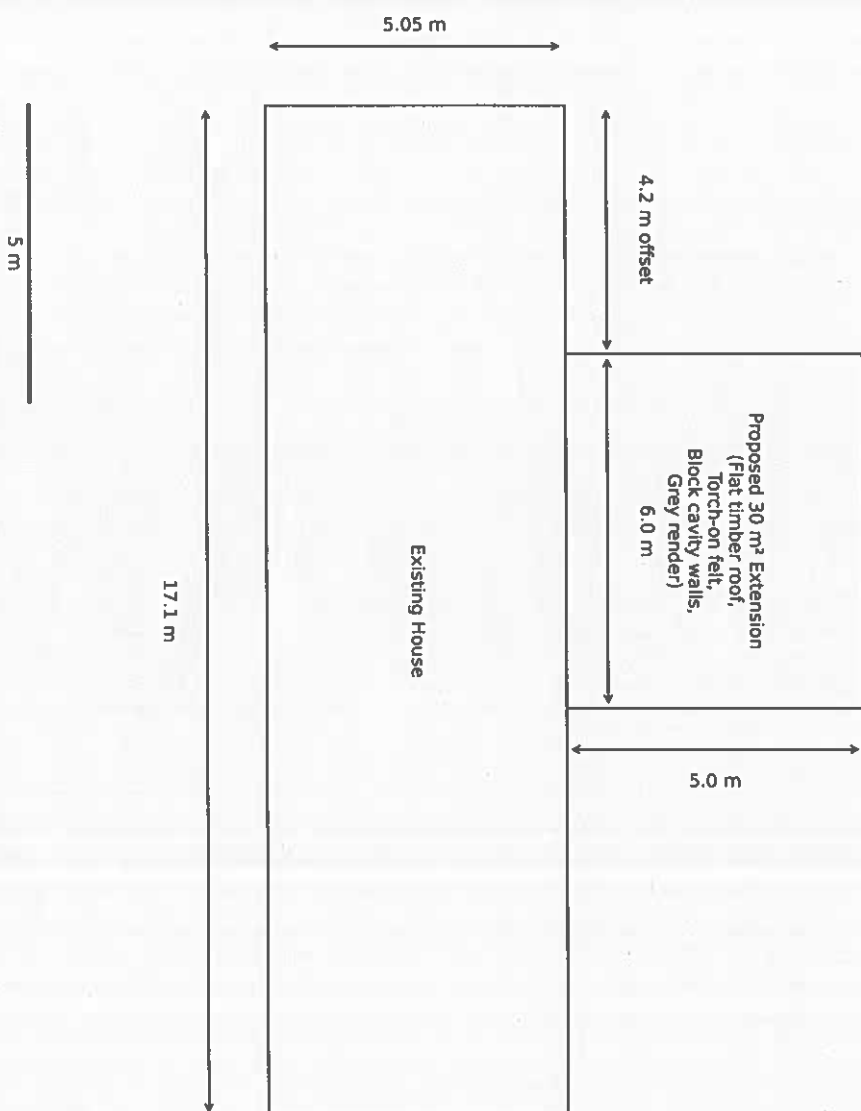
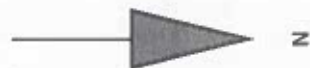
- The floor area does not exceed 40m². (Proposed = 30m²)
- The extension does not reduce private amenity space below 25m².
- The extension is to the rear of the house.
- The height does not exceed that of the existing dwelling.
- No encroachment on building lines or proximity to the public road (setback of 15m).



Site Layout Plan – Scale 1:500 @ A3
Setback to Road Shown as ~15 m (Indicative)



Proposed Ground Floor Plan - Scale 1:100 @ A3
Rear Facing North (Driveway to Front/South)



581750 mE, 792830 mN



Folio: RN28468

This map should be read in conjunction with the folio.

Tailte Éireann (TÉ) Registration mapping is based on TĒ Surveying mapping. Where TĒ Registration maps are printed at a scale that is larger than the TĒ Surveying scale, accuracy is limited to that of the TĒ Surveying map scale.

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(centre-line of parcel(s) edged)

Freehold

Leasehold

Subleasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

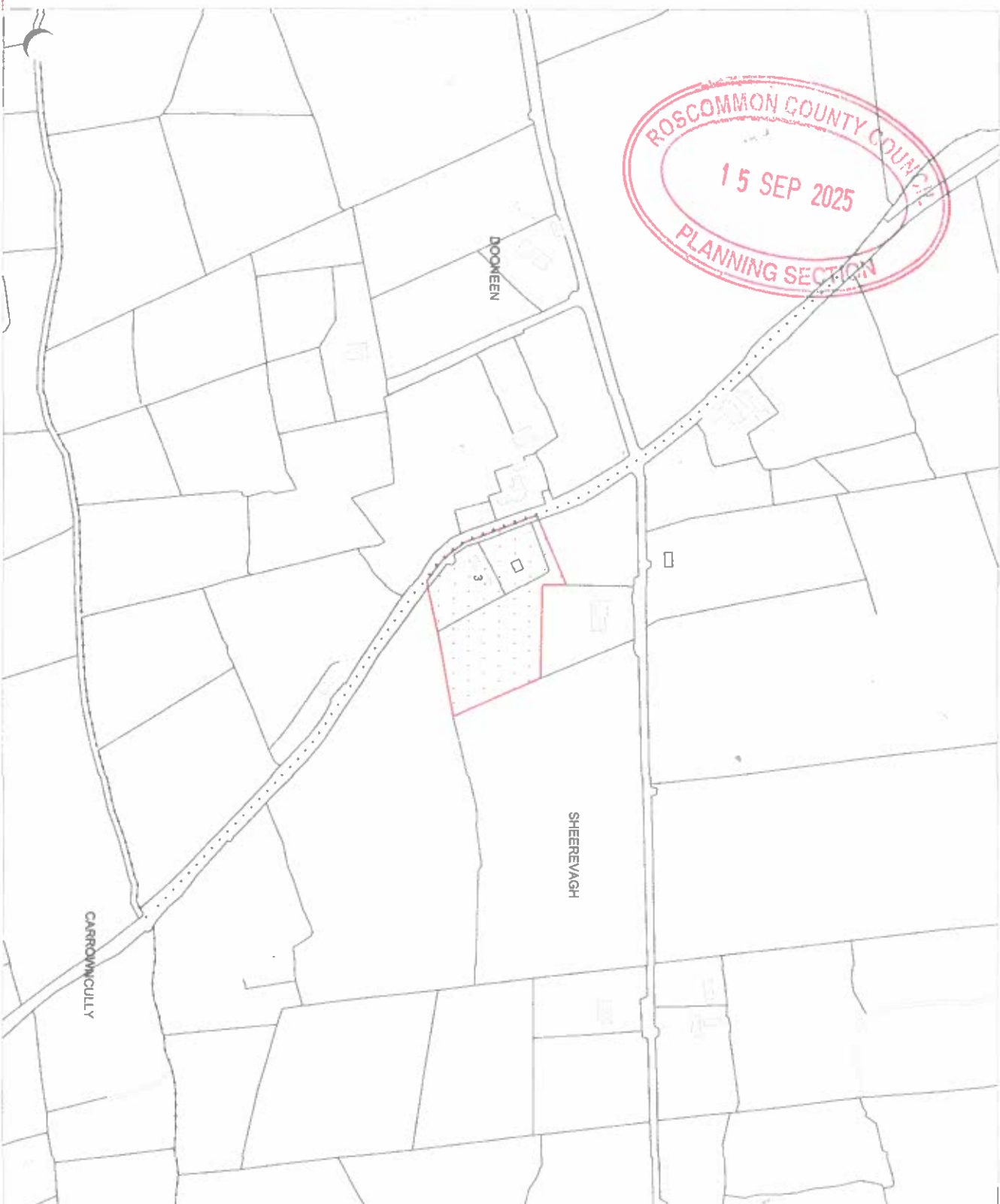
Soak Pit

A full list of burdens and their symbology can be found at: www.landdirect.ie

Tailte Éireann Registration operates a non-conclusive boundary system.

The TĒ Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TĒ Registration map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

1:2500 Scale

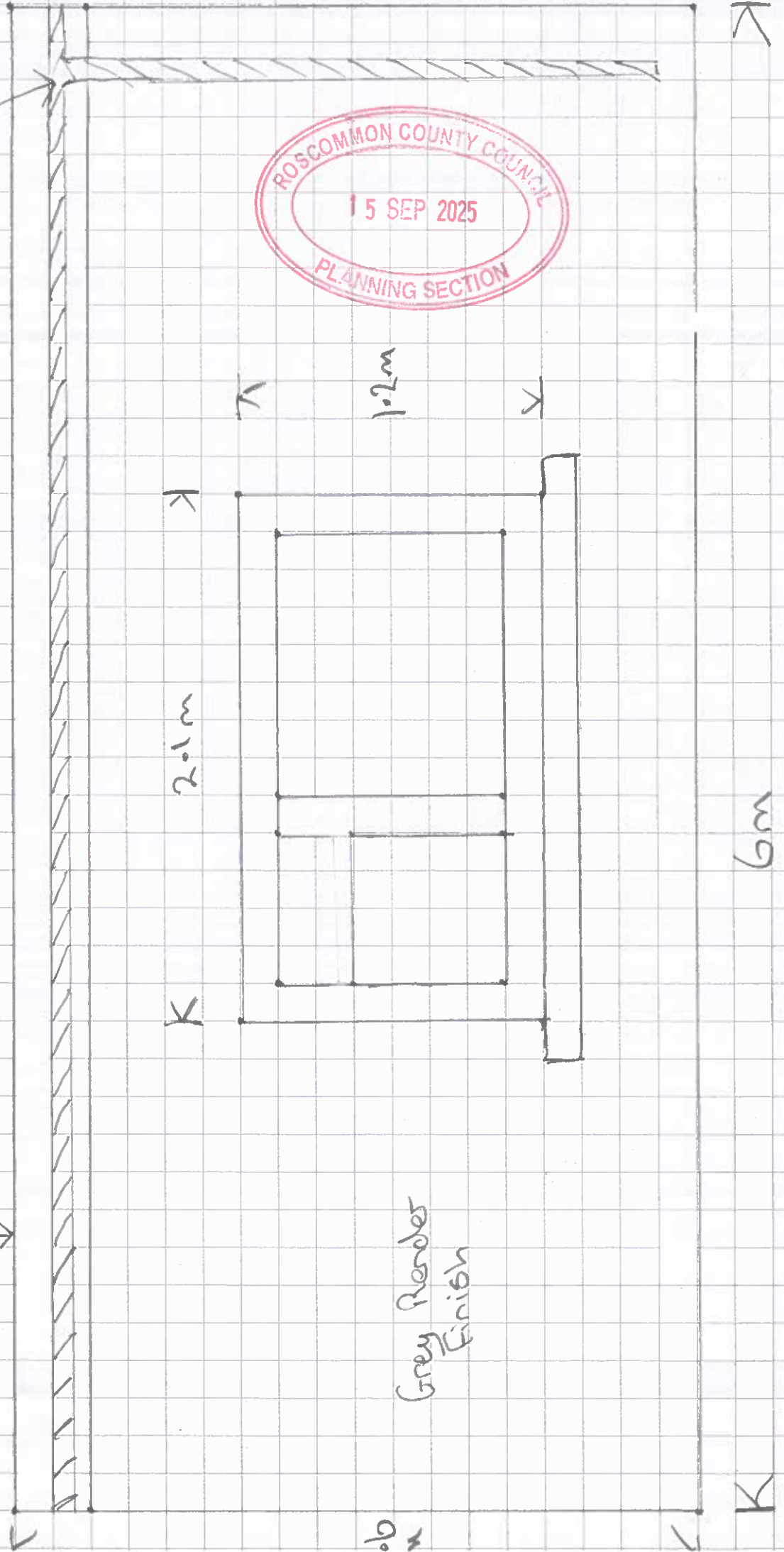


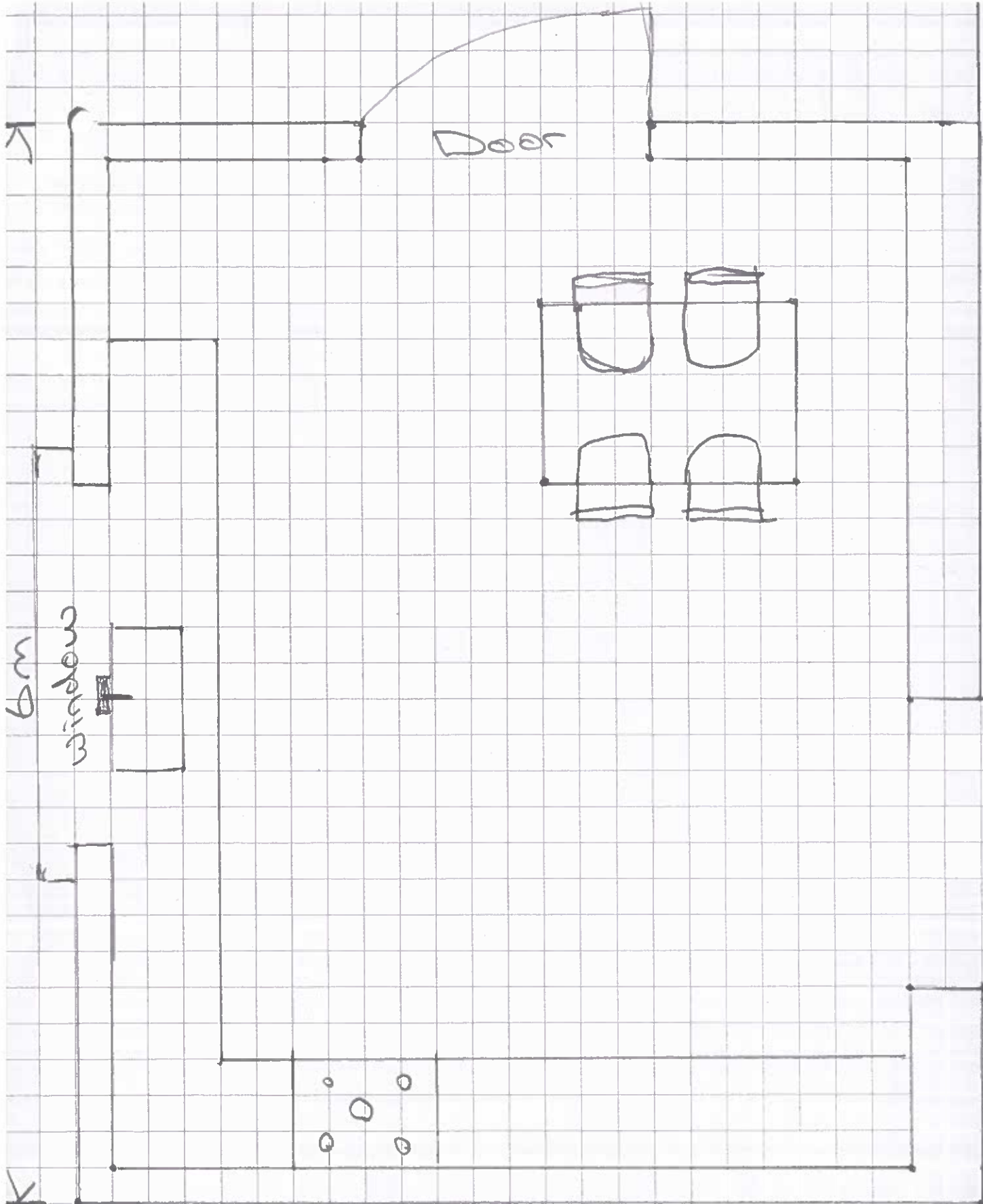
End View

Timber roof finished
with torch-on felt

Guttering and
down pipe

Grey Render
Finish





Existing House

Plan

5m



Elevation

Timber roof finished with torch-on felt

Existing House

7m

2.1m

K

K

K

1.8m

K

K

K



Gutter

2.6m

K

K

5m

K

Gray
Render
Finish



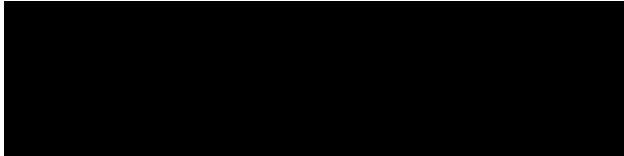


**Tailte
Éireann**

Clárúchán, Luacháil,
Suirbhéireacht
Registration, Valuation,
Surveying

Tailte Éireann Special Registration Map

Catriona Cox



This page forms part of the official document. Do not detach.

Application Number: [REDACTED]

Your Reference: Sheerevagh

Special Registration Maps can be ordered and printed at a selection of standard metric scales up to and including 1/500 scale.

Properties on this extract of the Tailte Éireann Registration map that are not highlighted in colour appear to form part of unregistered land.

Hard copy ITM maps which have been enlarged from the original Tailte Éireann Surveying published scale for the area cannot be expected to give a higher degree of accuracy than that of the original scale.

1/5,000 and 1/10,000 scale maps may not be acceptable for registration purposes in hard copy form unless the new property is entirely bounded by Tailte Éireann Surveying detail.

An officer duly authorised by Tailte Éireann



581430 mE, 792570 mN



**Tailte
Éireann**

Clárachán Luachail,
Súilphéireacht
Registration, Valuation,
Surveying

Official Tailte Éireann Registration Map
This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- Subleasehold
- 'S' Register

(see Section 8(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

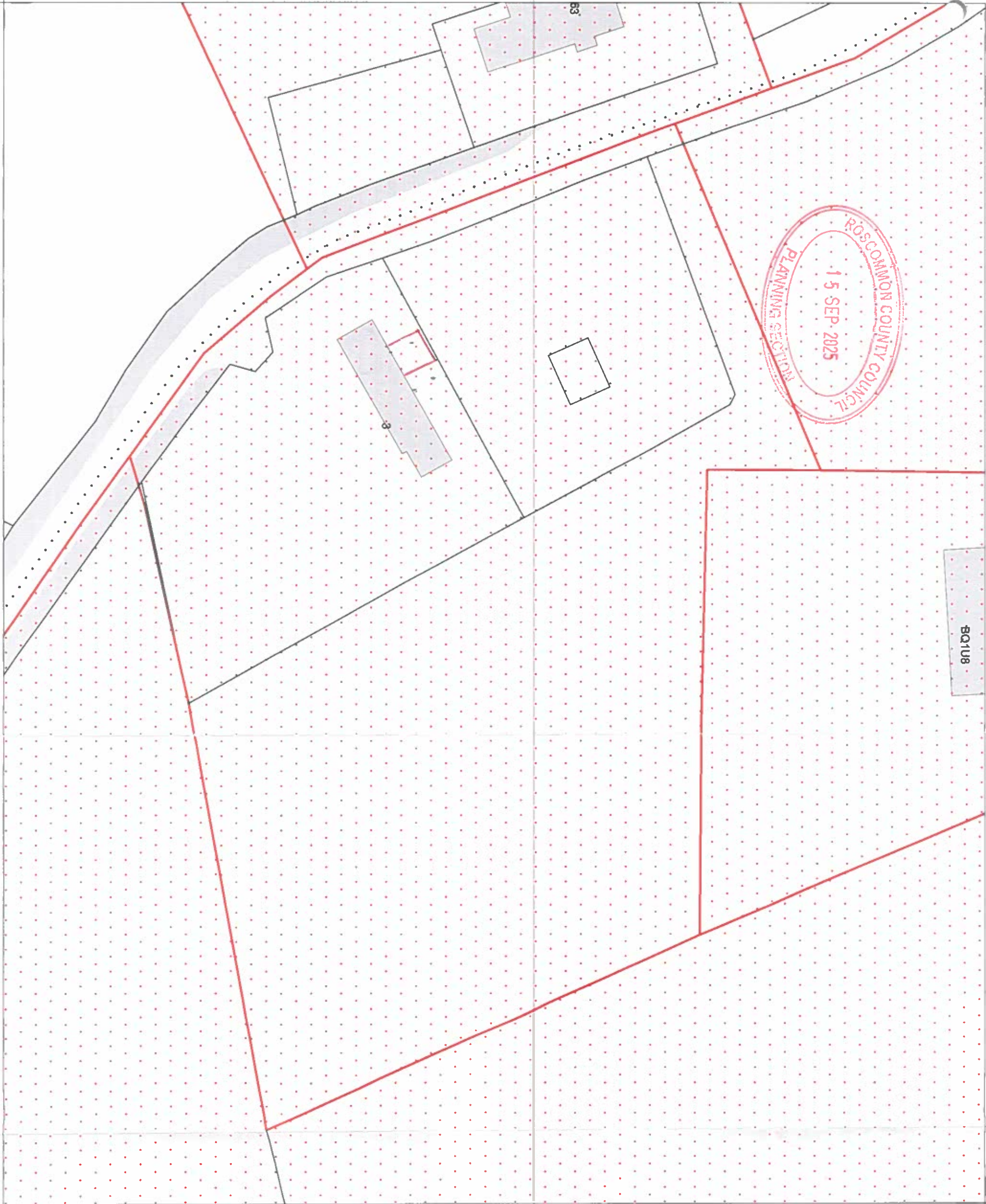
Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit

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1:500



581270 mE, 792440 mN

11 September 2025
Creation Date: 09:11:27

Application Number: S2025LR012420D



