

**ROSCOMMON COUNTY COUNCIL**

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

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

**NOTIFICATION OF DECISION**

**REGISTERED POST**

Seamus Croghan,

Reference Number: DED 884  
Application Received: 29<sup>th</sup> April, 2025  
Name of Applicant: Seamus Croghan  
Agent: James Lohan Consulting Engineers Ltd

**WHEREAS** a question has arisen as to whether the refurbishment of a derelict house with works including; 1)strip out walls, floors and ceilings; 2)install new ceiling joists and internal stud works, plasterwork & skim; 3)second fix carpentry and paint and decorate internally; 4)upgrade plumbing/heating system; 5)upgrade electrical systems; 6)install new floors & 7)clean up roof at Ballinafad, Strokestown, Co. Roscommon, F45 V504, 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 are development.
- (b) The proposed refurbishment of the existing dwelling as above fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:  
*development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*
- (c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

**NOW THEREFORE:**

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development to refurbish a derelict house with works including; 1)strip out walls, floors and ceilings; 2)install new ceiling joists and internal stud works, plasterwork & skim; 3)second fix carpentry and paint and decorate internally; 4)upgrade plumbing/heating system; 5)upgrade electrical systems; 6)install new floors & 7)clean up roof at Ballinafad, Strokestown, Co. Roscommon, F45 V504, 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:



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Alan O'Connell,  
A/Senior Planner,  
Planning.

Date: 30<sup>th</sup> June, 2025

cc agent via email: James Lohan Consulting Engineers Ltd  
[james@jlce.ie](mailto:james@jlce.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 Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.



## Carmel Curley

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**From:** Carmel Curley  
**Sent:** Tuesday 1 July 2025 09:52  
**To:** [REDACTED]  
**Cc:** James Lohan; Camila Zen  
**Subject:** DED884 - Notification of Decision  
**Attachments:** DED 884 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for DED Application 884.

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](mailto:planning@roscommoncoco.ie) | 🌐 [www.roscommoncoco.ie](http://www.roscommoncoco.ie)

MAP LOCATION





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

<b>Reference Number:</b>	DED 884
<b>Re:</b>	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the refurbishment of a derelict house with works including; 1) strip out walls, floors and ceilings; 2) install new ceiling joists and internal stud works, plasterwork & skim; 3) second fix carpentry and paint and decorate internally; 4) upgrade plumbing/heating system; 5) upgrade electrical systems; 6)install new floors & 7) clean up roof
<b>Name of Applicant:</b>	Seamus Croghan
<b>Location of Development:</b>	Ballinafad, Strokestown, Co. Roscommon
<b>Site Visit:</b>	26/06/2025

**WHEREAS a question has arisen as to whether the following works;** for the refurbishment of a derelict house with works including; 1) strip out walls, floors and ceilings; 2) install new ceiling joists and internal stud works, plasterwork & skim; 3) second fix carpentry and paint and decorate internally; 4) upgrade plumbing/heating system; 5) upgrade electrical systems; 6)install new floors & 7) clean up roof **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 property is a single story dwelling house with a pitched roof porch. There is a garden area to the front and the rear of the property in Ballinafad, Strokestown, Co. Roscommon. The property is accessed off the L-6097 road. The proposed development consists of the refurbishment of the existing dwelling.

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 sites to the site of the proposed development are Derrycanan Bog NHA (Site Code 000605) which is located circa 3.5km to the south and Ardakillin Lough PNHA (Site Code 001617) which is located circa 4.8km to the west of 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, 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 refurbishment of the existing dwelling with works including the replacement of floors, walls and ceilings, upgrading of plumbing and electrical systems as well as various other internal works. These works have been 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;** for the refurbishment of a derelict house with works including; 1) strip out walls, floors and ceilings; 2) install new ceiling joists and internal stud works, plasterwork & skim; 3) second fix carpentry and paint and decorate internally; 4) upgrade plumbing/heating system; 5) upgrade electrical systems; 6) install new floors & 7) clean up roof in Ballinafad, Strokestown, 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 refurbishment of the existing dwelling as above fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:

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

- 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 refurbishment of a derelict house with works including; 1) strip out walls, floors and ceilings; 2) install new ceiling joists and internal stud works, plasterwork & skim; 3) second fix carpentry and paint and decorate internally; 4) upgrade plumbing/heating system; 5) upgrade electrical systems; 6) install new floors & 7) clean up roof in Ballinafad, Strokestown, Co. Roscommon, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 

Date: 30<sup>th</sup> June 2025

Civil Technician

Signed: 

Date: 30<sup>th</sup> June 2025

A/Senior Planner





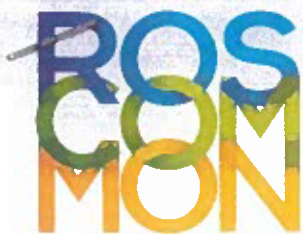








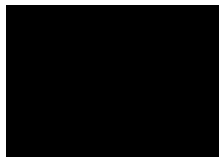




Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Seamus Croghan,



Date: 1<sup>st</sup> May, 2025  
Planning Reference: DED 884

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

Development: Permission for the refurbishment of a derelict house with works including; 1) strip out walls, floors and ceilings; 2) install new ceiling joists and internal stud works, plasterwork & skim; 3) second fix carpentry and paint and decorate internally; 4) upgrade plumbing/heating system; 5) upgrade electrical systems; 6) install new floors & 7) clean up roof under the Planning & Development Act (Exempted Development) regulations 2018 at Ballinafad, Strokestown, Co. Roscommon, F45 V504.


\*\*\*\*\*

A Chara,

I wish to acknowledge receipt of the application which was received on the 29<sup>th</sup> April, 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. L/01/0/234441 dated 30<sup>th</sup> April, 2025, receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 884**  
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](mailto:james@jlce.ie)



Roscommon County Council  
Aras an Chontae  
Roscommon  
09068 37100

30/04/2025 14:54:59

Receipt No . L01/0/234441

SEAMUS CROGHAN  
C/O JAMES LOHAN CONSULTING ENGINEER LTD  
BALLYPHEASON HOUSE  
CIRCULAR RD  
ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED884	

Total	80.00 EUR
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Tendered :	
Cheque	80 00
500401	

Change	0 00
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Issued By : Louis Carroll  
From : Central Cash Office





Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Áras an Chontae,  
Roscommon,  
Co. Roscommon.

Phone: (090) 6637100

Email: [planning@roscommoncoco.ie](mailto:planning@roscommoncoco.ie)

## **Roscommon County Council**

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

Name of Applicant(s)	Seamus Croghan
Name of Agent	James Lohan Consulting Engineers Ltd, Unit 6, Ballypheason House, Circular Road, Roscommon, F42 T384
Nature of Proposed Works	Refurbish derelict house in accordance with the Planning and Development Act (Exempt Development) Regulations 2018, as per the Vacant Property Refurbishment Grant Croí Cónaithe Towns Fund
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Ballinafad, Strokestown, Co. Roscommon, F42V504  O.S No. 2290 XY: 592843, 776350 Townland Ballinafad
Floor Area:  Existing Structure	  <u>98sqm</u>
Height above ground level:	Floor level- between 300mm – 350mm above ground level (Ridge height existing 4704mm above ground level)
Total area of private open space remaining after completion of this development	0.311 Hectares
Roofing Material (Slates, Tiles, other) (Specify)	Existing Slates to Roof



## Roscommon County Council

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

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Nap Plaster to match existing
Is proposed works located at front/rear/side of existing house.	N/A
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	Refurbish House
Distance of proposed building line from edge of roadway	Existing 11.24m from edge of existing road
Does the proposed development involve the provision of a piped water supply	Existing water mains
Does the proposed development involve the provision of sanitary facilities	Existing Septic Tank and Percolation area

Signature:

Carlo J.

Date:

23/04/2025

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 Dept,  
Roscommon Co.Co.  
Aras An Chontae,  
Roscommon.

**Detailed Specification of the Development Proposed**

**Ref: Seamus Croghan for Property at Ballinafad, Strokestown, Co. Roscommon, F42 V504**

The property is being stripped back to its original walls and will be renovated and put back into use as it was originally a three-bed dwelling house. The works involved are as follows:

1. Strip out walls, floors, and ceilings.
2. Install new ceiling joists and internal stud work, plasterboard, and skim.
3. Second fix carpentry and paint and decorate internally.
4. Upgrade plumbing/heating system.
5. Upgrade electrical systems.
6. Install new floors.
7. Clean up roof.

Kind Regards,



Camila Zen

**James Lohan Consulting Engineer Ltd,  
Unit 6, Ballypheason House, Circular Road  
Roscommon F42 T384**



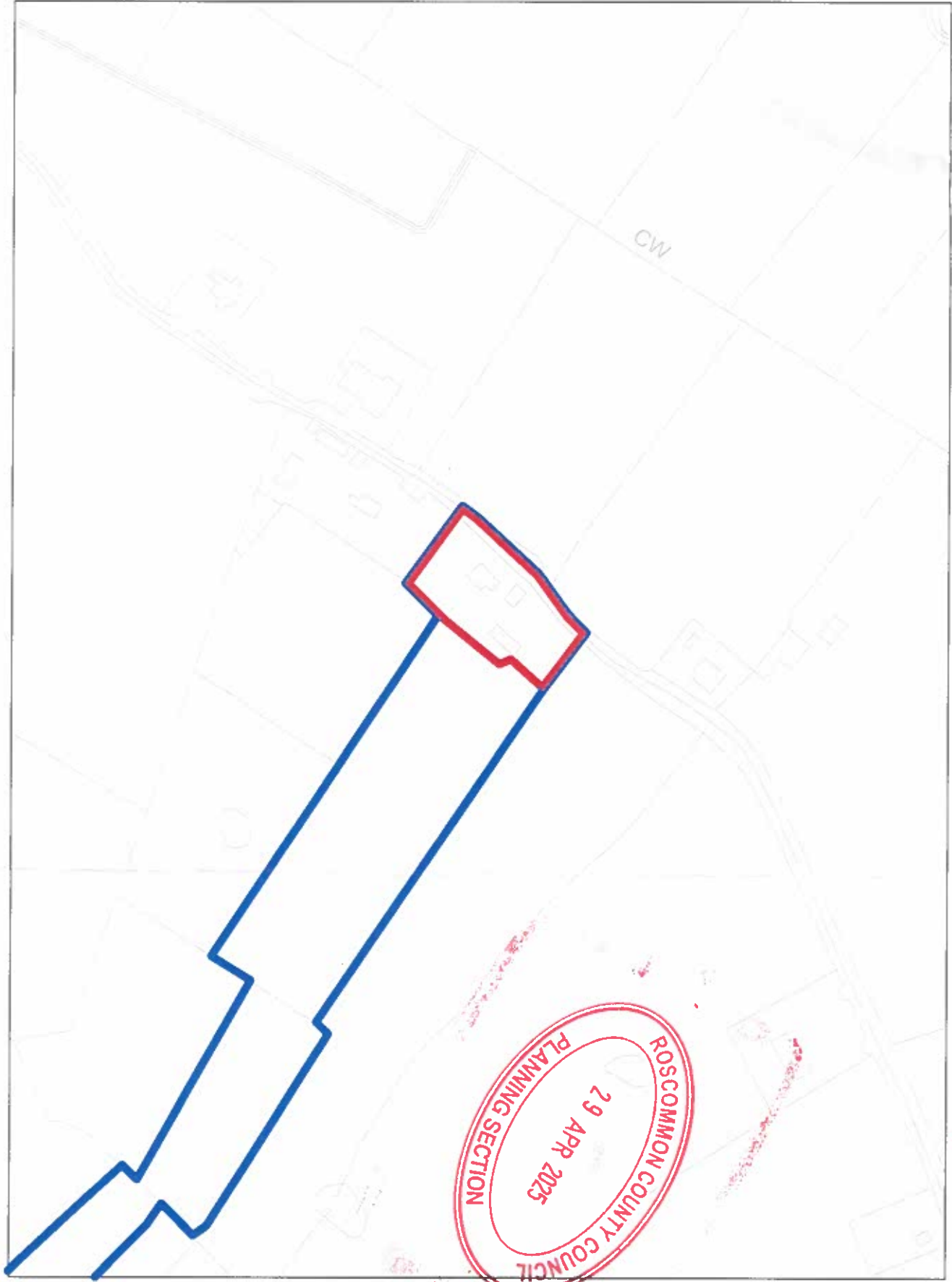


192627, 276534

193212, 276543

192627, 276115

193212, 276115



ADDRESS:  
Ballinafad,  
Stokestown,  
Co. Roscommon,  
F42 V504

- LEGEND
- SITE BOUNDARY OUTLINED IN RED  
(0.311 HECTARES)
  - LAND HOLDINGS OUTLINED IN  
BLUE

OS MAP : 2290

©NATIONAL MAPPING DIVISION OF IAILÉ ÉIREANN  
CYAL50358888  
COPYRIGHT LICENCE

1 Site Location Plan  
1 : 2500

DO NOT SCALE FROM THIS DRAWING, WORK ONLY FROM FIGURED DIMENSIONS.  
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT  
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS  
STATUS KEY: SK SKETCH DESIGN PA PRELIMINARY FOR TENDER PC FOR CONSTRUCTION SS SUPERSEDED

**EXEMPT  
DEVELOPMENT**

NO.	DATE	REVISION
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<b>James Lohan</b> Planning & Design Consulting Engineers				Unit 5, Roscommon House, Roscommon F42C82 Tel: (086) 654355 Email: jloh@jloh.ie			
Client: <b>James Lohan</b>				Job: <b>Exempt Development</b>			
Status: <b>Completed</b>				Date: <b>22/04/2025</b>			
Site: <b>Ballinafad, Stokestown, Co. Roscommon, F42 V504</b>				Scale: <b>As Indicated @ A3</b>			
Site Location Plan				Checked by: <b>CLH</b>			



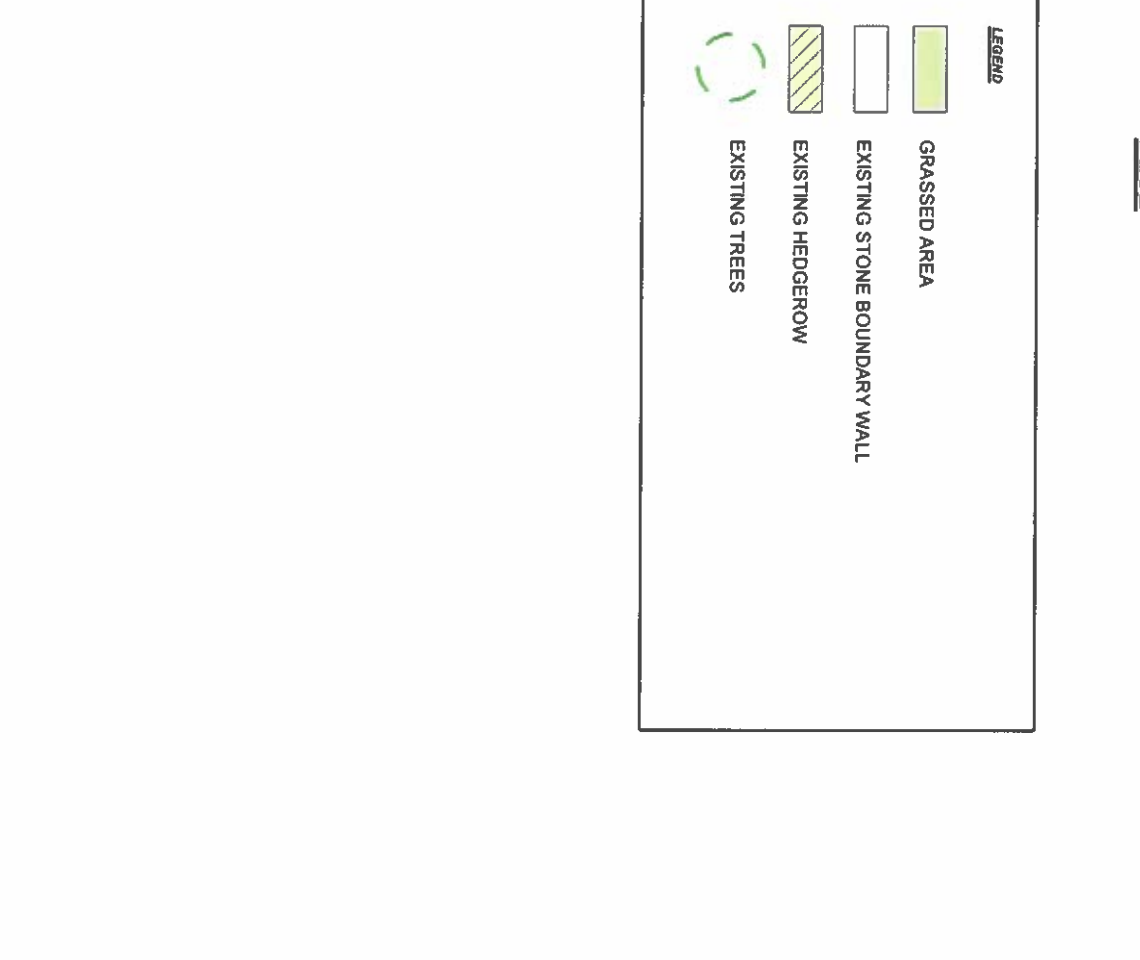
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1001



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Planm

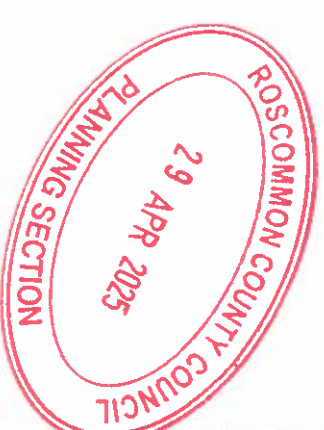
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STATUS KEY: SX

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[illegible]

	<b>James Lohan</b>	2071 Lehigh Valley 35 Westing Scraps	1011 S. Mountain House, Scraper Basement F42-862	E-mail: jlohan@scrap.com Tel: (209) 663-4565 Date: 2/24/2005
<b>CLIENT</b>	Ernst & Young	Ernst & Young Development	108 N O	25-008
<b>SITE</b>	Ballfield, Strabosheim, Co, Roscommon, F42 YS04	D R A I N I N G Site Layout Plan	000 N O	R E V
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			A S	0.5"=1'-0"
			BY	0.5"=1'-0"
			DATE	0.5"=1'-0"



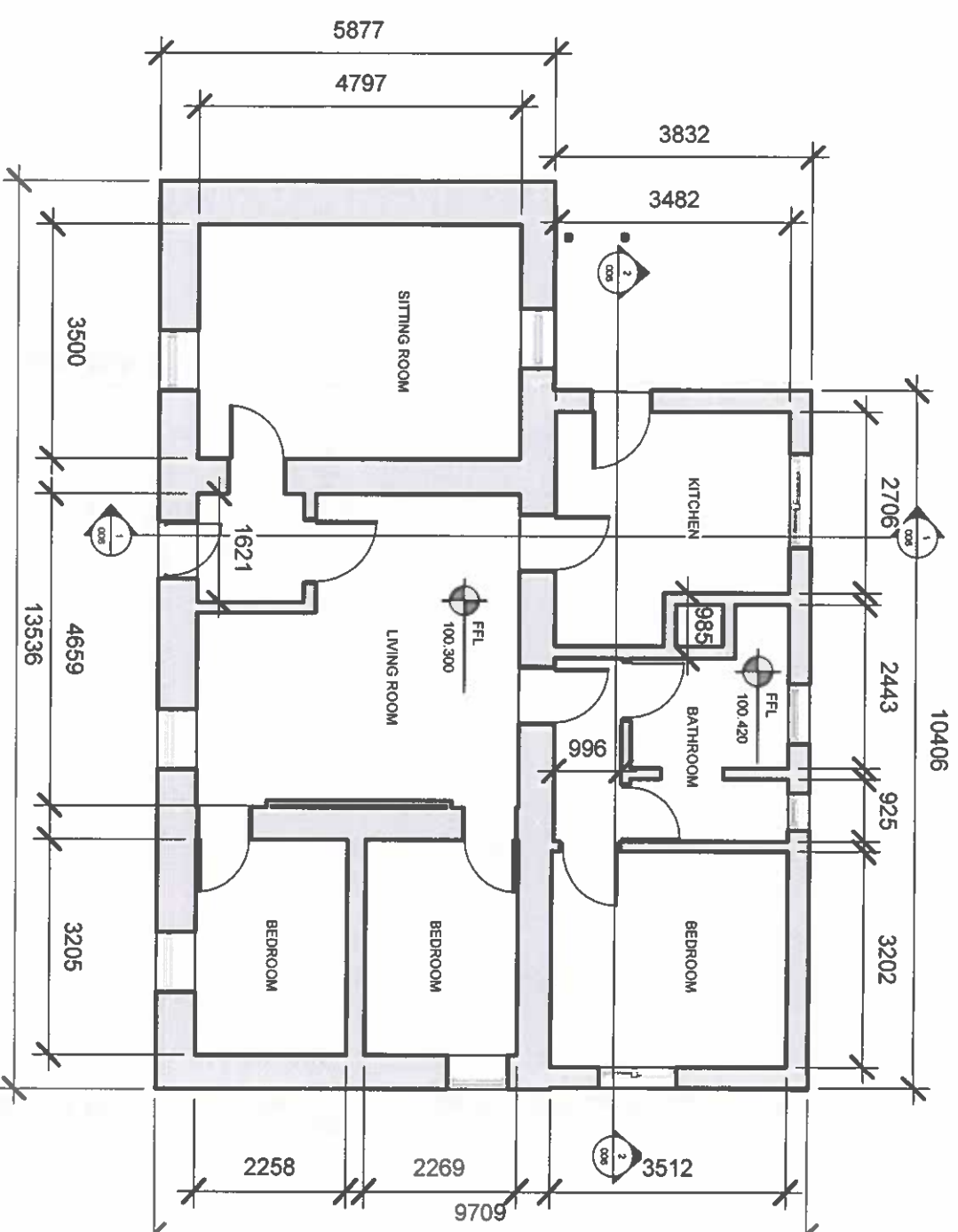


# AREASCHEDULE

EXISTING AREA : 98m<sup>2</sup>

## LEGEND

ORIGINAL WALLS OF EXISTING HOUSE



1 01-Ground Floor Plan  
1 : 100

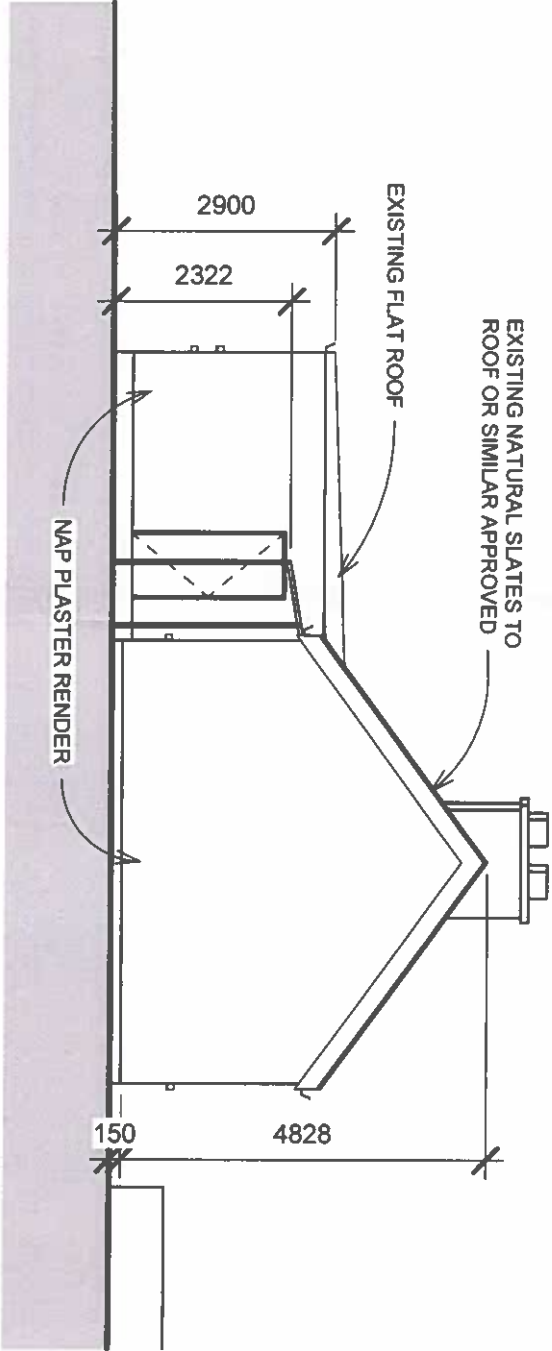
**EXEMPT  
DEVELOPMENT**



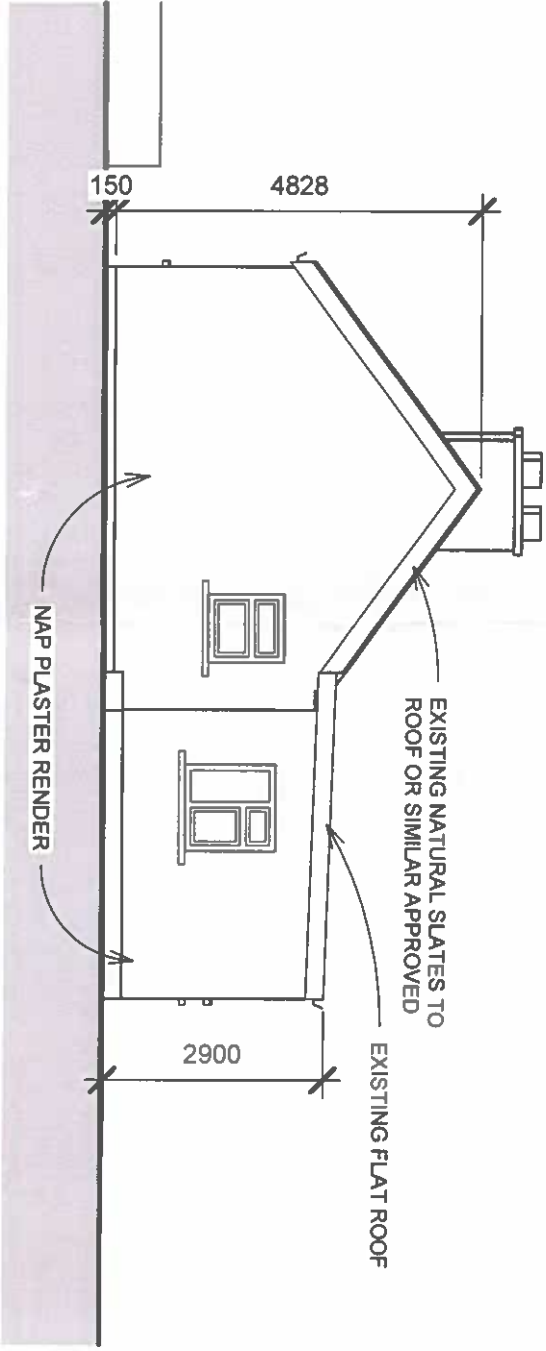




\*NO CHANGES TO EXISTING ELEVATIONS



1 Side Elevation (E)  
1 : 100

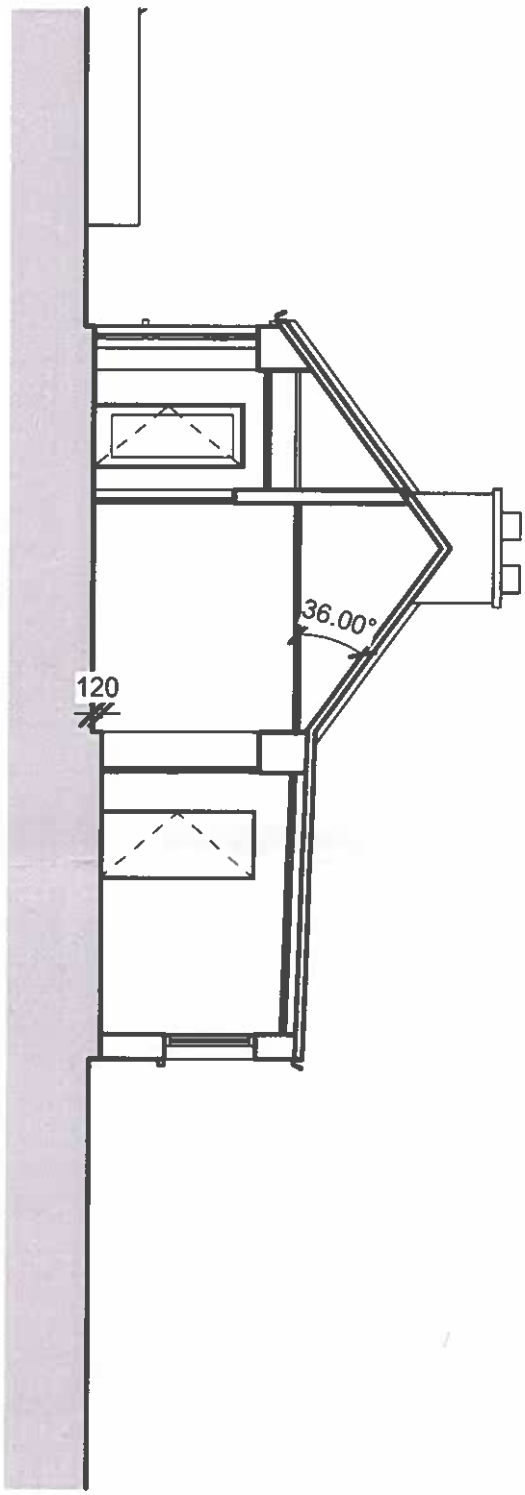


2 Side Elevation (W)  
1 : 100

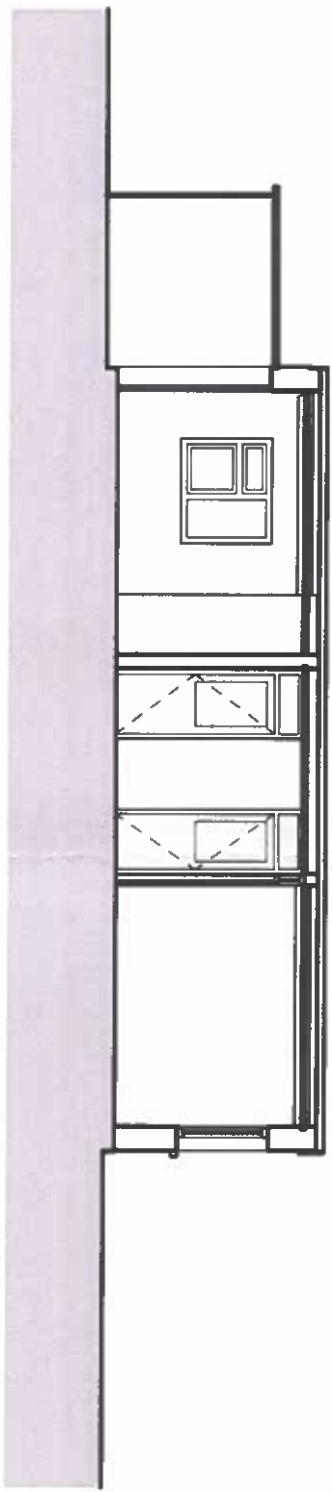
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6	10/10/2024	SL	SL
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8	10/10/2024	SL	SL
9	10/10/2024	SL	SL
10	10/10/2024	SL	SL

<b>James Lohan</b> Planning & Design Consulting Engineers 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 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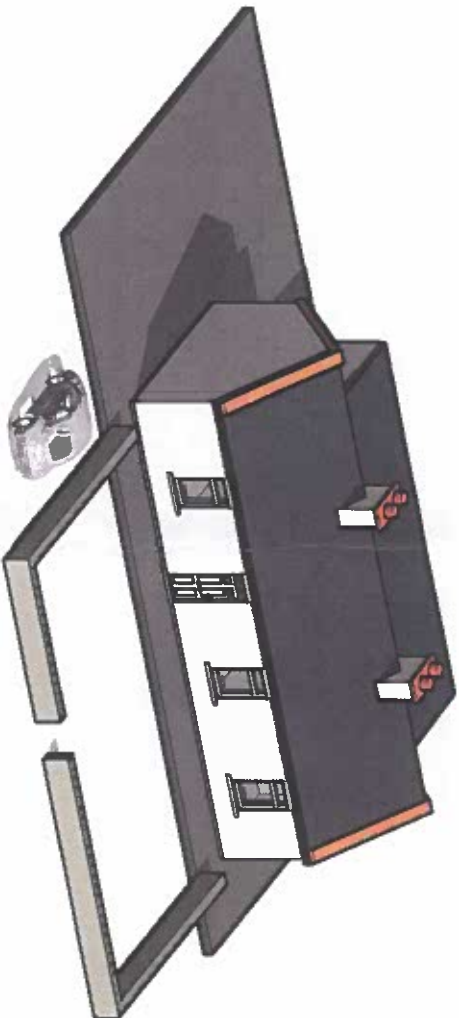
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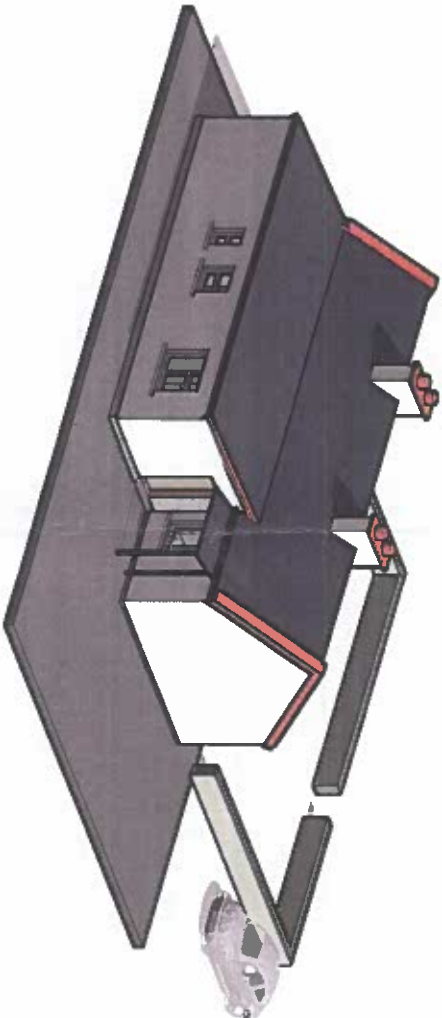
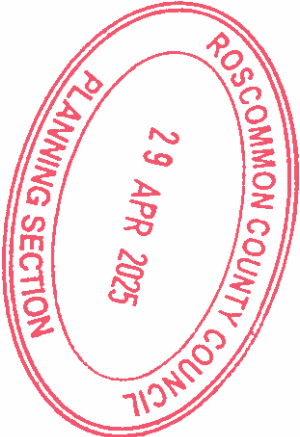
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1 Front Perspective - Proposed



2 Rear Perspective - Proposed

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82	1/1/20	1/1/20
83	1/1/20	1/1/20
84	1/1/20	1/1/20
85	1/1/20	1/1/20
86	1/1/20	1/1/20
87	1/1/20	1/1/20
88	1/1/20	1/1/20
89	1/1/20	1/1/20
90	1/1/20	1/1/20
91	1/1/20	1/1/20
92	1/1/20	1/1/20
93	1/1/20	1/1/20
94	1/1/20	1/1/20
95	1/1/20	1/1/20
96	1/1/20	1/1/20
97	1/1/20	1/1/20
98	1/1/20	1/1/20
99	1/1/20	1/1/20
100	1/1/20	1/1/20