

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

David Beirne,

Reference Number: DED 887

Application Received: 6th May, 2025

Name of Applicant: David Beirne

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, plasterworks & skim; 3)install new windows & doors; 4)re-slate the house; 5)second fix carpentry and paint and decorate internally; 6)upgrade plumbing/heating systems; 7)upgrade electrical system & 8)install new floors at The Plains, Carrowmore, Boyle, Co. Roscommon., F52 X489, 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.
- (d) The planning history of the site.


AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed refurbishment of a derelict house with works including 1) strip out walls, floors and ceilings; 2) install new ceiling joists and stud works, plasterwork and skim; 3) install new windows and doors; 4) re-slate the house 5) second fix carpentry and paint and decorate internally 6) upgrade plumbing/heating system 7) upgrade electrical systems & 8) install new floors 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, plasterworks & skim; 3)install new windows & doors; 4)re-slate the house; 5)second fix carpentry and paint and decorate internally; 6)upgrade plumbing/heating systems; 7)upgrade electrical system & 8)install new floors at The Plains, Carrowmore, Boyle, Co. Roscommon., F52 X489, 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:



Brian Farragher,
Senior Executive Planner,
Planning.

Date: 10th July, 2025

cc agent via email: James Lohan Consulting Engineers Ltd
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

From: Carmel Curley
Sent: Thursday 10 July 2025 15:44
To: [REDACTED]
Cc: James Lohan; Camila Zen
Subject: DED 887 - Notification of Decision
Attachments: DED887 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for your Section 5 Declaration of Exempted Development Application No: 887.

Mise le meas,

Carmel

Carmel Curley, Staff Officer,
Planning Department, Roscommon County Council,
Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98
☎: (090) 6637100

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

MAP LOCATION



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

Reference Number:	DED 887
Re:	Permission for the refurbishment of a derelict house with works including 1) strip out walls, floors and ceilings; 2) install new ceiling joists and stud works, plasterwork and skim; 3) install new windows and doors; 4) re-slate the house 5) second fix carpentry and paint and decorate internally 6) upgrade plumbing/heating system 7) upgrade electrical systems & 8) install new floors under the Planning & Development Act (Exempt Development) Regulations 2018
Name of Applicant:	David Beirne
Location of Development:	The Plains, Carrowmore, Boyle County Roscommon, F52X489
Site Visit:	24 th June 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 stud works, plasterwork and skim; 3) install new windows and doors; 4) re-slate the house 5) second fix carpentry and paint and decorate internally 6) upgrade plumbing/heating system 7) upgrade electrical systems & 8) install new floors **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) 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 south facing bungalow dwelling with an extension to the rear. The subject site is accessed off the L-5060 Local Secondary Road and is situated circa 4.5km from the town of Boyle. The proposed development consists of the refurbishment of a derelict house with works including 1) strip out walls, floors and ceilings; 2) install new ceiling joists and stud works, plasterwork and skim; 3) install new windows and doors; 4) re-slate the house 5) second fix carpentry and paint and decorate internally 6) upgrade plumbing/heating system 7) upgrade electrical systems & 8) install new floors.

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 Arrow SPA (Site Code 004050) and Lough Arrow SAC (Site Code 001673) which are both located c. 10.1km from the subject site. Other Designations include Fin Lough (Roscommon) (Site Code 001636) which is located circa 3.2km from the subject site.

Planning History

DED 706

Development Description: Construct Manure Pit and associated site works

Applicant: James Beirne

Decision: Exempted

PD/18/386

Development Description: The development will consist of the construction of a three-bay slatted shed to contain one no. cattle crush, a feed passage and straw bedded lying areas, together with all associated site work.

Applicant: Thomas Beirne

Decision: Granted subject to conditions

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,

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:

- Strip out walls, floors and ceilings.
- Install new ceiling joists and internal studwork, plasterboard and skim.
- Install new windows and doors.
- Re-roof the house.
- Second fix carpentry and paint and decorate internally.
- Upgrade plumbing and heating system.
- Upgrade electrical systems.
- Install new floors.

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 neighbouring structures. The stated works fall under the provisions of Section 4 (1)(h) of the Planning and Development Act 2000 (as amended).

The proposed development included replacement of existing concrete tiles with slates. In view of the context in which the said works are proposed, they are not considered to materially affect the external appearance of the structure (Section 4(1)(h) of the Planning and Development Act refers).

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for the refurbishment of a derelict house with works including 1) strip out walls, floors and ceilings; 2) install new ceiling joists and stud works, plasterwork and skim; 3) install new windows and doors; 4) re-slate the house 5) second fix carpentry and paint and decorate internally 6) upgrade plumbing/heating system 7) upgrade electrical systems & 8) install new floors as outlined above at The Plains, Carrowmore, Boyle, Co. Roscommon, F52 X459, 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) 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 a derelict house with works including 1) strip out walls, floors and ceilings; 2) install new ceiling joists and stud works, plasterwork and skim; 3) install new windows and doors; 4) re-slate the house 5) second fix carpentry and paint and decorate internally 6) upgrade plumbing/heating system 7) upgrade electrical systems & 8) install new floors 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 as outlined above at The Plains, Carrowmore, Boyle, Co. Roscommon, F52 X459, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Planner

Date: 08-07-25

Signed:



Senior Executive Planner

Date: 09-07-25











Comhairle Contae
Ros Comáin
Roscommon
County Council



David Beirne,

Date: 6th May, 2025
Planning Reference: DED 887

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) install new windows & doors; 4) re-slate the house; 5) second fix carpentry and paint and decorate internally; 6) upgrade plumbing/heating systems; 7) upgrade electrical systems & 8) install new floors under the Planning & Development Act (Exempted Development) regulations 2018 at The Plains, Carrowmore, Boyle, Co. Roscommon. F52X489.

A Chara,

I wish to acknowledge receipt of the application which was received on the 6th May, 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/01/0/234513 dated 6th May, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 887**
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
09068 37100

06/05/2025 15:16:33

Receipt No. : L01/0/234513

DAVID BEIRNE
C/O JAMES LOHAN CONSULTING ENGINEERS LTD
UNIT 8 BALLYPHEASON HSE
CIRCULAR RD, ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED887	

Total :	80.00 EUR
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Tendered :	
Cheque	80.00
500408	

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



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)	David Belrne
Name of Agent	James Lohan Consulting Engineers Ltd, Unit 6, Ballypheason house, Circular Road, Roscommon, F42 V504
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.	The Plains, Carrowmore, Boyle, Co. Roscommon, F52 X489 O.S No. 1741 & 1802 XY: 584792, 800879Townland Carrowmore
Floor Area: a) Existing Structure	a) <u>96sqm</u>
Height above ground level:	Floor level- between 300mm – 350 mm above ground level (Ridge height existing 5460mm above ground level)
Total area of private open space remaining after completion of this development	0.35 Hectares
Roofing Material (Slates, Tiles, other) (Specify)	Natural slates to roof or similar approved

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Nap Plaster 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 11.4m 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

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

Signature:

Carlo J.

Date:

28/04/2025



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: David Beirne for Property at The Plains, Carrowmore, Boyle, Co. Roscommon, F52 X489

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. Install new windows and doors.
4. Re-roof the house.
5. Second fix carpentry and paint and decorate internally.
6. Upgrade plumbing/heating system.
7. Upgrade electrical systems.
8. Install new floors.

Kind Regards



Camila Zen

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





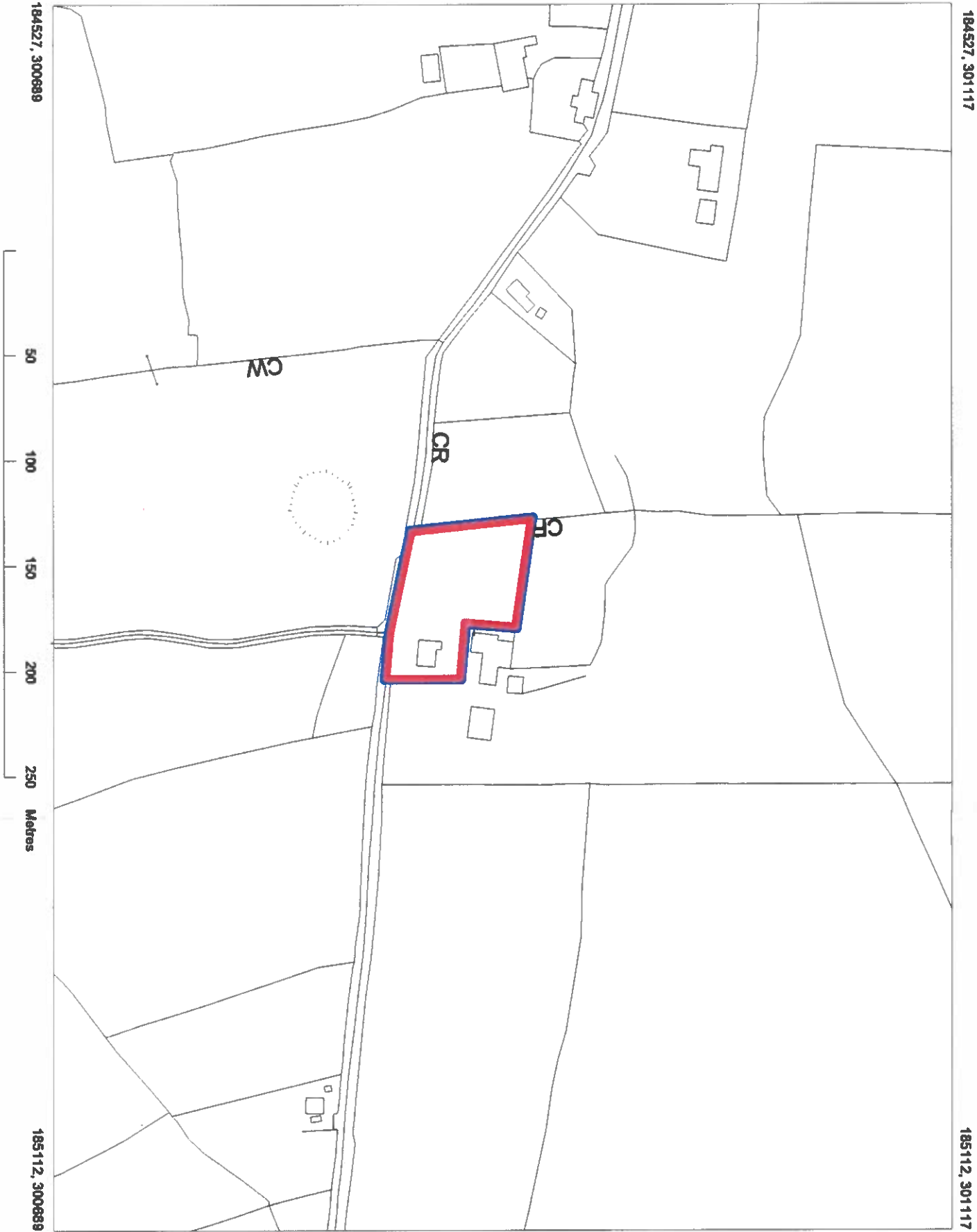
ADDRESS
The Plains,
Carrowmore,
Boyle, Co.
Roscommon,
F52 X489

LEGEND

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



OS MAPS : 1741 & 1802



1 Site Location Plan
1 : 2500

EXEMPT
DEVELOPMENT

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10	26/04/2025	DL	DL

James Lohan Civil Engineers 35 Years Experience	Unit 3, Maple House, Cinder Road, Roscommon F42C 9B2	Tel: (090) 1841455	E-mail: jlohan@jle.ie
CLIENT David Byrne	JOB Exempt Development	JOB No 25-080	DATE 26/04/2025
SITE The Plains, Carrowmore, Boyle, Co. Roscommon, F52 X489	DRAWING Site Location Plan	DRG No 001	REV DESCRIBED BY C.26

LEGEND

SITE BOUNDARY OUTLINED IN RED
(0.35 HECTARES)

LAND HOLDINGS OUTLINED IN
BLUE

LEGEND

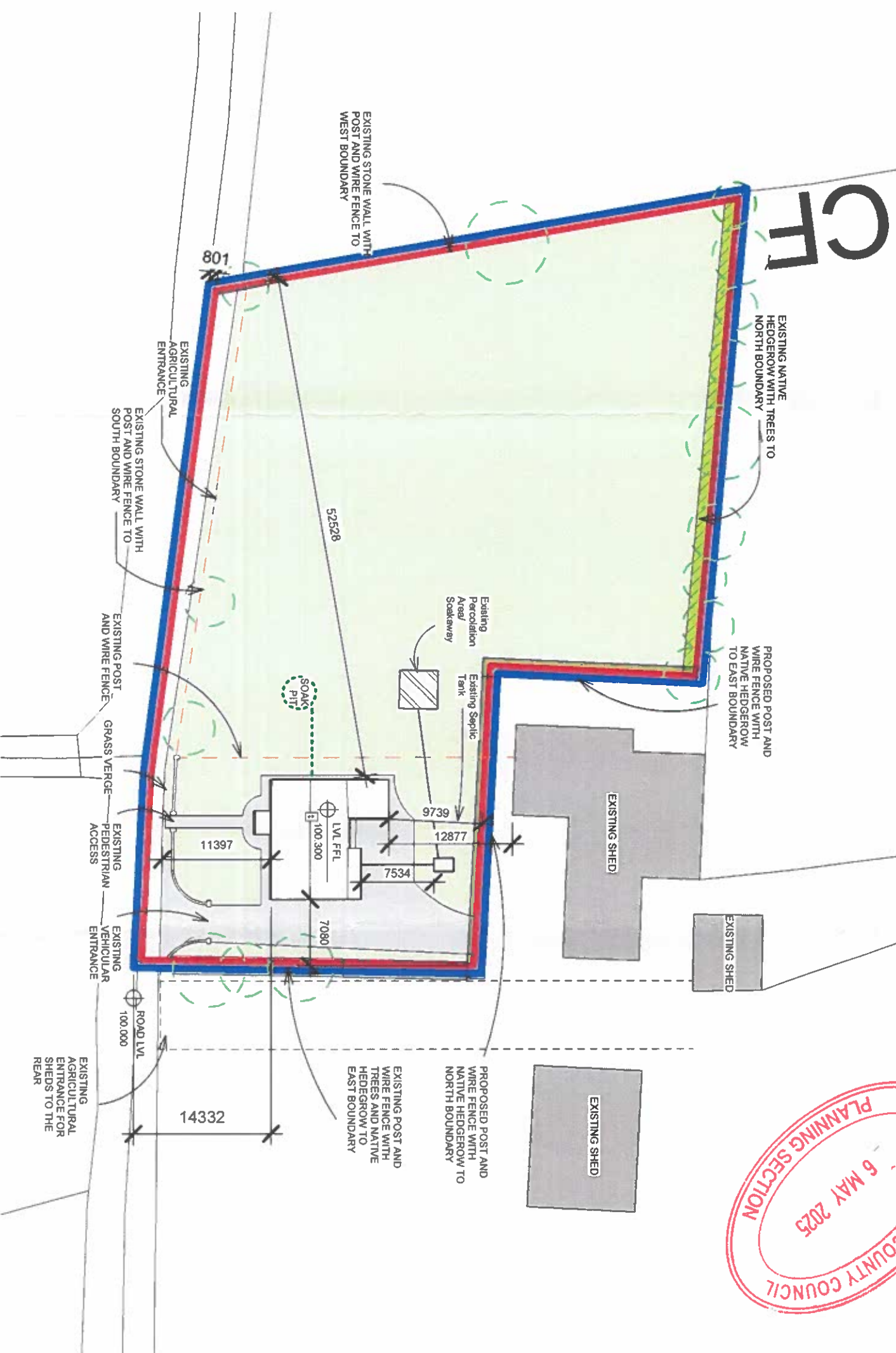
GRASSSED AREA

EXISTING NATIVE HEDGEROW

EXISTING POST AND WIRE FENCE

EXISTING TREES

PROPOSED NATIVE HEDGEROW



1 Site Layout Plan
1 : 500

A diagram of a sphere with a vertical axis labeled 'z'. Two regions in the upper hemisphere are shaded with diagonal lines, representing the area where the function is positive.

James Lohan
Planning & Design Consulting Engineers

DO NOT SCALE FROM THIS DRAWING. WORK ONLY FROM PROVIDED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE FIELD IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STANDARD AEC/ S4 SCHEDULE DESIGN PER PRELIMINARY FOR TENDER OF FOR CONSTRUCTION AS SUPERSEDED

EXEMPT
DEVELOPMENT

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AREASCHEDULE

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*NO CHANGES TO ELEVATIONS

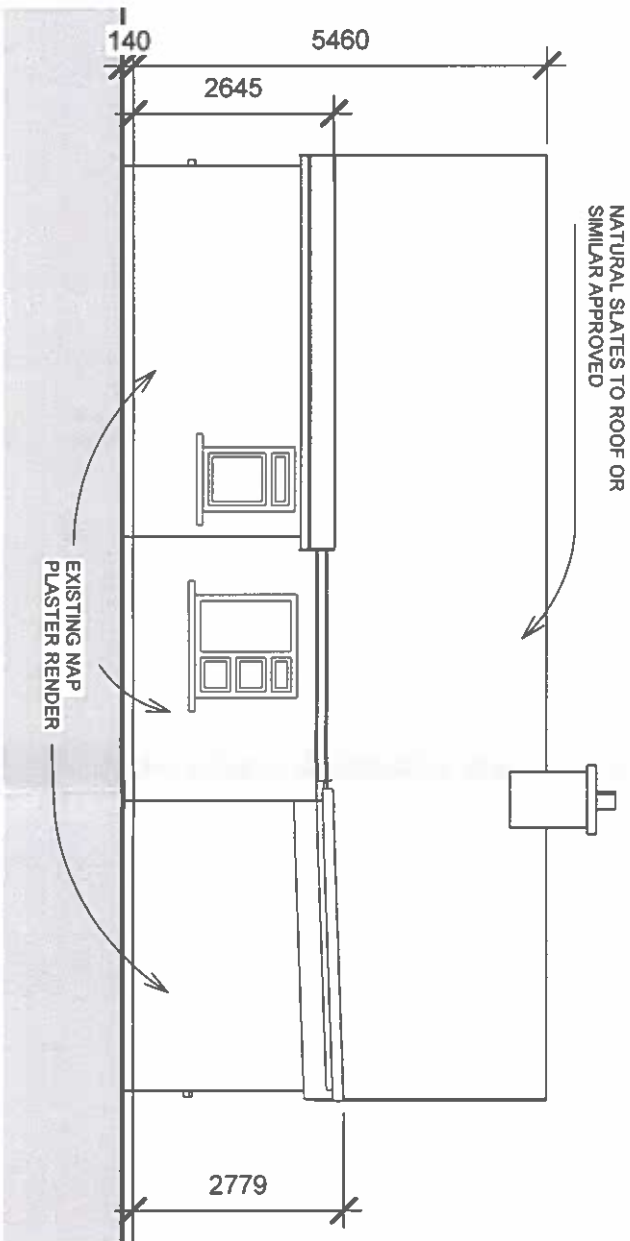
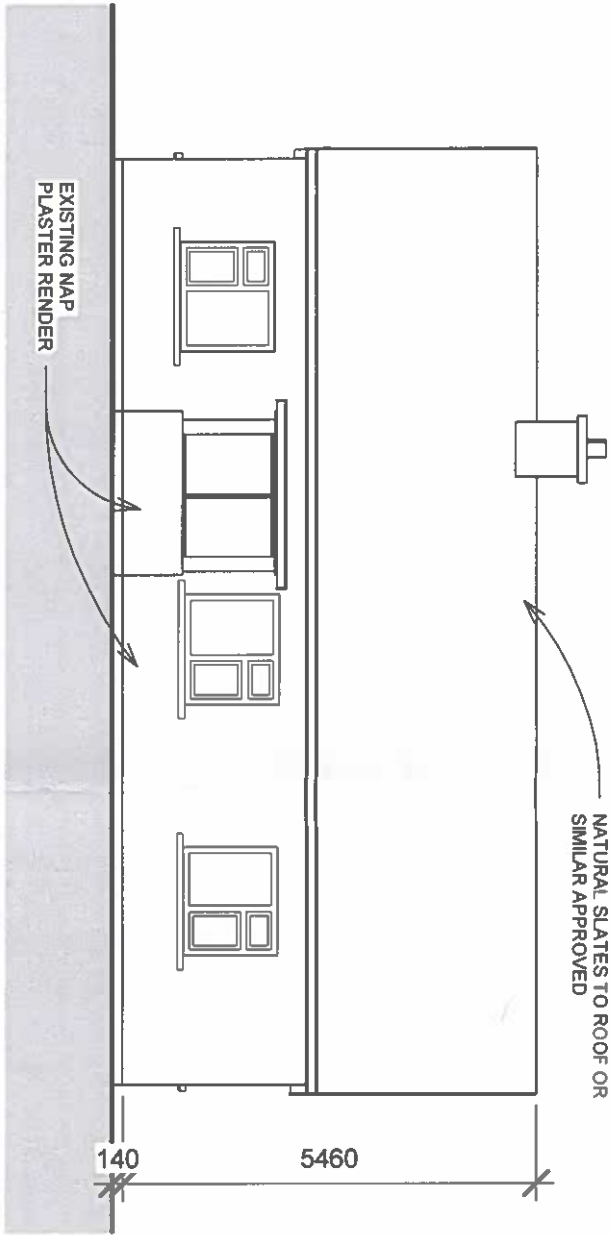


DO NOT SCALE FROM THE DRAWING WORK ONLY FROM REQUIRED DIMENSIONS.
ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANT'S DRAWINGS.
STATUS: XREF, S4 SKETCH, DOES NOT PRELIMINARY, IT FOR TENDER, FOR CONSTRUCTION, AS SUPPLEMENTED

STA	DATE	REV	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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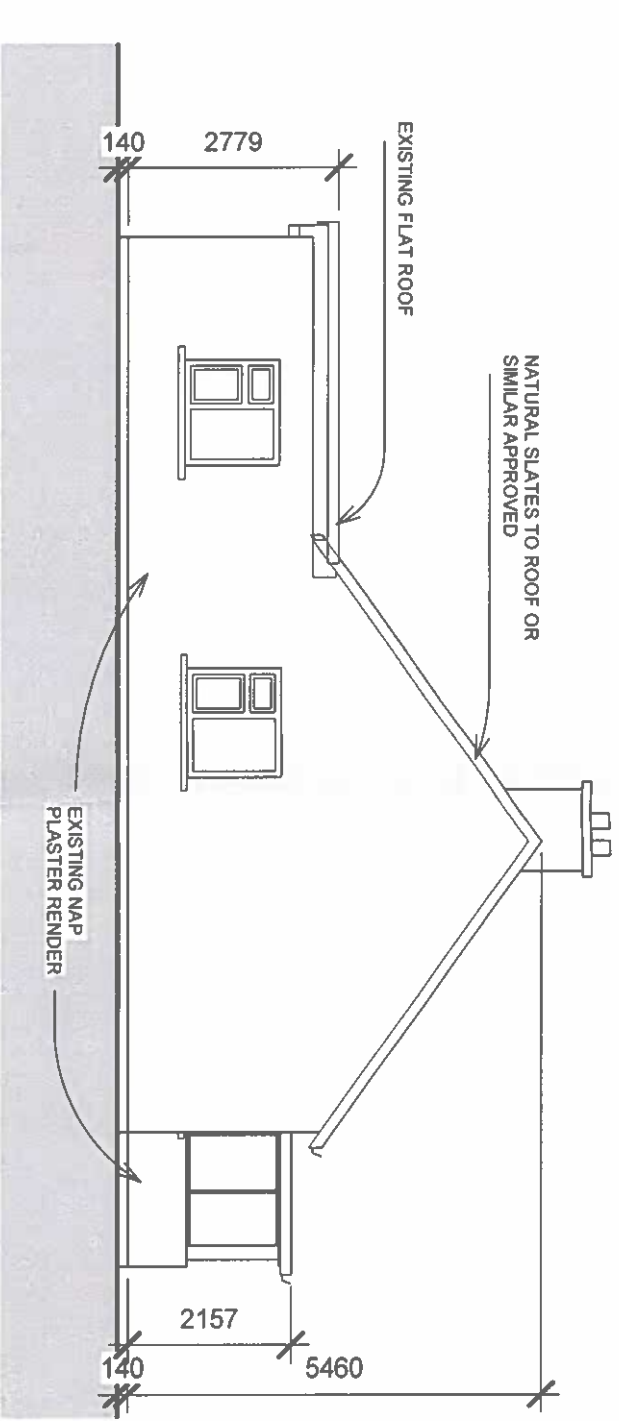
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*NO CHANGES TO ELEVATIONS

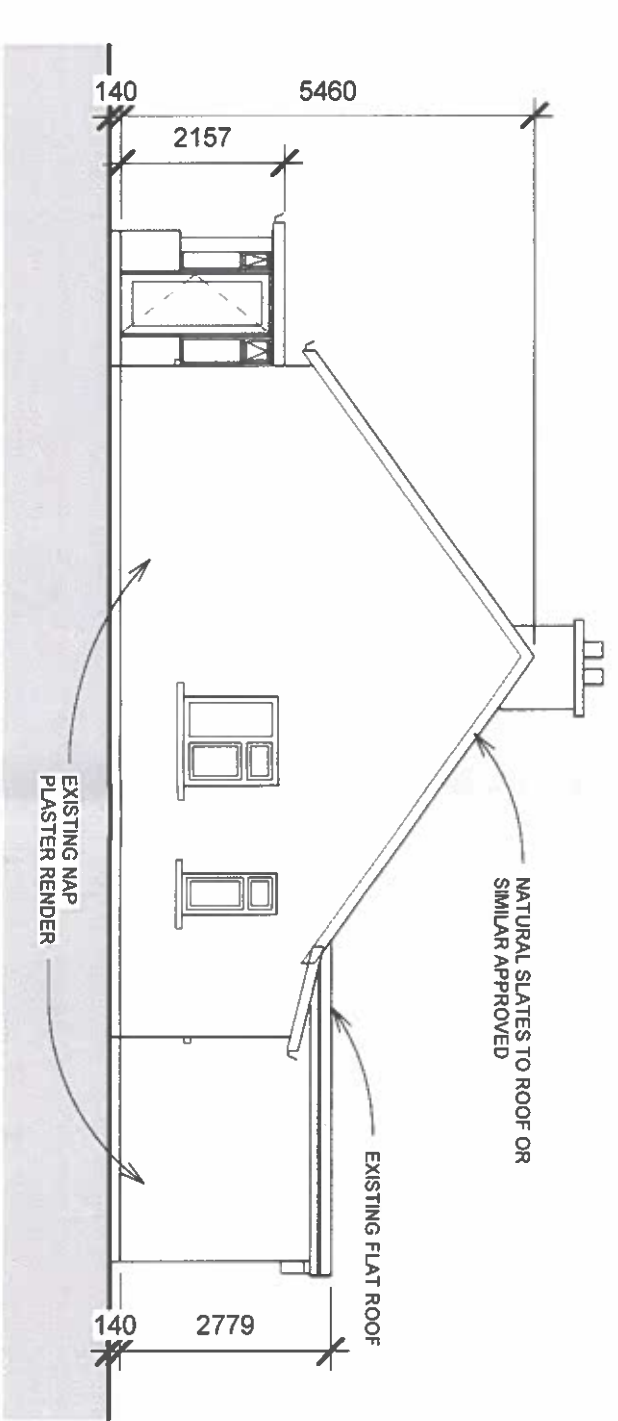


DATE	REV
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11/01/2025	10

CHANGES TO ELEVATIONS



1 Side Elevation (W)
1 : 100



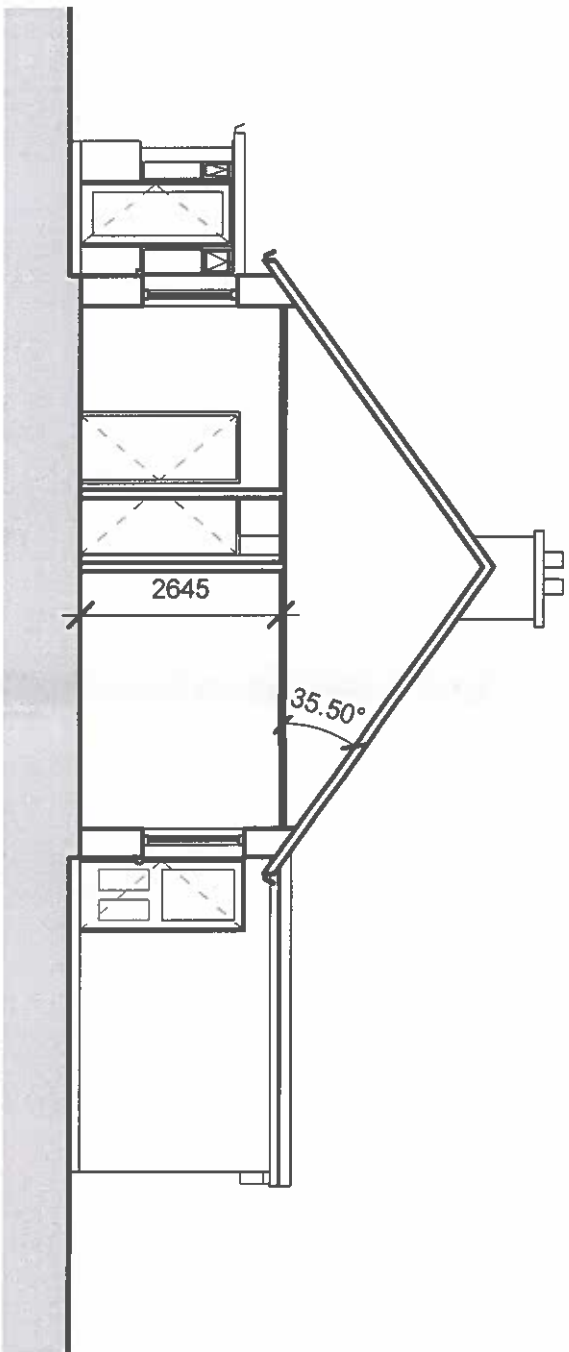
2 Side Elevation (E)
1 : 100

EXEMPT
DEVELOPMENT

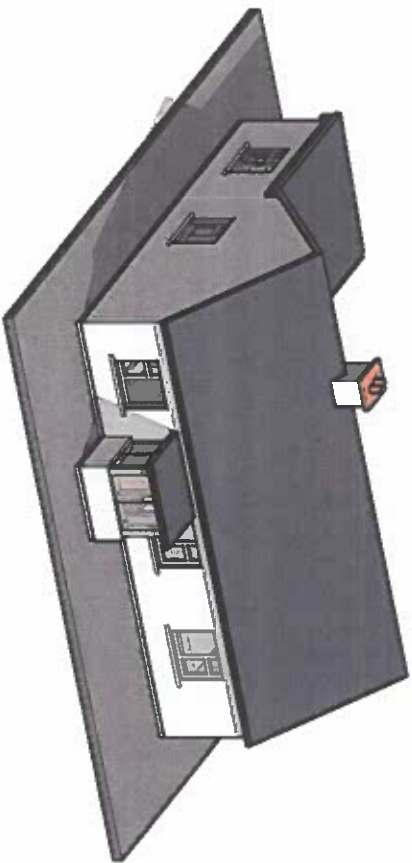
REV	DATE	BY	CHK
1	2025/04/28	DA	DA
2	2025/05/06	DA	DA

James Lohan	25-060	2025/04/28	DA
David Byrne	25-060	2025/05/06	DA
The Plains, Carrigrohane, Boyle, Co. Roscommon, F52 X409	25-060	2025/05/06	DA

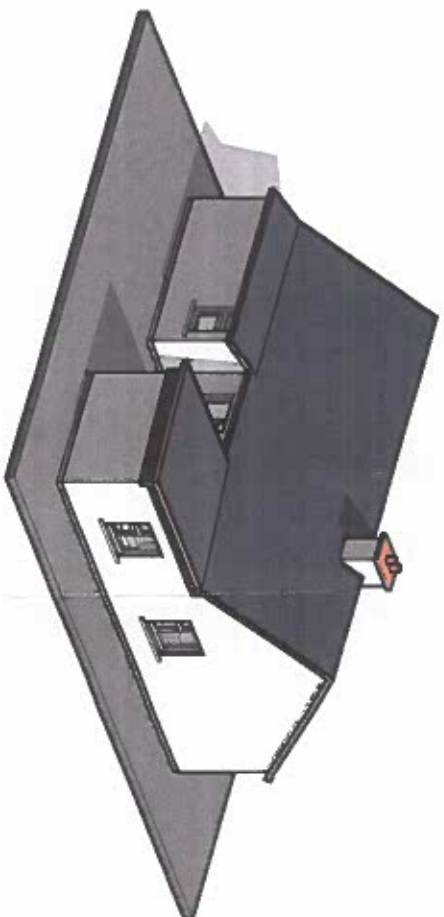
ROSCOMMON COUNTY COUNCIL
6 MAY 2025
PLANNING SECTION



1 Section 1
1 : 100



2 Front Perspective



3 Rear Perspective

	/	/	/	/G
	/	/	/	/F
	/	/	/	/D
	/	/	/	/C
	/	/	/	/B
	/	/	/	/A
STA	DATE			REV