

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

REGISTERED POST
Bernardine Griffith,



Reference Number: DED 937
Application Received: 17th July, 2025
Name of Applicant: Bernardine Griffith
Agent: Rathcroghan Designs

WHEREAS a question has arisen as to whether the renovation of a vacant 2 storey dwelling at Gortnasillah, Kilmurray, Tusk, Co. Roscommon, F45V577, 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 works 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 renovate a vacant 2 storey dwelling at Gortnasillah, Kilmurray, Tusk, Co. Roscommon, F45V577, 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.

Date: 29th September, 2025

cc agent via email: Rathcroghan Designs
rathcroghandesigns@gmail.com

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.

Carmel Curley

From: Carmel Curley
Sent: Monday 29 September 2025 11:05
To: Martin Dowd
Subject: DED 937 - Bernadine Griffith
Attachments: DED 937 - Notification of Determination.pdf

Hi Martin,

Please find attached Notification of Determination for the Section 5 Declaration of Exempted Development submitted on behalf of Bernadine Griffith – DED 937. A hard copy will also issue to the applicant.

Regards,

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 937
Re:	Application for a Declaration as to whether the renovation of a vacant two storey dwelling is or is not exempt development under the Planning & Development Act (Exempt Development) Regulations 2018
Name of Applicant:	Bernadine Griffith
Location of Development:	Gortnasillah, Kilmurray, Tusk, County Roscommon, F45 V577.
Site Visit:	19 th August 2025

WHEREAS a question has arisen as to whether the following works for the 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 north facing two storey detached dwelling. The site is located adjacent to a farmyard and is accessed via a driveway off the L-6058 Local Secondary Road. The subject site is located c. 3.7km north of Castleplunkett village and c. 6.7km west of Tusk village. The proposed development consists of a declaration as to whether the renovation of a vacant two storey dwelling is or is not exempt development.

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 Mullygollan Turlough SAC (Site Code 000612) located c. 3.6km 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

PD/03/624

Development Description: To erect new slatted shed

Applicant: Matt Griffith

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, 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

- Chimney to be rebuilt to match existing
- Existing roof covering to be replaced with black fibre cement slates to match existing roof
- Existing internal ceilings to be removed and replaced with 12mm gypsum board and plastered
- Floor insulation to be installed
- New cover to flat roof on existing flat roof of hallway/porch
- Addition of attic insulation
- New UPVC guttering, fascia and soffit to be fixed to all roofs
- External windows and doors to be replaced with white UPC double glazed windows and doors
- New internal joinery including solid wood doors, skirting and architraves
- New electrical work throughout the dwelling
- Heating to be provided by oil fired burner and aluminium radiators at first floor level

The applicant proposes to internally renovate the existing vacant dwelling with all works specified falling under Section 4 (1)(h) of the Act. The external refurbishment including the rebuilding of existing chimney and replacement of roof covering are to match the same as the existing roof.

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 work falls under the provisions of Section 4 (1)(h) of the Planning and Development Act 2000 (as amended).

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.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for a declaration as to whether the renovation of a vacant two storey dwelling is or is not exempt development as outlined above at Gortnasillah, Kilmurray, Tulsk, County Roscommon, F45 V577, 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 works 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.

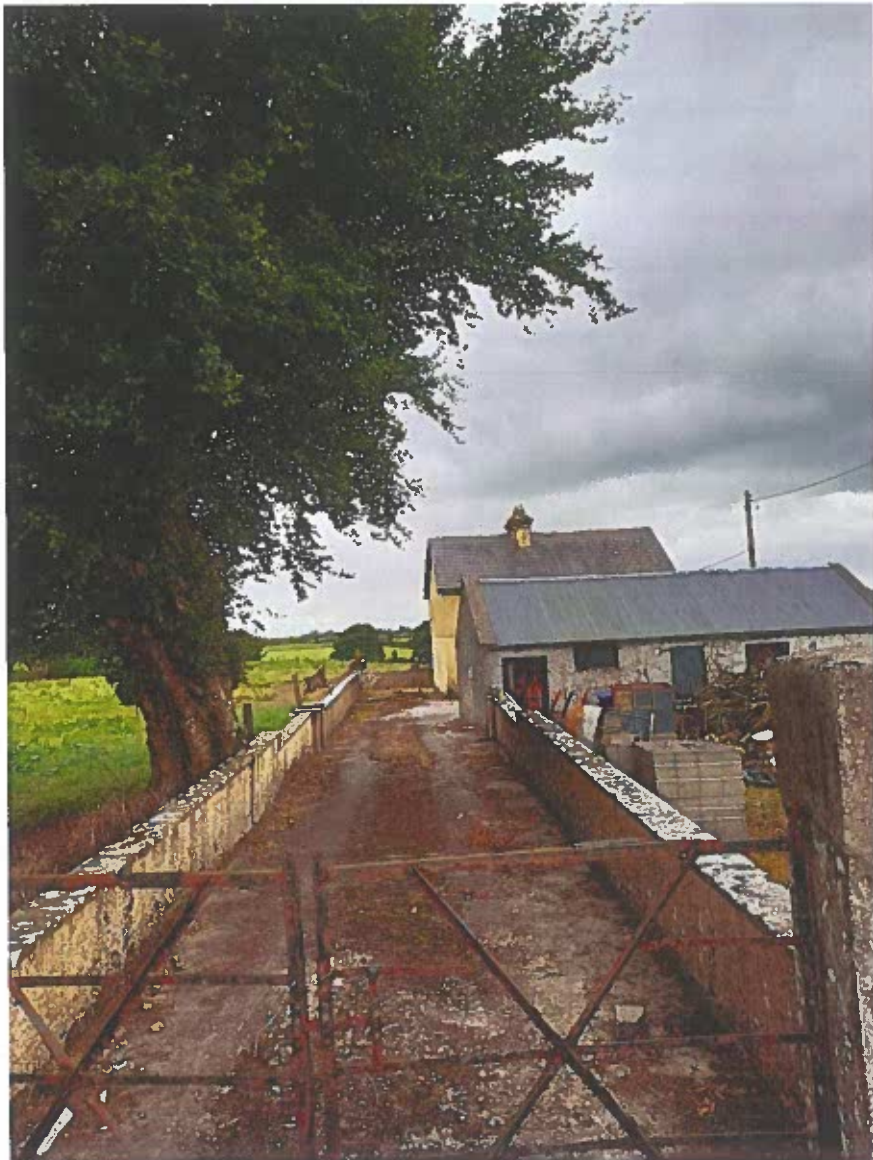
AND WHEREAS I have concluded that the said development for a declaration as to whether the renovation of a vacant two storey dwelling is or is not exempt development as outlined above at Gortnasillah, Kilmurray, Tusk, County Roscommon, F45 V577, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 26th September 2025

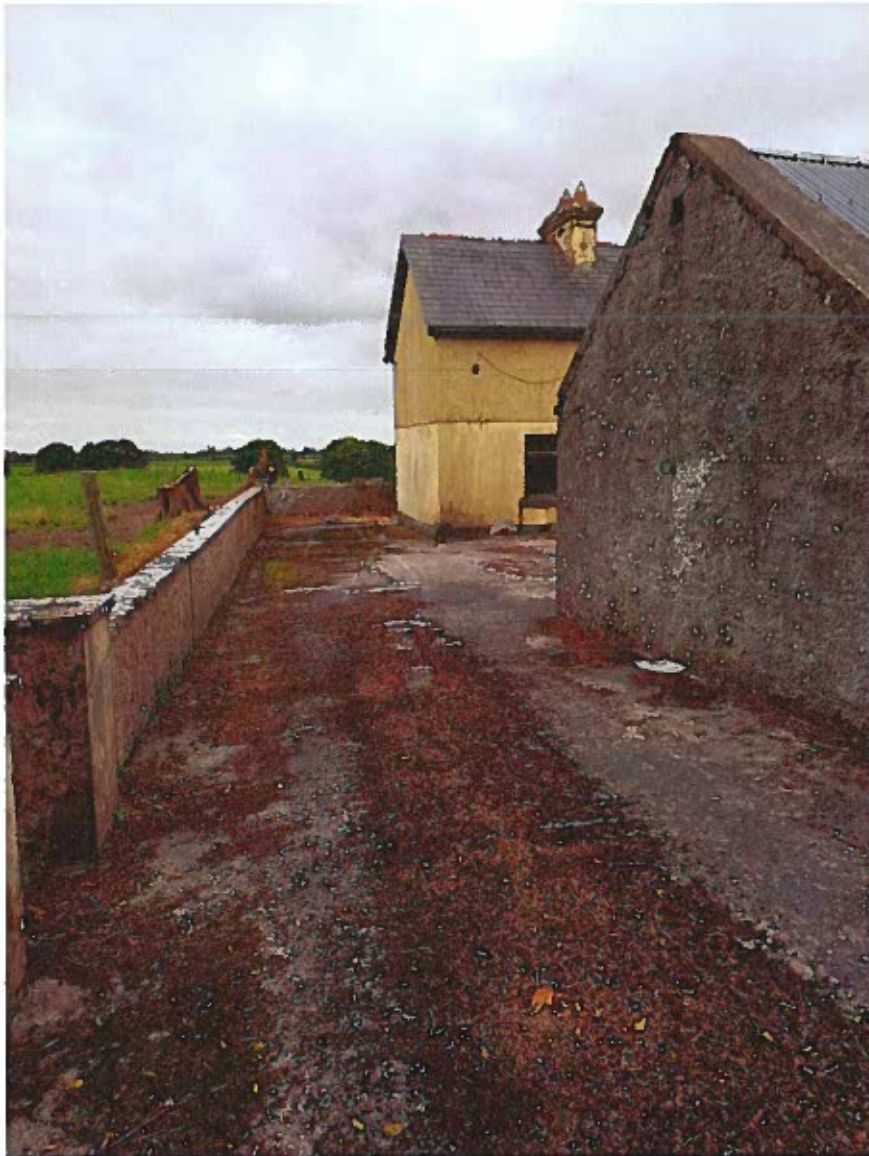
Signed: 
Senior Executive Planner

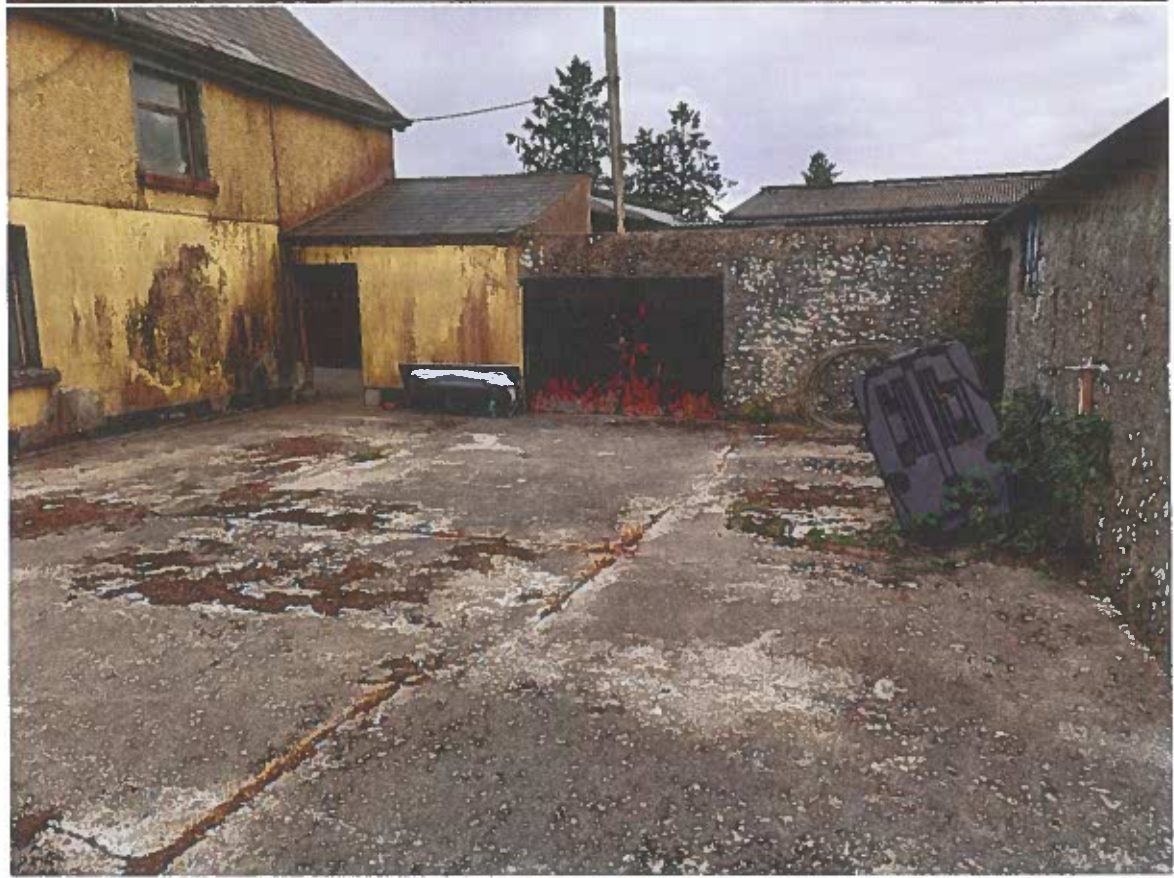
Date: 26th September 2025



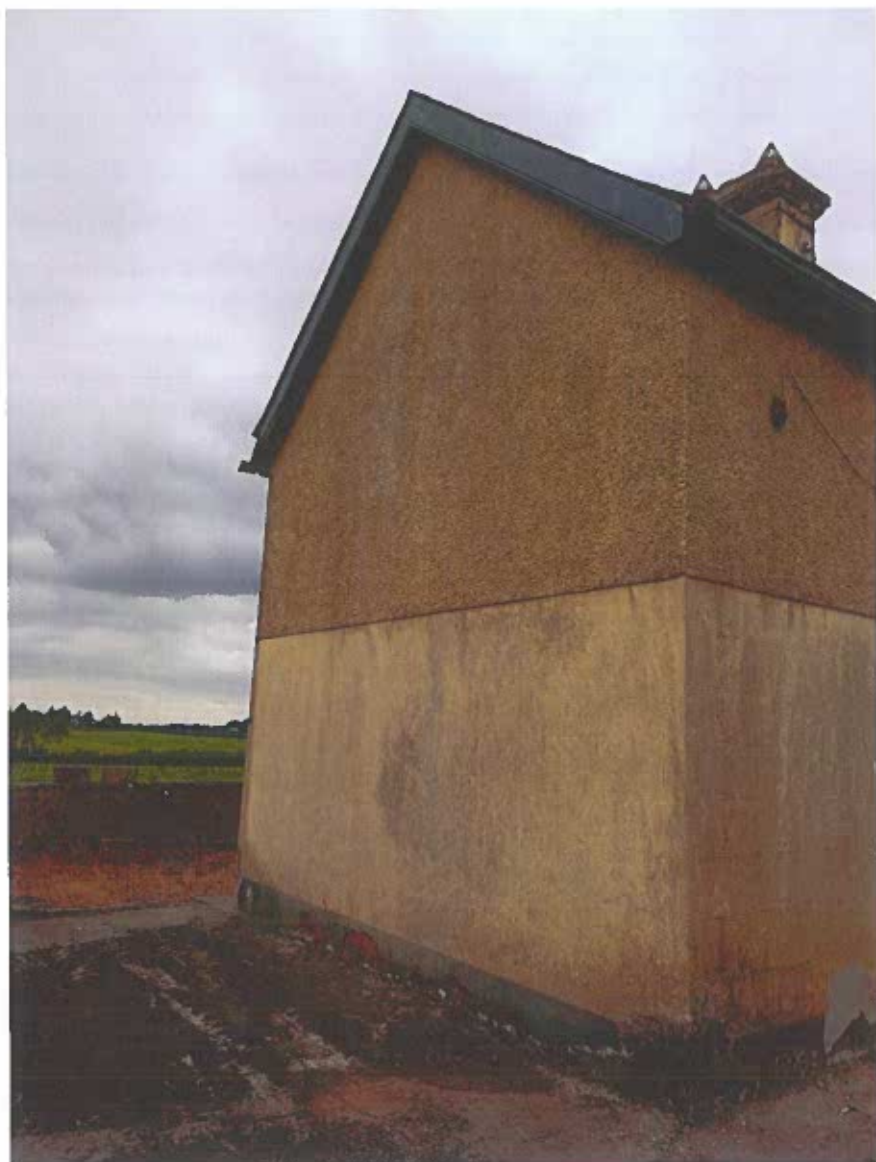


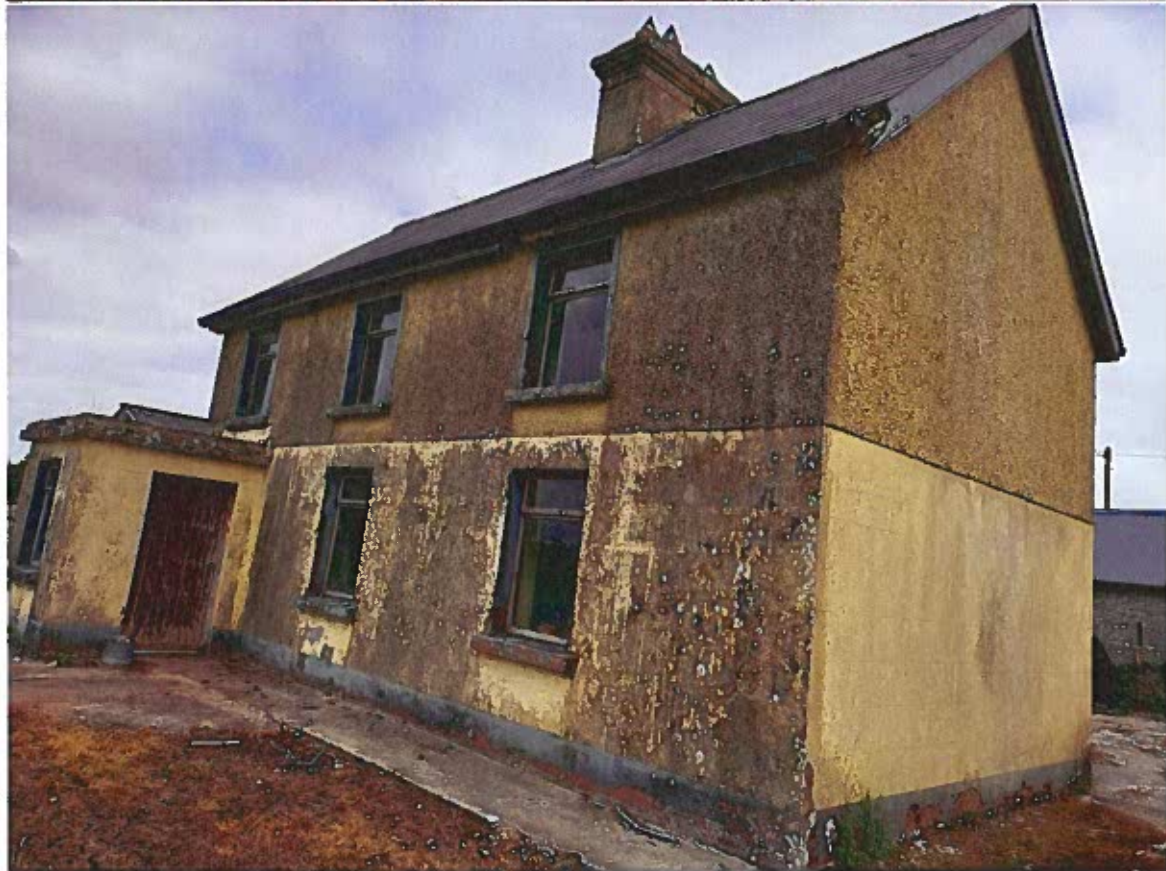














Carmel Curley

From: Carmel Curley
Sent: Thursday 7 August 2025 12:19
To: Martin Dowd
Subject: DED937 - Bernardine Griffith
Attachments: DED 937 - Ack letter & receipt.pdf

Hi Martin,

Please find attached Acknowledgement Letter & Receipt for the Section 5 Exempted Development Application submitted for Bernardine Griffith – DED 937.

Regards,

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





Comhairle Contae
Ros Comáin
Roscommon
County Council



Bernardine Griffith,



Date: 6th August, 2025
Planning Reference: DED 937

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

Development: WHEREAS a question has arisen as to whether the renovation of a vacant 2 storey dwelling at Gortnasillah, Kilmurray, Tusk, Co. Roscommon, F45V577 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 17th July, 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: L01/0/236074 dated 6th August, 2025 receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 937**
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: Rathcroghan Design
rathcroghandesigns@gmail.com

Roscommon County Council
Aras an Chontae
Roscommon
08066 37100

06/08/2025 15:03:55

Receipt No. : L01/0/236074

BERNADINE GRIFFITH
C/O MARTIN DOWD
RATHCROGHAN DESIGN
EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED937	

Total : 80.00 EUR

Tendered :
Credit/Debit Card
6657 80.00

Change : 0.00

Issued By : Louis Carroll
From : Central Cash Office



Rathcroghan Designs

Building and Planning Consultant

Ballyconboy, Ballinagare

Castlerea, Co. Roscommon

Ph: 0862328484

Email: rathcroghandesigns@gmail.com

15th July 2025

Planning Dept
Roscommon Co Co
Aras An Chontae
Roscommon



Re – Exempted Development and Associated fee

Dear Sir/Madam,

Please find enclosed Exempted Development application for my client Ms.
Bernadine Griffith, Rampark, Castlerea, Co Roscommon

I would greatly appreciate it if you could please contact me on 086 2328484, for card details in respect to payment of Exempted Development fee of €80.

Best Regards

Martin Dowd AssocSCSI, Bsc Construction Management
Rathcroghan Designs, Building and Planning Consultant



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)	BERNARDINE GRIFFITH
Name of Agent	RATMCROGHAN DESIGN'S
Nature of Proposed Works	RENOVATION OF VACANT 2 STOREY DWELLING
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	GORTNASILLAGH, KILMURRAY, APPLEBLINKET TULSK CO. ROSCOMMON F45 V577
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>83 m²</u> b) <u> </u>
Height above ground level:	6.82 m
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	Slates

Roscommon County Council



Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	PLASTER
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)	—
Existing use of land or structure	VACANT DWELLING
Proposed use of land or structure	PRIVATE DWELLING
Distance of proposed building line from edge of roadway	35m
Does the proposed development involve the provision of a piped water supply	YES - EXISTING
Does the proposed development involve the provision of sanitary facilities	YES - EXISTING SEPTIC TANK + PERCOLATION AREA

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

Signature:

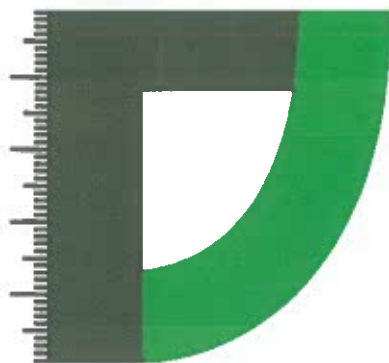
Martin O'Leary

Date:

15/7/25

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



Rathcroghan Designs

Building and Planning Consultant

Ballyconboy, Ballinagare

Castlerea, Co. Roscommon

Ph: 0862328484

Email: rathcroghandesigns@gmail.com



LETTER OF CONSENT to act as Agent to Planning Authority

I, the undersigned, **Bernardine Griffith** and the applicant of this planning application **(EXEMPTED DEV)** consent to **Martin Dowd of Rathcroghan Designs Ltd.**, address above, to act as my Agent, to make application to Roscommon County Council Planning Department for this proposed development, on my behalf.

Signed

Bernardine Griffith

Agent – Martin Dowd (Rathcroghan Designs)

Martin Dowd

Date 012/06/2025

Planning Pack Map

Prepared By: Martin Dowd Rathcroghan Designs,
Ballinagare, Castlereagh, Co. Roscommon



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 576488,781561

PUBLISHED: 10/07/2025
ORDER NO.: 50478071_1

MAP SERIES: 1:5,000
MAP SHEETS: 2160

COMPILED AND PUBLISHED BY:
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Dublin 8,
Ireland.
D08 F6E4

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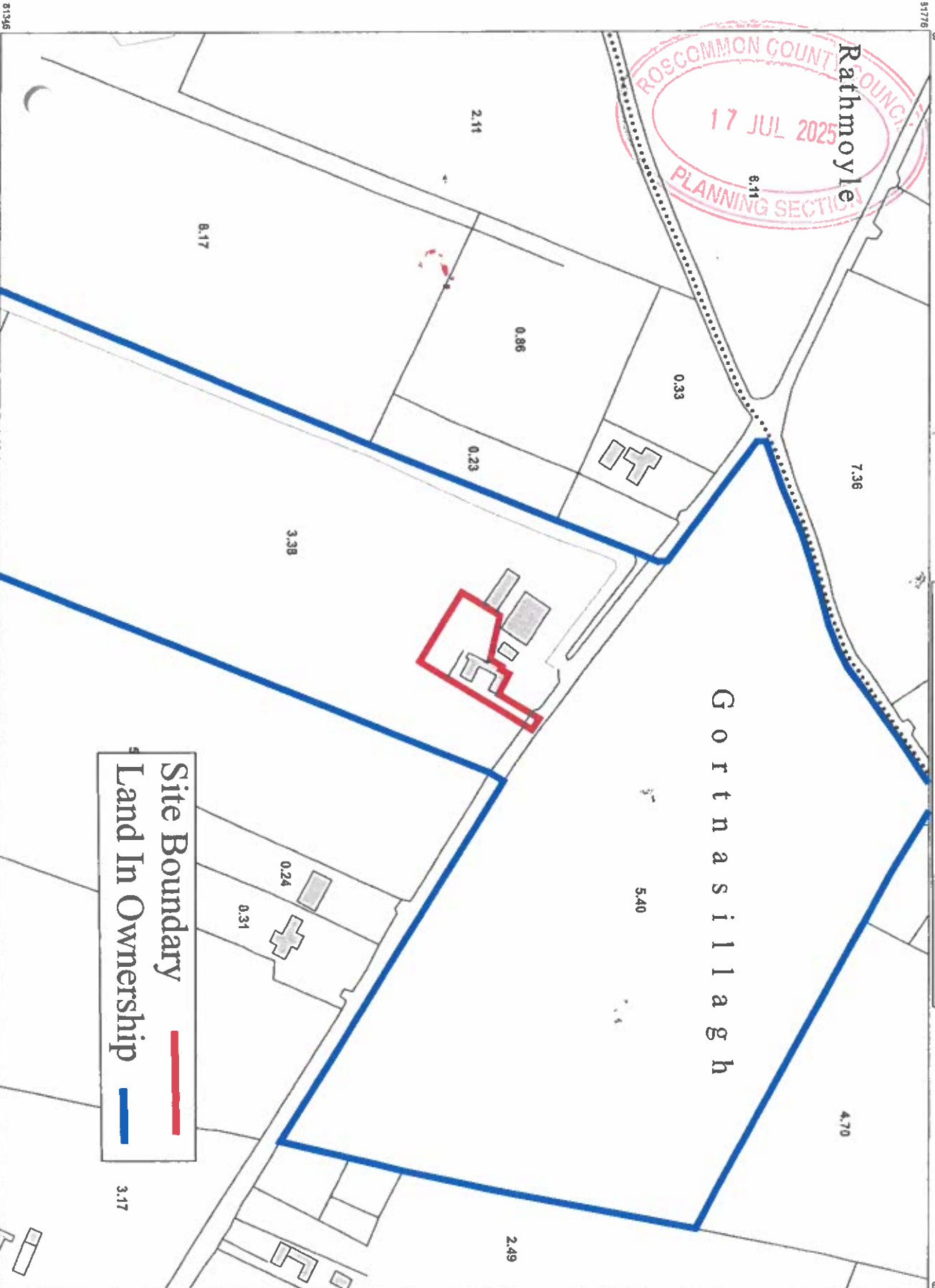
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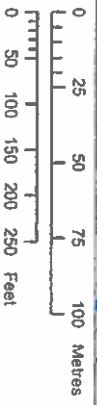
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Site Boundary

Land In Ownership



OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
www.tailte.ie, search 'Capture Resolution'

LEGEND:
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'



**Prepared By: Martin Dowd Ratheroghan Designs,
Ballinagare, Castlereagh, Co. Roscommon**

Tailte Éireann



WM 576488,781561

10/07/2025 50478071_1

6 inch Raster RN027

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Phoenix Park,
Dublin 8,
Ireland.
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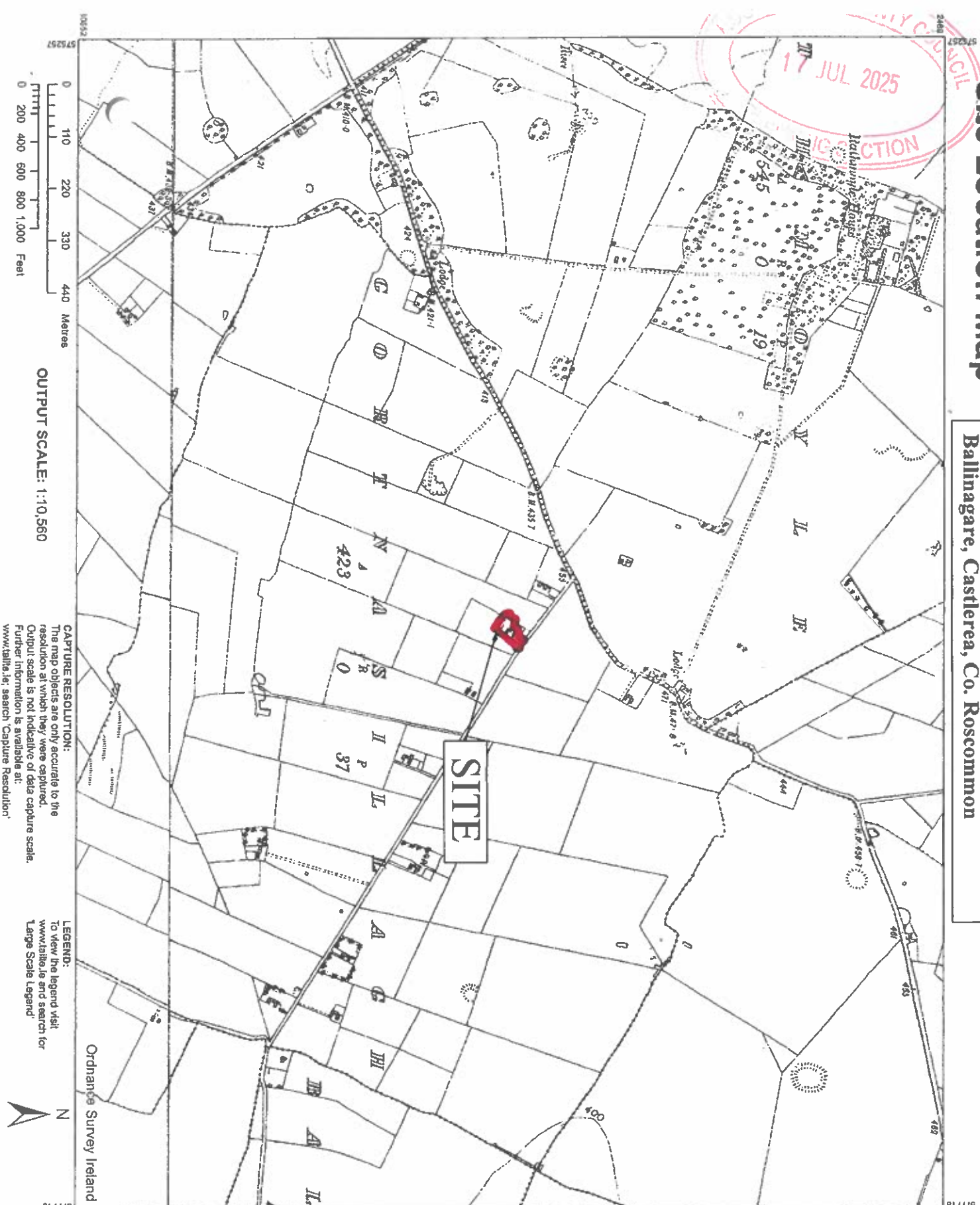
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SITE

17 JUL 2025
ROSCOMMON COUNTY COUNCIL

RATHCROGHAN DESIGN
Ballyconboy, Ballinagare, Castlerock, Co. Roscommon
Ph: 086 2328484
E-mail: rathcroghandesign@gmail.com

Client
Bernadine Griffith

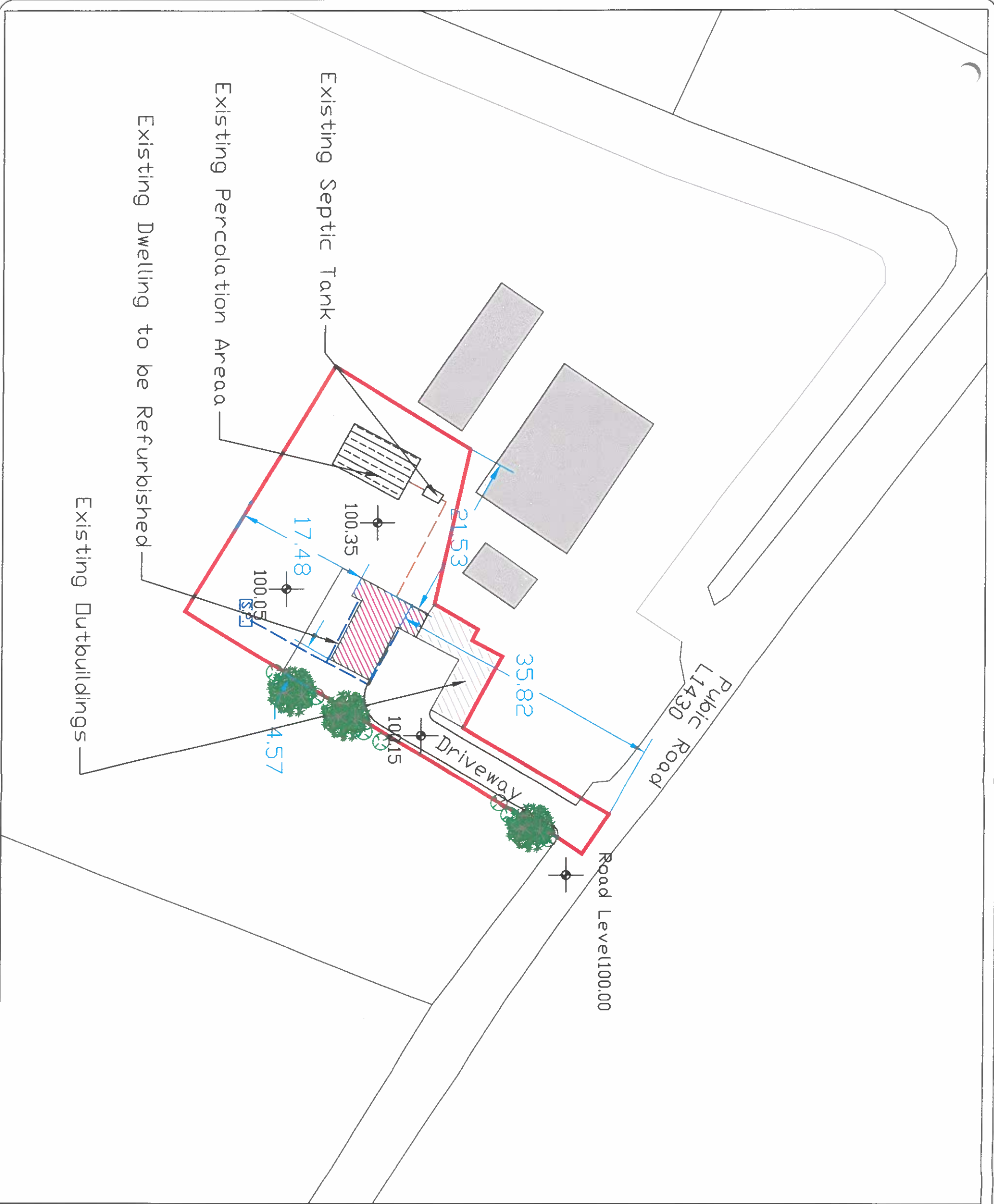
Title
Site Layout

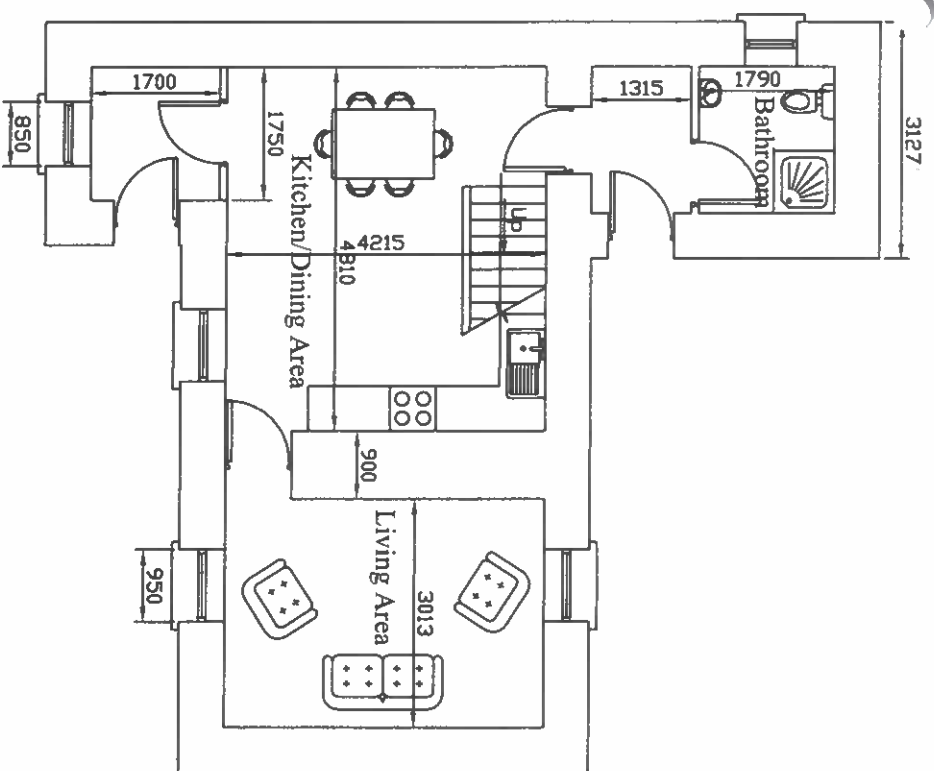
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Date: 06-07-2025			

Legend

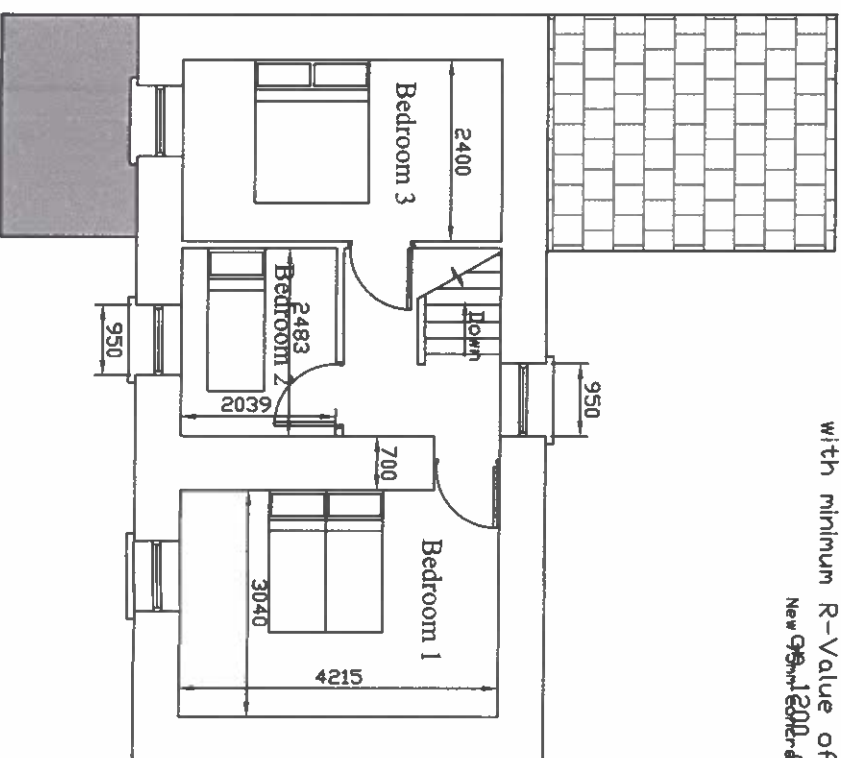
- Site Boundary
- Existing Dwelling to be refurbished
- Existing Outbuildings
- Adjacent Farm Building in Applicants Ownership
- Effluent Sewer
- Storm Sewer
- Soakpit

Site Area 0.112Ha

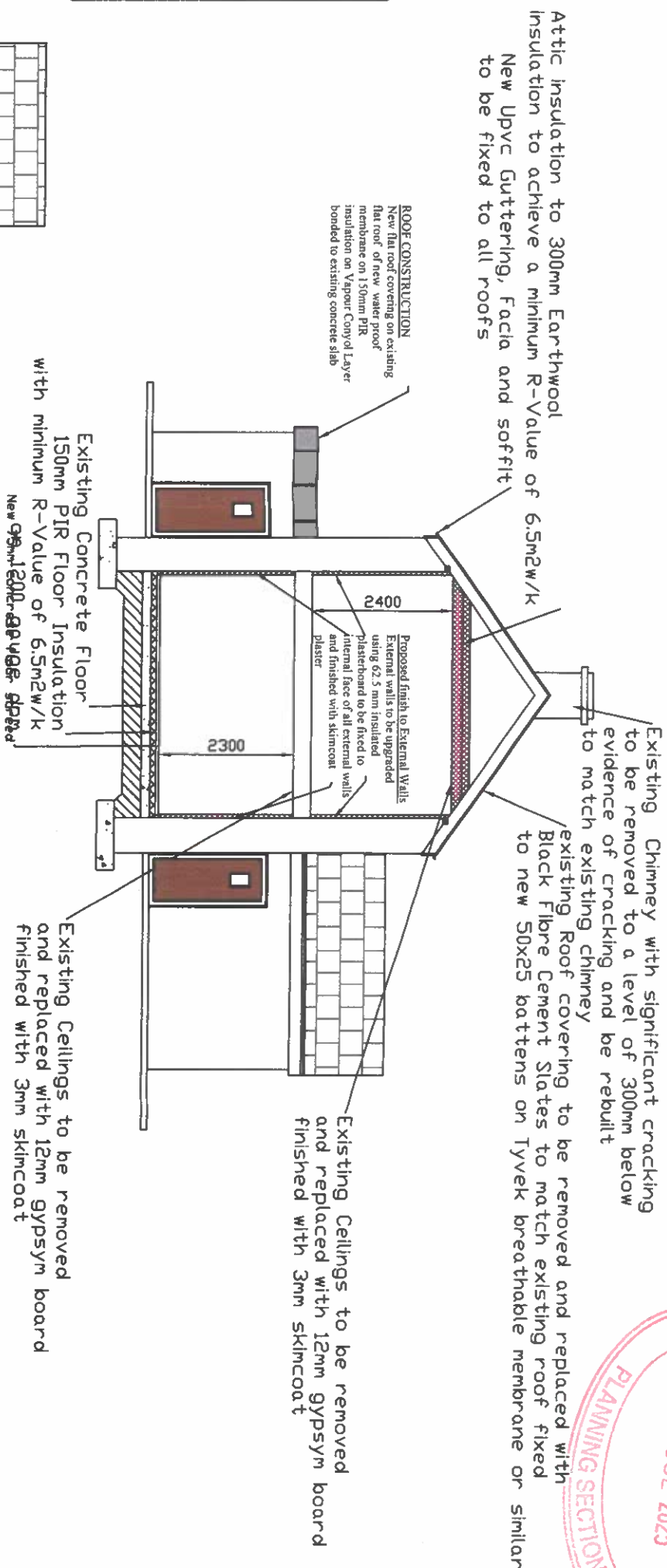




First Floor Plan



Ground Floor Plan



Sectional Elevation

External windows and doors
Existing windows and doors to be replaced with new white UPVC double glazed windows and doors

Internal Joinery
New internal solid wood doors to be fitted throughout the dwelling. Architrave to be fixed to each door set to match doors. Skirting to be fixed along every floor and wall junction except where walls are tiled

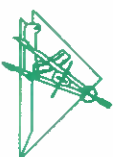
Plumbing
Heating to be provided by using combined system of Oil fired burner and solid fuel cooker. Individual rooms heated using aluminium radiators at first floor level and underfloor heating at ground floor level. Heating to be zoned for with one zone at ground level and first floor level

Sanitary ware to be agreed by client prior to installation and connected to existing septic tank.

Electrical
All electrical work certified and designed in accordance with the National rules for electrical installations I.S. 10101:2020. Numbers locations and types of electrical fitting to be agreed with the client prior to work commencing

RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castlereagh, Co. Roscommon
Pw 086 8328184 E-mail: rathcroghan@rathcroghan.com



Client

Bernadine Griffith

Title

Existing Dwelling to be refurbished

Scale: 1/50 (FLOOR PLANS)

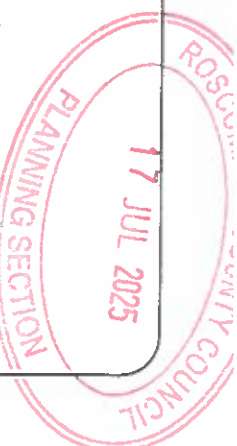
Date: 12-06-2025

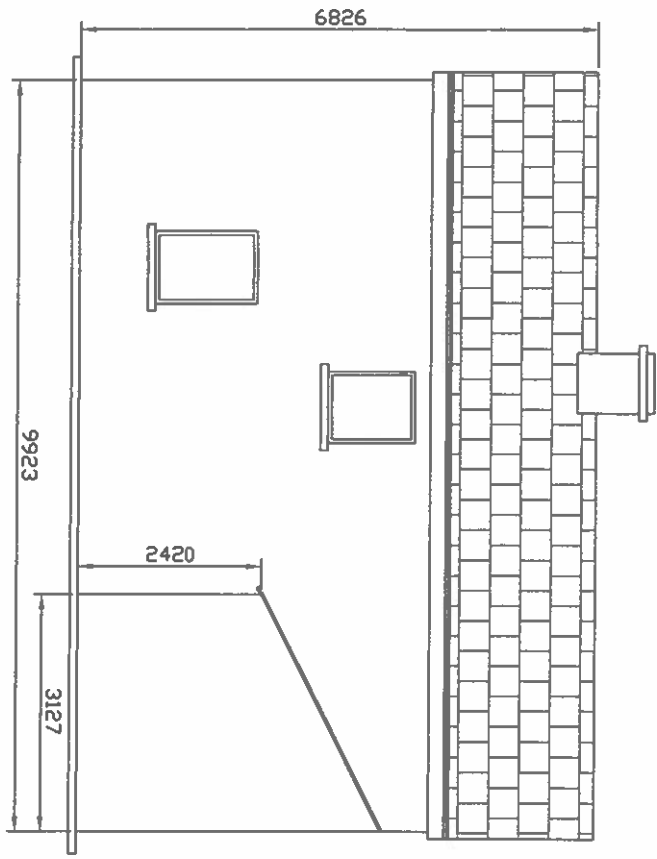
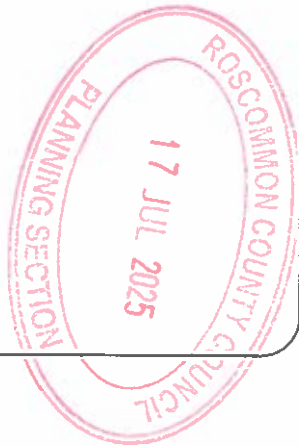
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2 OF 2

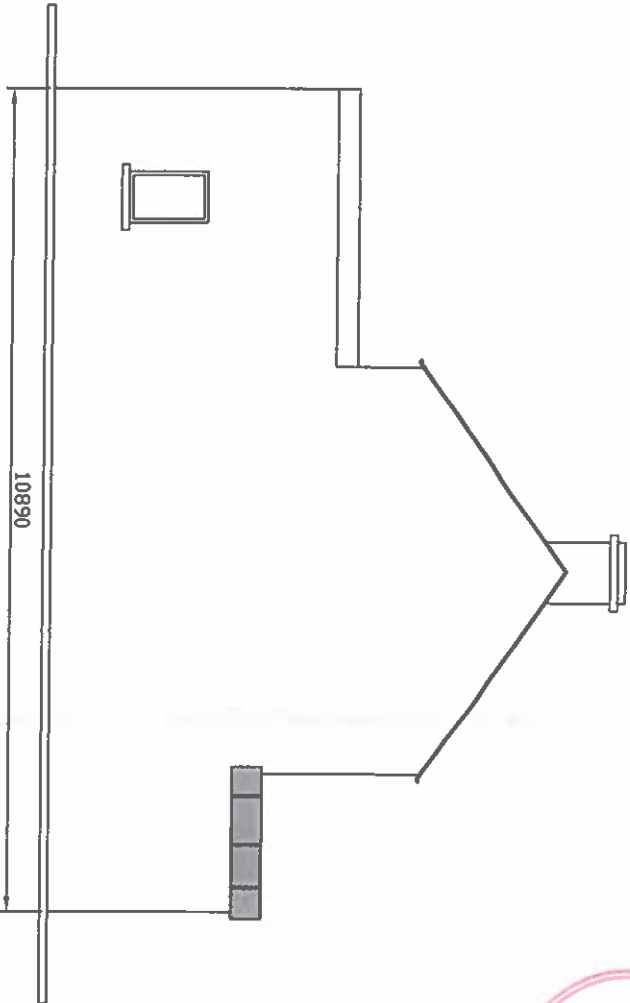
Proj. No.

25-231

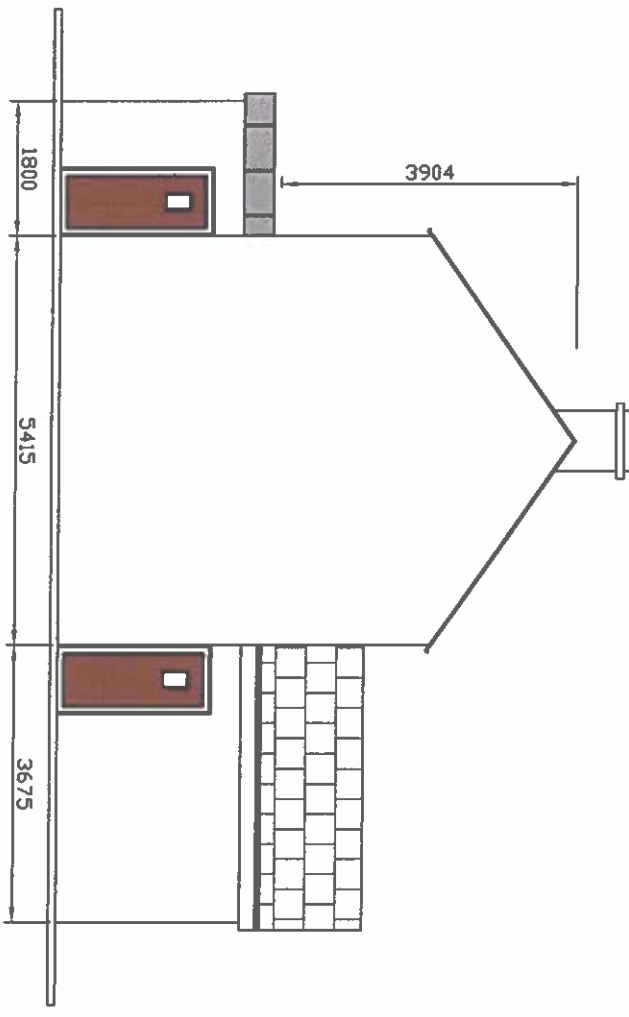




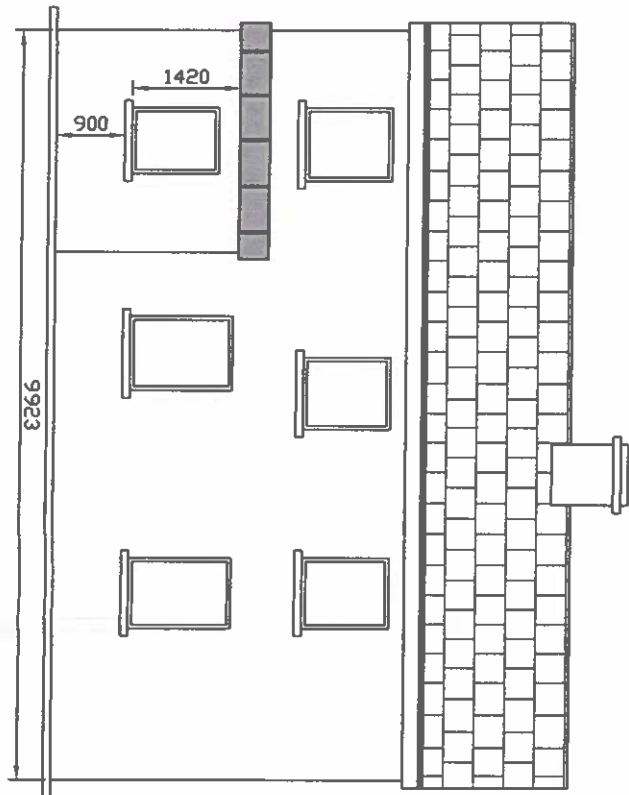
Rear Elevation



End Elevation



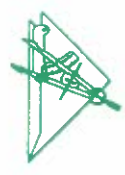
Side Elevation



Front Elevation

RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castlereagh, Co. Roscommon
Pw 006 2328484 E-mail rathcroghan@eircom.net



Client

Bernadine Griffith

Title

Existing Dwelling to be
refurbished

Scale: 1/400
Drawn: MARTIN DUNN
Date: 12-06-2025

Sheet

1 OF 2

Draw No.

25-231