

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

CHIEF EXECUTIVE'S ORDER

Order No: PL/783/26

Reference Number: DED 996

Name of Applicant: Michael Crann

Agent: N/A

WHEREAS a question has arisen as to whether construction of a cattle shed at Cartroncarrowntogher, Elphin, Co. Roscommon, F45 PD36, 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 6 Part 3 Schedule 2 Article 6 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 does not exceed the conditions and limitations attached to Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations 2001, as amended, and is therefore deemed an exempt development.

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 for the construction of a cattle shed at Cartroncarrowntogher, Elphin, Co Roscommon, F45 PD36, is **exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:

Signed: 
Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 30 June, 2026

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

REGISTERED POST

Michael Crann,

Reference Number: DED 996
Application Received: 30th January 2026
Name of Applicant: Michael Crann
Agent: N/A

WHEREAS a question has arisen as to whether construction of a cattle shed at Cartroncarrowntogher, Elphin, Co. Roscommon, F45 PD36, 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 6 Part 3 Schedule 2 Article 6 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:

- The works outlined above are development.
- The proposed development does not exceed the conditions and limitations attached to Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations 2001, as amended, and is therefore deemed an exempt development.

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 for the construction of a cattle shed at Cartroncarrowntogher, Elphin, Co Roscommon, F45 PD36, 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: 30 / 06 / 2026

c.c. agent via email: N/A

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 996
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the construction of a cattle shed is or is not development and is or is not exempted development.
Name of Applicant:	Micheal Crann
Location of Development:	Cartroncarrowntogher, Elphin, Co Roscommon, F45 PD36.
Site Visit:	Yes

WHEREAS a question has arisen as to whether the construction of a cattle shed 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 6 Part 3 Schedule 2 Article 6 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 an agricultural field located to the rear of an existing dwelling. The subject site is located c. 4km northwest of the town of Elphin. The site is accessed via an existing agricultural entrance off the L-5650 Local Secondary Road. The proposed development consists of the construction of a cattle shed.

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. 7.9km 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

DED 900

Development Description: To construct slatted shed & associated site works.

Applicant: Micheal Crann.

Decision: Exempted.

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.

Class 6 & Class 6A Part 3 Schedule 2 Article 6

Development Description	Conditions and Limitations
<i>Agricultural Structures</i> CLASS 6 Works consisting of the provision of a roofed structure for housing of cattle, sheep, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision of effluent storage	1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 450 square metres gross floor space in aggregate. 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location, shall be constructed in accordance with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 5. No such structure within a 100m metres of any public road shall exceed 8 metres in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

	7. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone. 8. No such structure shall be within 60 metres of a public or private water source. 9. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10 metres in the case of extensions/modifications to an existing facility. 10. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. 11. The use of this Class of exemption requires a declaration from the relevant Planning Authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction. 12. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.
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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

- The construction of a cattle shed.

With regard to the compliance with the conditions and limitations of Class 6 of Part 3 of Schedule 2 (Exempted Development – Rural) the following assessment sets out how these apply to the current proposal:

1. The proposed use of the structure is agriculture.
2. The proposed structure plus other such structures’ floor space does not aggregate to more than 300 square metres (265m²).
3. The proposed structure in question is in line with Department requirements, and the applicant shall have regard to the need to avoid water pollution.
4. The proposed structure is situated more than 10 metres from a public road (98m).
5. The proposed structure is less than 8m in height (7.1m).
6. The applicant’s property is located within 100m of the proposed structure.
7. The proposed structure is not situated in land use plans identified as Flood Zone A or Flood Zone B.
8. The proposed structure is greater than 60m from a public or private water source.
9. The proposed structure is greater than 10m from a water course or water body.
10. The proposed roofing material is Agri cladding.
11. Construction has not commenced on the proposed development.
12. The responsibility lies with the applicant to include as appropriate the installation of signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.

The applicant is proposing to construct a cattle shed to on an existing agricultural field in the townland of Cartroncarrowntogher, Elphin. After a review of the recent planning history attached to this site, it appears a Declaration of Exempt Development was issued for a similar application recently. The applicant appears to be adding an extra slatted bay to the originally exempt application.

The proposed development has been assessed under Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations 2001, as amended. The proposed development does not exceed the conditions and limitations attached to Class 6 Part 3 Schedule 2 Article 6 of the Planning and

Development Regulations 2001, as amended, and the proposed cattle shed is deemed an exempt development.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; the construction of a cattle shed at Cartroncarrowntogher, Elphin, Co Roscommon, F45 PD36. 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 6 Part 3 Schedule 2 Article 6 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 does not exceed the conditions and limitations attached to Class 6 Part 3 Schedule 2 Article 6 of the Planning and Development Regulations 2001, as amended, and is therefore deemed an exempt development.

AND WHEREAS I have concluded that the said development for the construction of a cattle shed at Cartroncarrowntogher, Elphin, Co Roscommon, F45 PD36, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 26th June 2026

Signed: 
Senior Executive Planner

Date: 26th June 2026









MEMORANDUM

To: North Roscommon Area.

From: Mervyn Walsh, Administrative Officer, Planning Department.

Date: 12th February, 2026

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

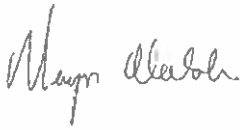
Development: WHEREAS a question has arisen as to whether construction of a cattle shed at Cartroncarrowntogher, Elphin, Co. Roscommon, F45 PD36, is or is not development and is or is not exempted development.

Applicant: Michael Crann

Planning Ref: DED 996

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from Michael Crann for the said development above, which was received on 30th January, 2026.

Please let me have your recommendation.



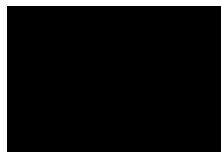
**Mervyn Walsh,
Administrative Officer,
Planning Department.**



Comhairle Contae
Ros Comáin
Roscommon
County Council



Michael Crann,



Date: 12th February, 2026
Planning Reference: DED 996

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 construction of a cattle shed at Cartroncarrowntogher, Elphin, Co. Roscommon, F45 PD36, 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 30th January, 2026, 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. L01/0/239015 dated 4th February, 2026 receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 996**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Mervyn Walsh,
Administrative Officer,
Planning Department.

Roscommon County Council
Aras an Chonae
Roscommon
09086 37100

04/02/2026 10:44:18

Receipt No : L01/0/239015

MICHAEL CRANN

PLANNING APPLICATION FEES 80.00
GOODS 80.00
VAT Exempt/Non-vatable
DED996

Total : 80.00 EUR

Tendered :
Credit/Debit Card 80.00
4907

Change 0.00

Issued By : Aine McDermott
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council



Áras an Chontae,
Roscommon,
Co. Roscommon.

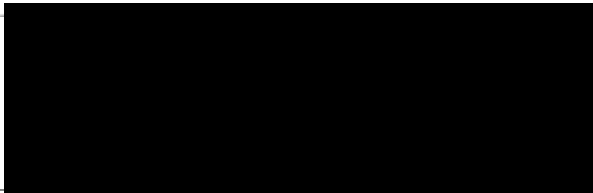
Phone: (090) 6637100

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)	
Name of Agent	
Nature of Proposed Works	
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Cartron Carrowntogher Elphin F45PD36
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>0</u> b) <u>26542</u>
Height above ground level:	7117
Total area of private open space remaining after completion of this development	
Roofing Material (Slates, Tiles, other) (Specify)	Cladding

Roscommon County Council

Application for a Declaration under Section 5 of the



Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Concrete / stone Metal Cladding
Is proposed works located at front/rear/side of existing house.	
Has an application been made previously for this site	Yes
If yes give ref. number (include full details of existing extension, if any)	VED 900
Existing use of land or structure	Farming
Proposed use of land or structure	Farming
Distance of proposed building line from edge of roadway	98.89m
Does the proposed development involve the provision of a piped water supply	Yes
Does the proposed development involve the provision of sanitary facilities	No

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

Signature: Michael Brennan

Date: 30/1/26

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 Pack Map



**Tailte
Éireann**

Prepared By Martin Dowd
Rathcroghan Designs Ballinacorney
Castlerea Co. Roscommon



**CENTRE
COORDINATES:**
ITM 584013.790641

PUBLISHED: 19/05/2025
ORDER NO.: 50467345_1

MAP SERIES: 1:5,000
MAP SHEETS: 1981
1:5,000 1982

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

www.tailte.ie

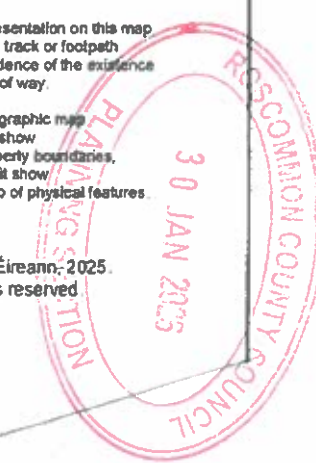
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790426 584013 790426 584013 790426 584013

6.25

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Carrowntogher

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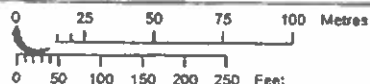
Cartroncarrowntogher

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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'





RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castlerea, Co. Roscommon

Ph: 086 2328484

E-mail: rathcroghandesign@gmail.com



Client

Michael Crann

Title
Proposed
Site Layout

Scale: 1:500 UNLESS NOTED	Sheet	Draw. No.
Drawn: MARTIN DOWD	1 OF 1	25-128
Date: 19-03-2025		

Site Area 0.604Ha

Schedule

1. Existing Dwelling in Applicants Ownership
2. Existing Outbuilding Prte 1963
Used for Storage Class 9 Rural 65m²
3. Existing Hayshed Class 9 Rural 109m²
4. Existing Pump House Class 9 Rural
5. Proposed Slatted Shed Class 6 Rural 170.8m²
6. Proposed Ancillary Concrete

N



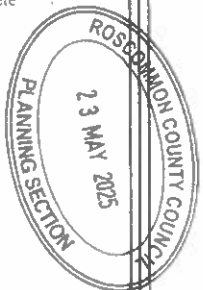
Proposed Level



Storm Sewer



Soakpit



Existing
Agricultural Entrance



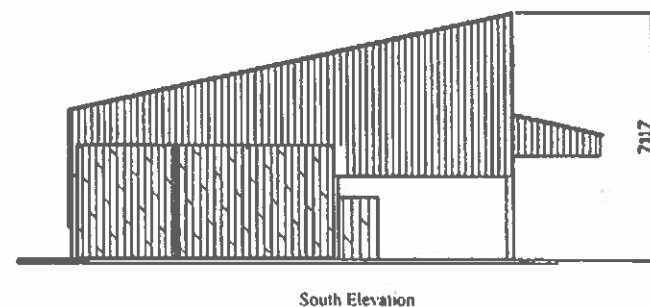
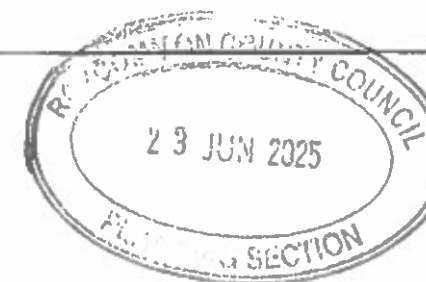
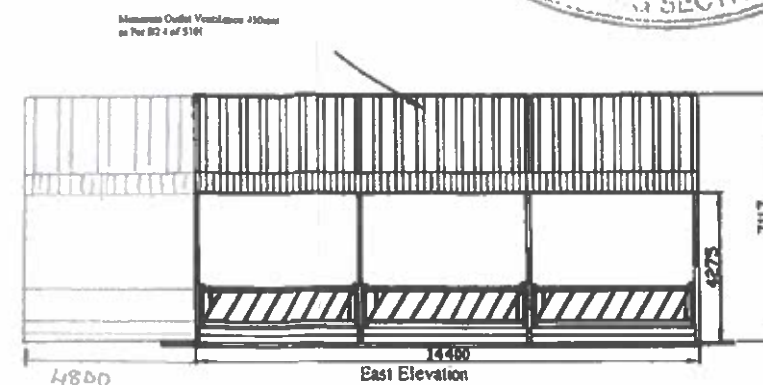
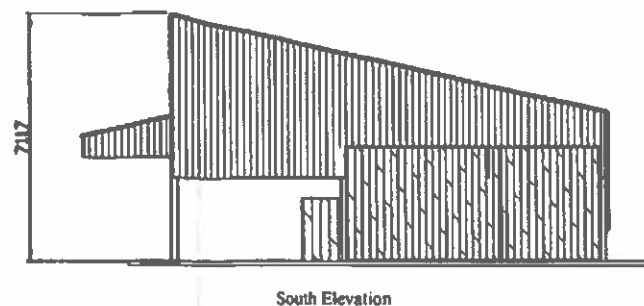
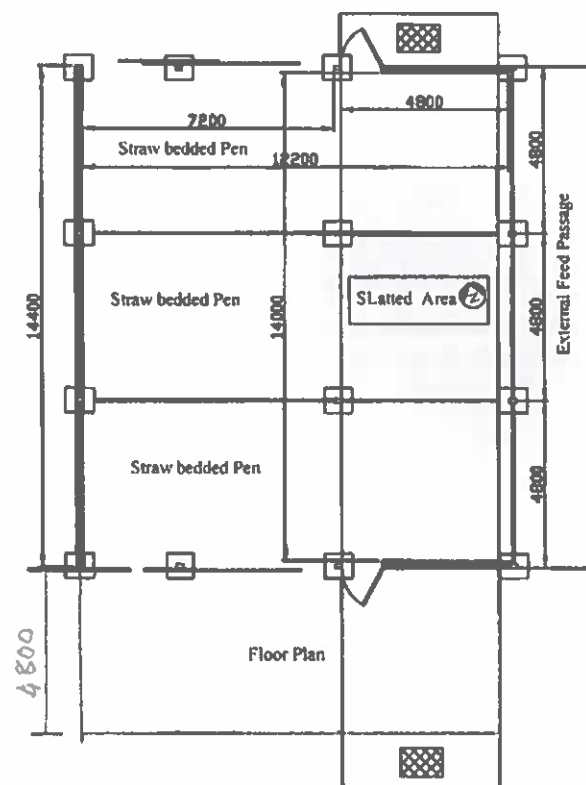
Public Road

5.51

24.68

21.11

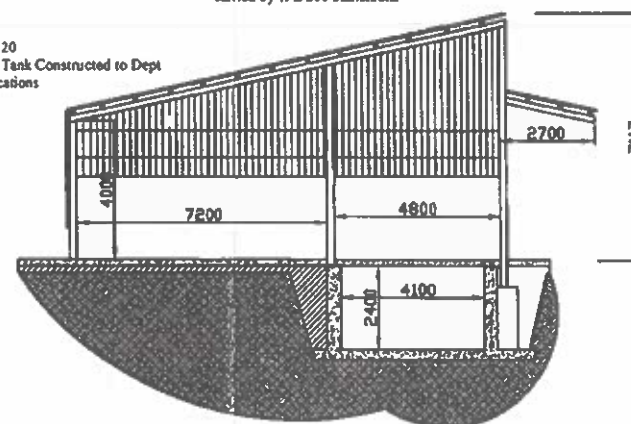
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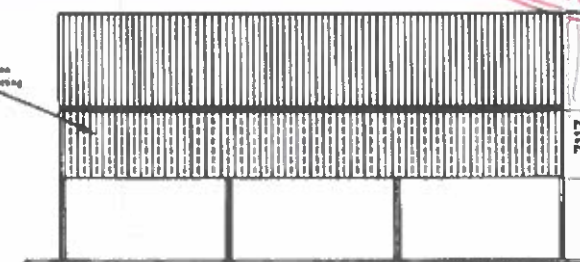
External Walls to be Mass Concrete Walls using J7N concrete

Stanchions to be IPE 220 Reinforced Concrete Tank Constructed to Dept of Agriculture Specifications

Roof Material to be Pre-painted Sheet on 150 x 75 Purlins secured to IPE 200 Rafters carried by IPE 200 Stanchions

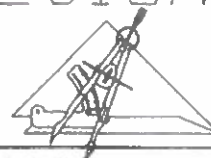


Minimum Inlet Ventilation through 150 x 75 purlins secured to IPE 200 Rafters as per B2.4 of S101



RATHCROGHAN DESIGN

Ballyconboy, Ballinagare, Castlerea, Co. Roscommon
Ph: 086 2328484 E-mail: martin.dowd@eircom.net



Client

Michael Crann

Title

Proposed Slatted Shed

Scale: 1:200 UNLESS NOTED
Drawn: MARTIN DOWD
Date: 07-02-2025

Sheet

1 OF 1

Draw. No.

23-142