

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/1041/26.

Reference Number:

DED1046

Name of Applicant:

Patrick Canning

Agent:

Michael Conlon, Ardkeenagh, Tulsk, Co. Roscommon, F45 R682

WHEREAS a question has arisen as to whether to replace ceilings, provide wall and roof insulation (all internal works), replace external joinery, replace radiators and fuse board along with rewiring, painting and decorating at Deanery, Elphin, Co. Roscommon, 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:

- The works outlined above are development.
- The proposed replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating falls 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.

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 replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating, as outlined above at Deanery, Elphin, Co. Roscommon, F45 F753, 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:

Signed:


Alan O'Connell,

Senior Executive Planner, Planning.

Date: 27 August 2026

Gemma Cunningham

From: Gemma Cunningham
Sent: Wednesday 2 September 2026 15:47
To: [REDACTED]
Subject: DED1046 Notification of Decision
Attachments: ded1046 notification.pdf

A Chara,

Please find attached correspondence for your attention regarding DED1046.

Kind Regards,

Gemma Cunningham | Clerical Officer

Áras an Chontae, Roscommon, Co. Roscommon. F42 VR98

☎ (090) 664 7420 ✉ GCunningham@roscommoncoco.ie

🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council



Please note that I may be sending this email outside your working hours and I do not expect a response or action outside your own working hours

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

REGISTERED POST

Patrick Canning,

Reference Number: DED1046
Application Received: 27th May 2026
Name of Applicant: Patrick Canning
Agent: Michael Conlon, Ardkeenagh, Tulsk, Co. Roscommon, F45 R682

WHEREAS a question has arisen as to whether to replace ceilings, provide wall and roof insulation (all internal works), replace external joinery, replace radiators and fuse board along with rewiring, painting and decorating at Deanery, Elphin, Co. Roscommon, 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:

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- The proposed replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating falls within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:

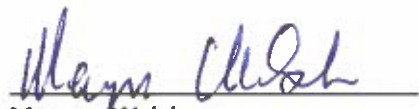
development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent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

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 replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating, as outlined above at Deanery, Elphin, Co. Roscommon, F45 F753, 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: 28/08/2026

c.c. agent via email: Michael Conlon, Ardkeenagh, Tulsk, Co. Roscommon, F45 R682



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 1046
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether to replace ceilings, provide wall and roof insulation (all internal works), replace external joinery, replace radiators and fuse board along with rewiring, painting and decorating is or is not development and is or is not exempted development
Name of Applicant:	Patrick Canning
Location of Development:	Deanery, Elphin, Co. Roscommon, F45 F753
Site Visit:	3 rd July 2026

WHEREAS a question has arisen as to whether the following works replace ceilings, provide wall and roof insulation (all internal works), replace external joinery, replace radiators and fuse board along with rewiring, painting and decorating **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

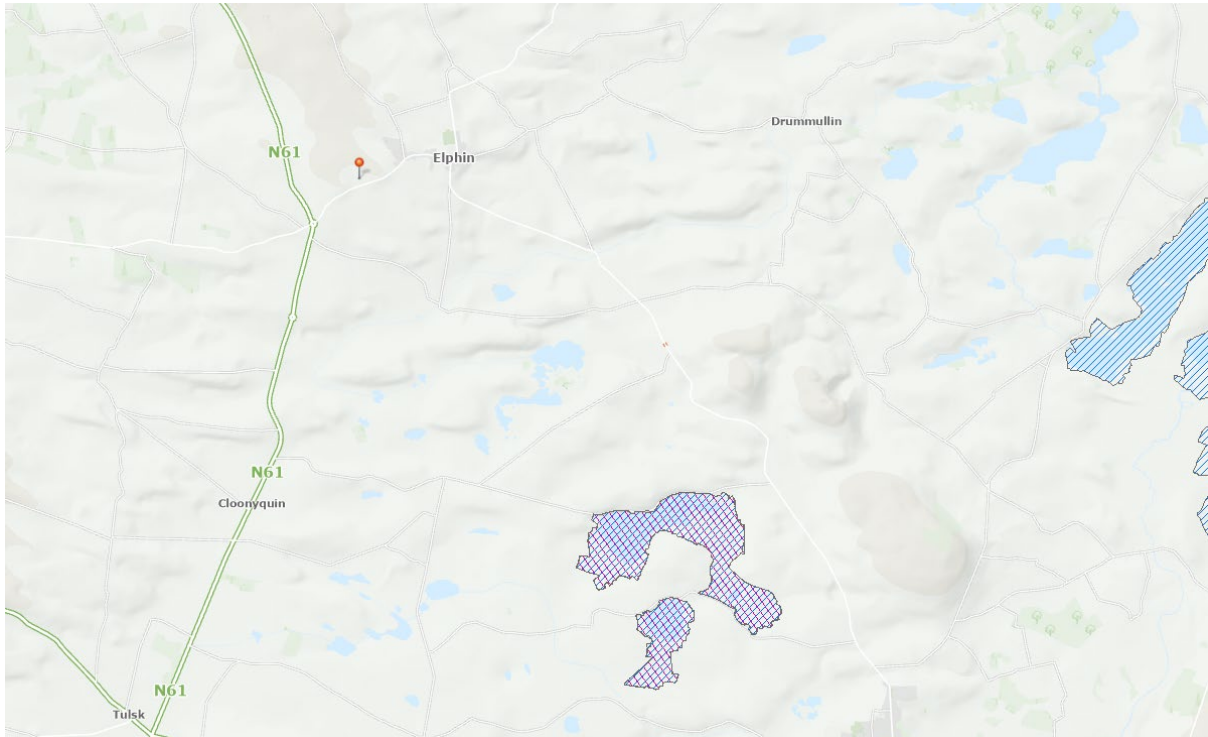
Site Location & Development Description

The site consists of a south facing single-storey dwelling with domestic garage/store to the rear. The site is accessed off the R369 Regional Road. The town of Elphin is located c. 1km northeast from the subject site. The proposed development consists of the replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating.

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 Annaghmore Lough (Roscommon) SAC (Site Code 001626) is located c. 5.4km southeast 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 can, therefore, be excluded.

Other designations include Kilglass and Grange Loughs PNHA (Site Code 000608) located 9.6km east of the subject site.

Planning History

As per Roscommon County Councils Planning Registry, there is no planning history traced to this site.

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint,

wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3. -(1)

In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(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

- Replacing of ceilings
- Providing of wall and roof insulation (all internal works),
- Replacing of external joinery
- Replacing of radiators and the fuse board
- Rewiring
- Painting
- Decorating

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).

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 the replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating, as outlined above at Deanery, Elphin, Co. Roscommon, F45 F753, 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 replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating falls within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:

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- 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 replacing of ceilings, providing of wall and roof insulation (all internal works), replacing of external joinery, replacing of radiators and the fuse board along with rewiring, painting and decorating, as outlined above at Deanery, Elphin, Co. Roscommon, F45 F753, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 28th August 2026

Signed: 
Senior Executive Planner

Date: 28th August 2026







MEMORANDUM

To: North Roscommon Area.

From: Mervyn Walsh, Administrative Officer, Planning Department.

Date: 03rd June 2026

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

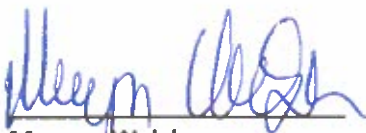
Development: WHEREAS a question has arisen as to whether to replace ceilings, provide wall and roof insulation (all internal works), replace external joinery, replace radiators and fuse board along with rewiring, painting and decorating at Deanery, Elphin, Co. Roscommon, is or is not development and is or is not exempted development.

Applicant: Patrick Canning

Planning Ref: DED1046

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from **Patrick Canning** for the said development above, **which was received on 27th May 2026.**

Please let me have your recommendation.



Mervyn Walsh,
Administrative Officer,
Planning Department.



Comhairle Contae
Ros Comáin
Roscommon
County Council



Patrick Canning,

Date: 03rd June, 2026
Planning Reference: DED1046

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 to replace ceilings, provide wall and roof insulation (all internal works), replace external joinery, replace radiators and fuse board along with rewiring, painting and decorating at Deanery, Elphin, Co. Roscommon, 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 27th May 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 L01/0/240933 dated 28th May, 2026, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED1046**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Mervyn Walsh,
Administrative Officer,
Planning Department.

c.c. agent via email: Michael Conlon

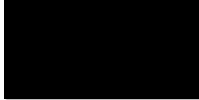


Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

28/05/2026 14:29:41

Receipt No: L01/0/240933

PATRICK CANNING



PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED1046	

Total : 80.00 EUR

Tendered :
Cheque 80.00
000477

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)	PATRICK CANNING
Name of Agent	MICHAEL CONLON
Nature of Proposed Works	REPLACE CIELINGS. PROVIDE FOR WALL AND ROOF INSULATION REPLACE EXTERNAL JOINERY REPLACE RADIATORS AND FUSE BOARD REWIRE PAINT AND DECORATE ALL INTERNAL WORKS →
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	DEANERY ELPHIN CO. ROSCOMMON F45 F753
Floor Area: a) Existing Structure b) Proposed Structure	a) 120 M ² b) NA
Height above ground level:	NA
Total area of private open space remaining after completion of this development	2500 M ²
Roofing Material (Slates, Tiles, other) (Specify)	EXISTING TILES



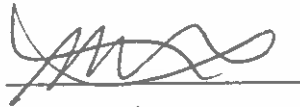
Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	NONE
Is proposed works located at front/rear/side of existing house.	NA
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	DOMESTIC RESIDENTIAL
Proposed use of land or structure	AS ABOVE
Distance of proposed building line from edge of roadway	NA
Does the proposed development involve the provision of a piped water supply	No
Does the proposed development involve the provision of sanitary facilities	No

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

Signature:

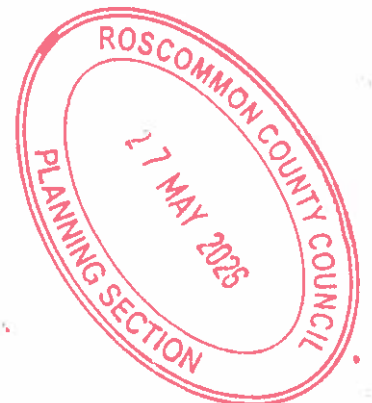


Date:

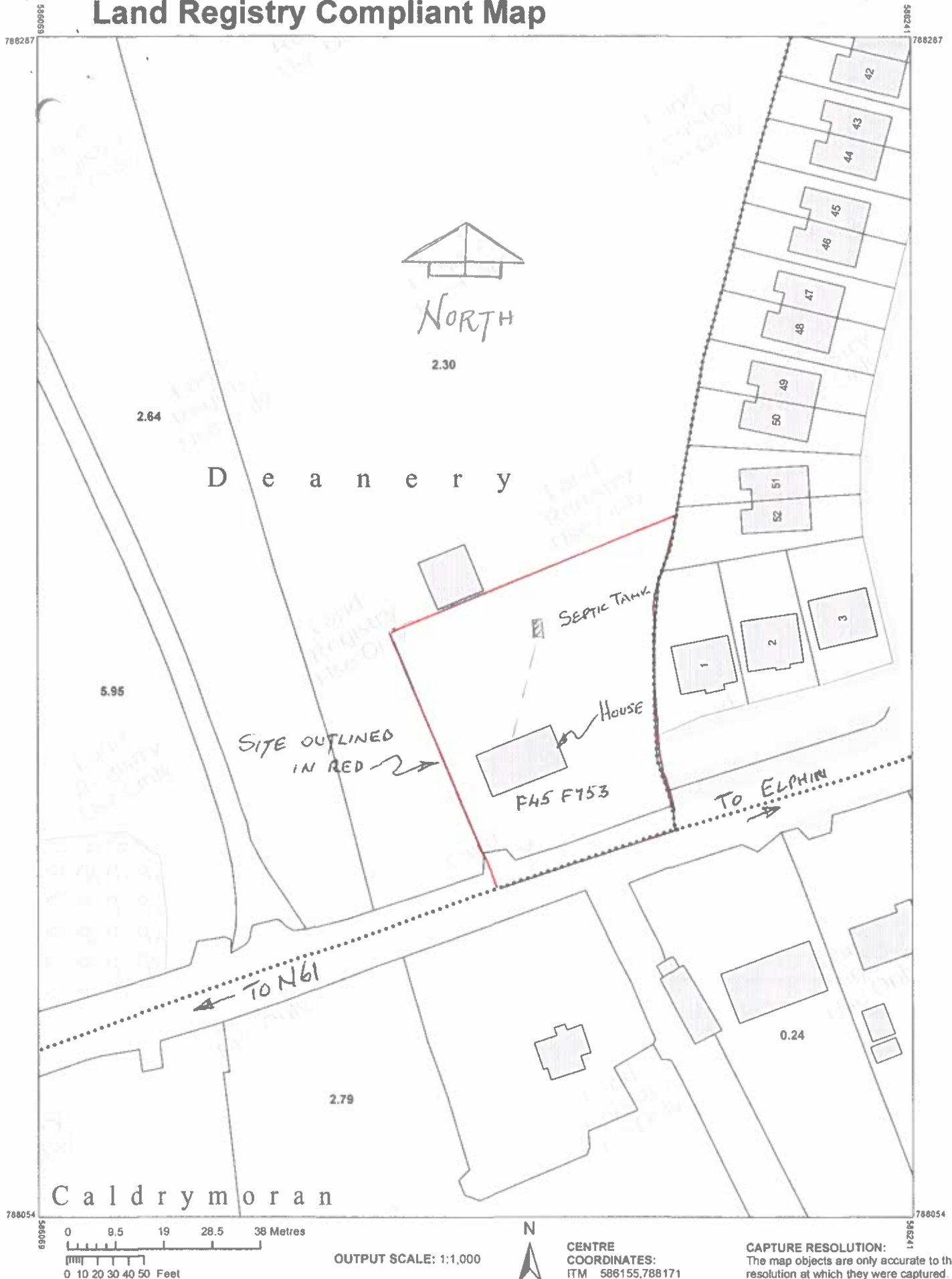
25 / May / 2026

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



Land Registry Compliant Map



COMPILED AND PUBLISHED BY:

Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

www.tailte.ie

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CENTRE
COORDINATES:
ITM 586155,788171

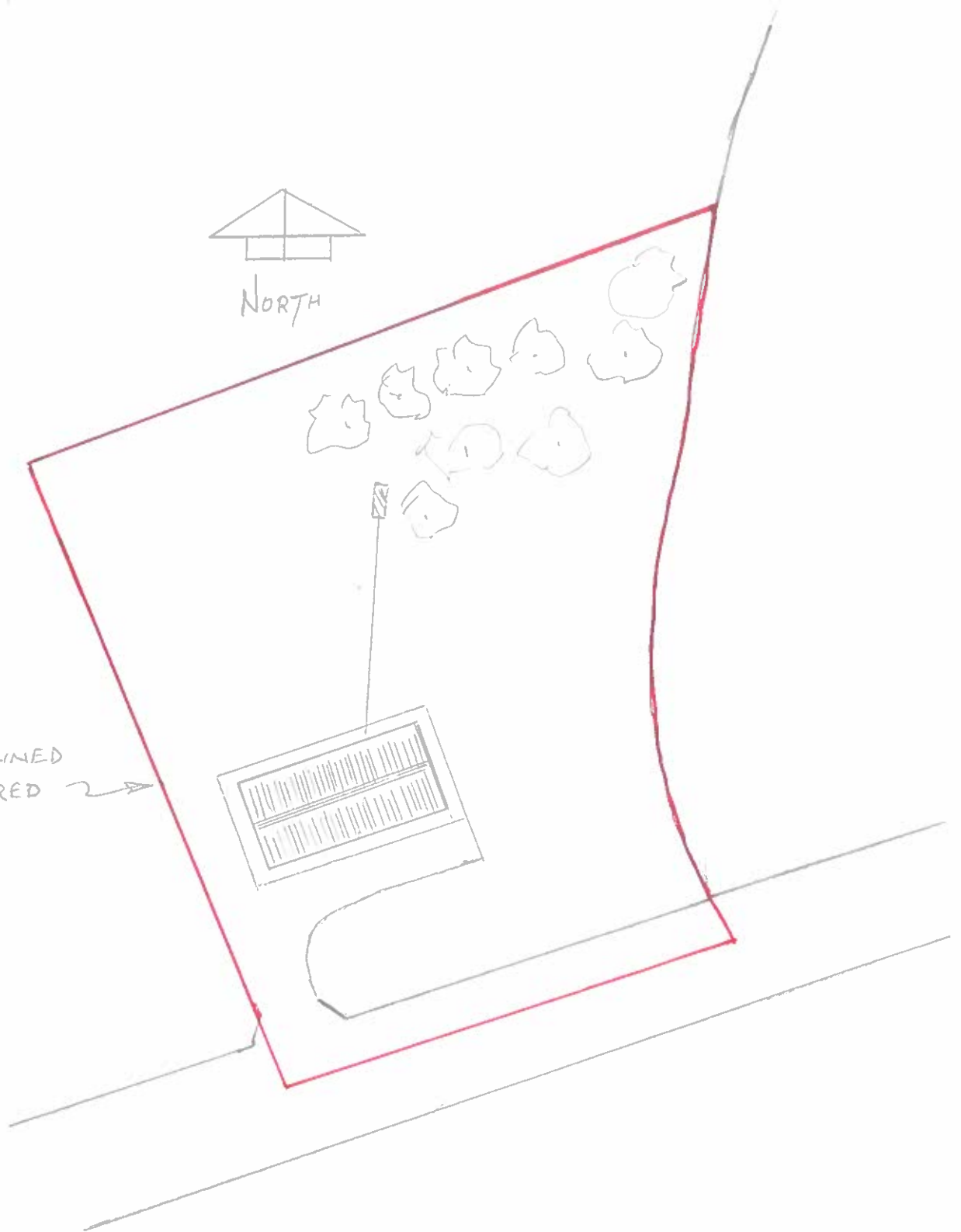
PUBLISHED: 25/05/2026
MAP SERIES: 1:2,500
ORDER NO.: 50537860_1
MAP SHEETS: 2041-B

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'



**Tailte
Éireann**

SITE OUTLINED
IN RED →



SITE LAYOUT SCALE 1:500

Michael Conlon B.E, M.I.E.I

Specification

Details		
All works are to interior of house. No external works other than replacement of footpaths.		
Clear out internally		
Replace ceilings.		
Replace internal doors and frames as necessary.		
Provide attic insulation.		
Insulation to external walls 92.5mm insulated plasterboard on 50mm wall battens incl. vapour membrane.		
Replace radiators.		
Replace external joinery.		
Replace fuse board- rewire as necessary.		
Plumbing and heating installation.		
Kitchen units, wardrobes and presses.		
150mm concrete footpath to perimeter. 1200 wide		
Paint and decorate.		
Wall and floor tiling.		