

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/1047/26

Reference Number:

DED1061

Name of Applicant:

Mary Sweeney

Agent:

Sean Maloney & Associates, Unit 46, N17 Business Park, Galway Rd, Tuam,
Co. Galway, H54 CY62.

WHEREAS a question has arisen as to whether the proposed extension to the rear of dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, 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 1 Schedule 1 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 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.
- The proposed development does not exceed the conditions and limitations of Class 1 Schedule 1 Article 6 of the Planning and Development Regulations, 2001, as amended and is therefore, 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 proposed extension to the rear of dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, 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 15:39
To: Sean Maloney
Subject: DED1061 Notification of Decision
Attachments: ded1061 notification.pdf

A Chara,

Please find attached correspondence for your attention regarding DED1061.

Kind Regards,

Gemma Cunningham | Clerical Officer

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

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

🌐 www.roscommoncoco.ie



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Ros Comáin
Roscommon
County Council



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

REGISTERED POST

Mary Sweeney,
Cloondacarra,
Castlerea,
Co. Roscommon,
F45 C927.

Reference Number: DED1061
Application Received: 21st July 2026
Name of Applicant: Mary Sweeney

WHEREAS a question has arisen as to whether the proposed extension to the rear of dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, 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 1 Schedule 1 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.

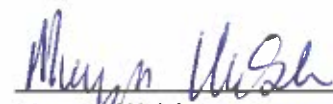
AND WHEREAS Roscommon County Council has concluded that:

- The works outlined above are development.
- The proposed development 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.
- The proposed development does not exceed the conditions and limitations of Class 1 Schedule 1 Article 6 of the Planning and Development Regulations, 2001, as amended and is therefore, 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 proposed extension to the rear of dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, 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: Sean Maloney & Associates, Unit 46, N17 Business Park, Galway Rd, Tuam, Co. Galway, H54 CY62.
seanmaloneyassociates@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.

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

Reference Number:	DED 1061
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the proposed extension to the rear of dwelling is or is not development and is or is not exempted development.
Name of Applicant:	Mary Sweeney
Location of Development:	Cloondacarra, Castlerea, Co. Roscommon, F45 C927
Site Visit:	19 th August 2026

WHEREAS a question has arisen as to whether the proposed extension to the rear of dwelling 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 1 Schedule 1 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 a north facing single storey bungalow. The site is accessed off the L-1612 Local Secondary Road. The subject site is located in the townland of Cloondacarra, c. 2.2km south of Castlerea. The proposed development consists of a declaration as to whether the proposed extension to the rear of an existing dwelling is or is not exempted 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.

[illegible]

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.

As per Roscommon County Councils Planning Registry, there is no recent planning history attached to the subject site.

Planning and Development Acts 2000 (as amended)

“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.

PART 1 - Article 6 - Exempted Development – General

Development within the curtilage of a house

Development Description	Conditions and Limitations
Class 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.	1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 45 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres. 2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after

	1 October 1964, including those for which planning permission has been obtained, shall not exceed 45 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres. c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres 3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary. 4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house. (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house. (c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling. 5. The construction or erection of any such extension to the rear of the house shall not reduce the total area of private open space within the curtilage of the house, reserved exclusively for the use of the occupants of the house to less than 25 square metres.
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	6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces. (b) Any window proposed above ground level in any such extension shall not be less than 8 metres from the boundary it faces. (c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 8 metres from the boundary it faces. 7. The roof of any extension shall not be used as a balcony or terrace. 8. This exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.
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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

- Proposed extension to the rear of the dwelling

Class 1 Schedule 1 Article 6 - Extension

1. (a) House has no previous extension; proposed extension is 19.1 sq.m.
(b) Proposed extension is only on ground floor level.
(c) Proposed extension is only on ground floor level.
2. House has no previous extension; therefore N/A.
3. Proposed extension is only on ground floor level.
4. (a) Rear wall does not exceed this height.
(b) Rear wall does not exceed this height.
(c) Roof height of extension is not higher than the existing house.
5. Extension does not reduce the open space to less than 25sq.m.
6. (a) Windows are greater than 1m from the boundary it faces.
(b) Proposed extension is only on ground floor level.
(c) Proposed extension is only on ground floor level.
7. The proposed roof according to drawings submitted shows a flat roof with an EPDM rubber membrane and will not be used as a balcony or terrace.
8. The responsibility lies with the applicant to ensure the exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.

The proposed extension to the rear of the existing dwelling complies with the conditions and limitations attached to Class 1 Schedule 1 Article 6 of the Planning and Development Regulations, 2001, as amended.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; the proposed extension to the rear of dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, 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 1 Schedule 1 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 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.
- The proposed development does not exceed the conditions and limitations of Class 1 Schedule 1 Article 6 of the Planning and Development Regulations, 2001, as amended and is therefore, an exempt development.

AND WHEREAS I have concluded that the said development for the proposed extension to the rear of dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed *Seán Tuernan*

Date: 26/08/2026

Planner



Signed:

Senior Executive Planner

Date: 26/08/2026











MEMORANDUM

To: North Roscommon Area.

From: Mervyn Walsh, Administrative Officer, Planning Department.

Date: 29th July 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 the proposed extension to the rear of dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, is or is not development and is or is not exempted development.

Applicant: Mary Sweeney

Planning Ref: DED1061

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from **Mary Sweeney** for the said development above, **which was received on 28th July 2026.**

Please let me have your recommendation.



Mervyn Walsh,
Administrative Officer,
Planning Department.

Gemma Cunningham

From: Gemma Cunningham
Sent: Wednesday 29 July 2026 13:16
To: 'seanmaloneyassociates@gmail.com'
Subject: DED1061 - Section 5 Declaration of Exempted Development Application
Attachments: DED1061 Ack ltr & Receipt.pdf

A Chara,

Please find attached Acknowledgement letter and Receipt for the Section 5 Declaration of Exempted Development Application Submitted on behalf of Mary Sweeney DED1061 is the reference for this application.

Kind Regards,

Gemma

Gemma Cunningham | Clerical Officer

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

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

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Mary Sweeney,
Cloondacarra,
Castlerea,
Co. Roscommon,
F45 C927.

Date: 29th July 2026
Planning Reference: DED1061

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 proposed extension to the rear of
dwelling at Cloondacarra, Castlerea, Co. Roscommon, F45 C927, 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 21st July, 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. L01/0/241815 dated 28th July, 2026**, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED1061**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Mervyn Walsh,
Administrative Officer,
Planning Department.

cc agent via email: Sean Maloney & Associates, Unit 46, N17 Business Park, Galway Rd, Tuam,
Co. Galway, H54 CY62.
seanmaloneyassociates@gmail.com.

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

28/07/2026 12:39:50

Receipt No. : L01/0/241815

MARY SWEENEY
CLOONDACARRA
CASTLEREA
CO ROSCOMMON
F45C927

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED1061	

Total :	80.00 EUR
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Tendered :	
Cheque	80.00
503771	

Change :	0.00
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Issued By : Aine McDermott
From : Central Cash Office

DED 1061



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, regarding Exempted Development

Name:	MARY SWEENEY
Address:	CLOONDACARA Castlereagh Co Roscommon F45 C927
Name & Address of Agent:	SEAN MALONEY + Associates N17 BUSINESS PARK TUAM. Co GALWAY
Nature of Proposed Works	Proposed extension to THE REAR OF DWELLING
Location (Townland & O.S No.)	CLOONDACARRA
Floor Area	15 sq m
Height above ground level	2.990 m
Total area of private open space remaining after completion of this development	300 sq m
Roofing Material (Slates, Tiles, other) (Specify)	Flat Roof - EPDM Rubber MEMBRANE
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	plaster finish
Is proposed works located at front/rear/side of existing house.	REAR OF DWELLING



Roscommon County Council

Application for a Declaration under Section 5 of the Planning & Development Act 2000,
regarding Exempted Development

Has an application been made previously for this site	YES - ON PART OF SITE FOR AGRI. BUILDING
If yes give ref. number (include full details of existing extension, if any)	1130 - Retention of Agri. Building House Pre 1963
Existing use of land or structure	DWELLING
Proposed use of land or structure	EXTENSION TO DWELLING
Distance of proposed building line from edge of roadway	40m
Does the proposed development involve the provision of a piped water supply	Existing supply
Does the proposed development involve the provision of sanitary facilities	YES - w/chair Accessible toilet.

Signature: Sean Maloney (Agent)

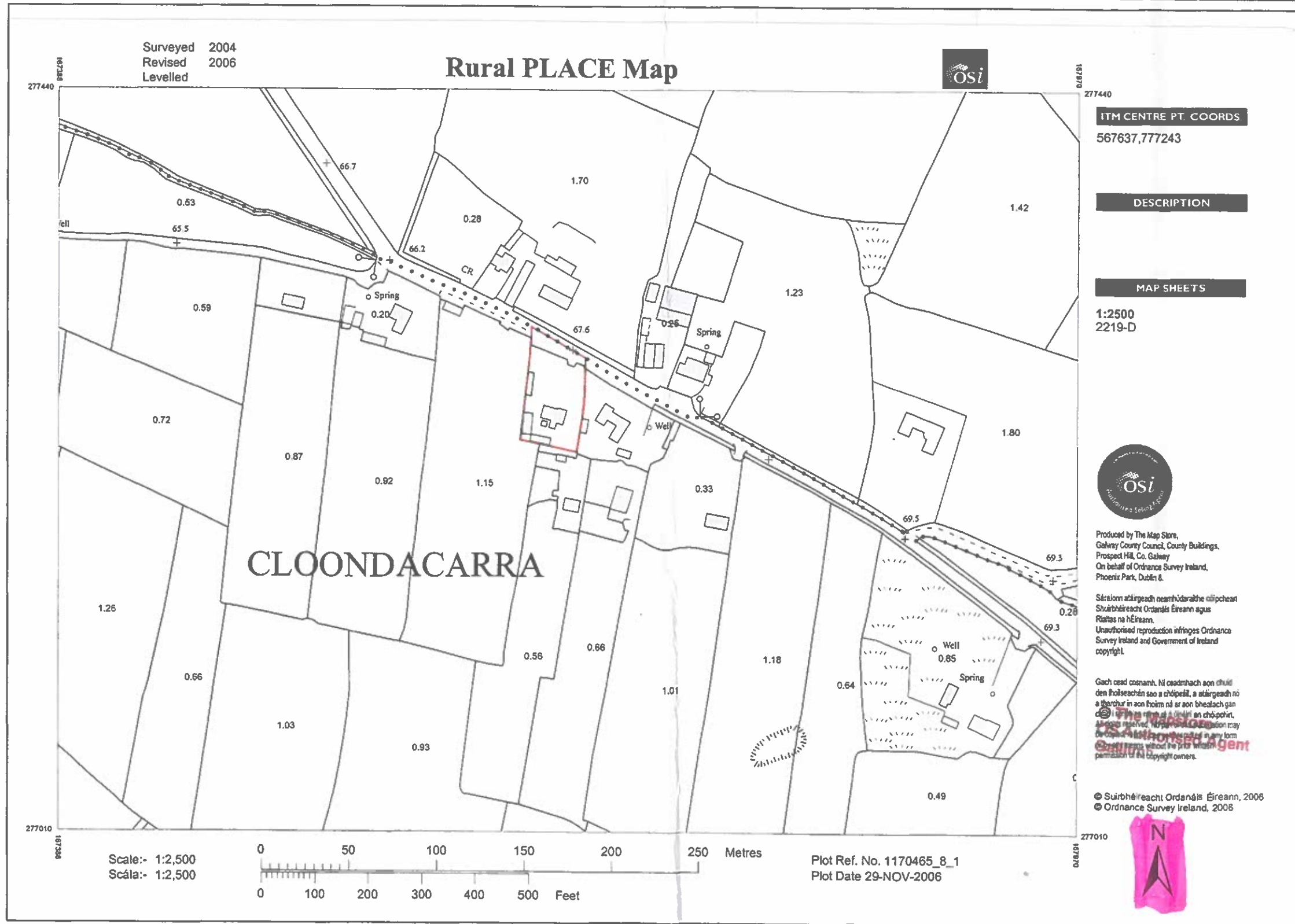
Date: 17-07-26

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

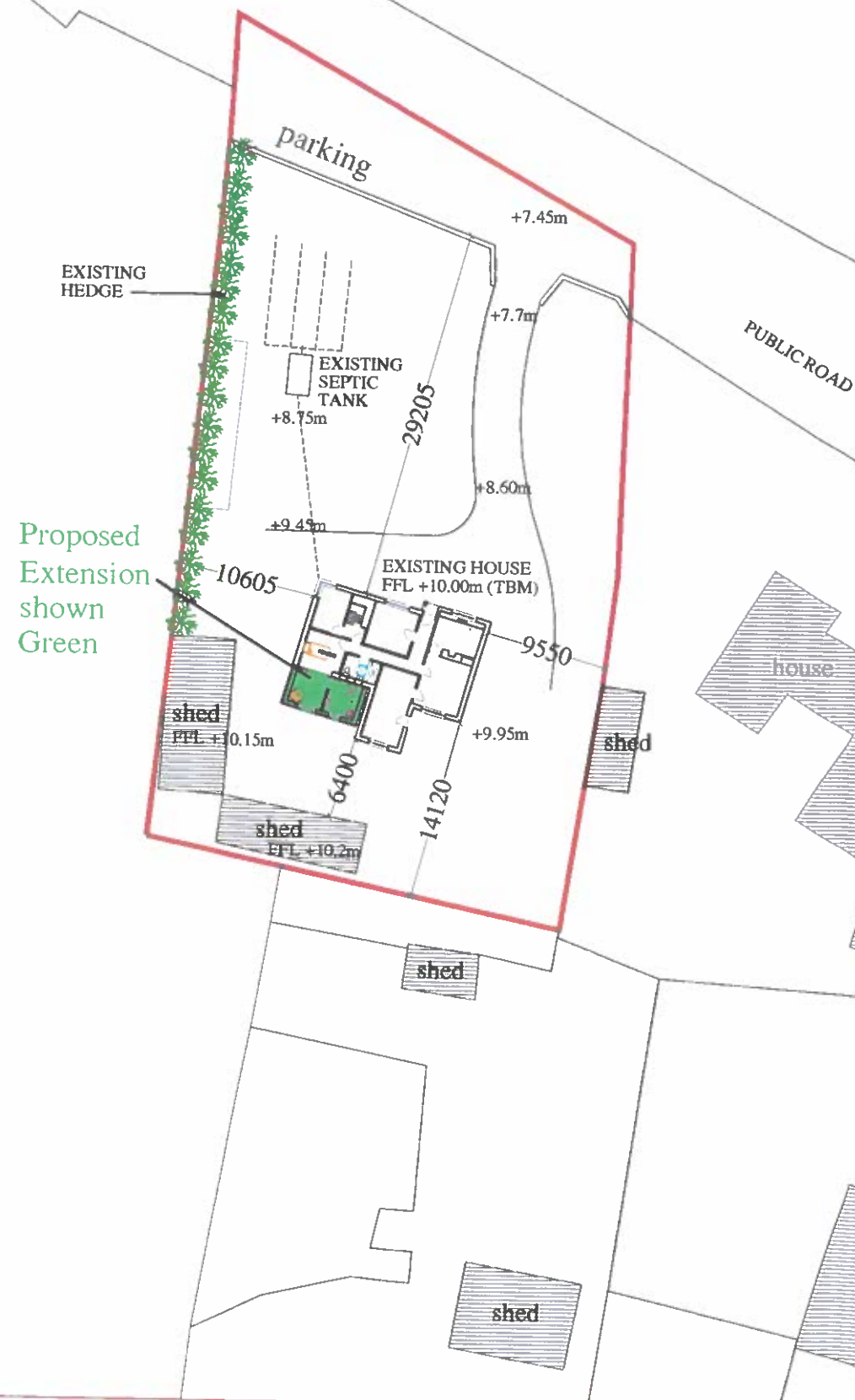
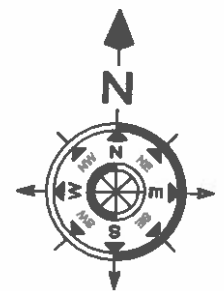


Client: SWEENEY	Scale: 1/2500	SEAN MALONEY & ASSOCIATES BUILDING & PLANNING CONSULTANTS HOUSE DESIGN, PLANNING & SURVEYING Unit 46, N17 Business Park, Tuam, Co. Galway, Phone: (093) 26977 Mobile: 087 279 2820
Location: Cloondacarra	Date: 16/07/2026	
Site Location Map	0.5 MAP 2219-D	
OS LICENCE: AR 0046526		



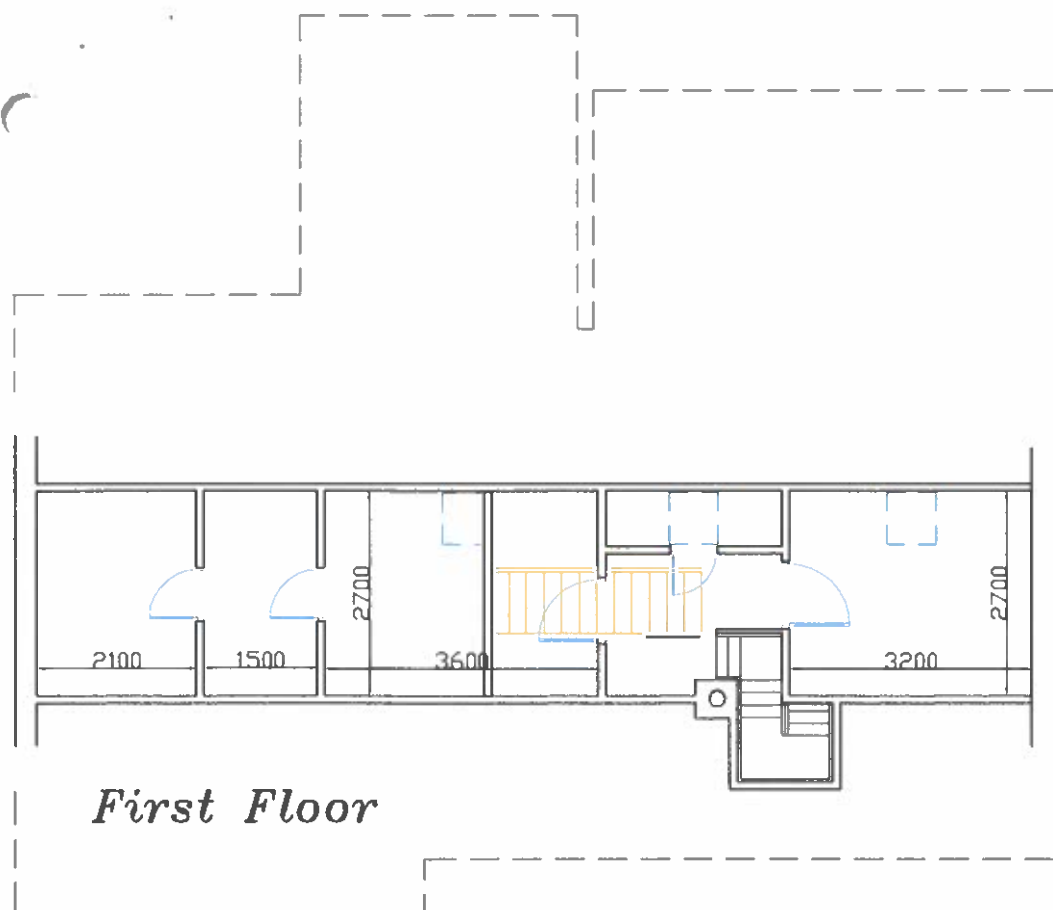
SEAN MALONEY & ASSOCIATES BUILDING & PLANNING CONSULTANTS HOUSE DESIGN, PLANNING, ESTIMATING, PROPERTY LOSS ASSESSING, SITE SURVEYING.		Unit 46, N17 Business Park, Tuam, Co. Galway, Phone: (093) 26977 Mobile: 087 279 2820 Fax: (093) 26979
Client: Sweeney	Scale: 1:500	
Location: Cloondacarra	Date: 16/07/26	
Site Layout Plan		Notes:
Site Outlined Red		

SITE AREA = 0.2 HA
 ALL STRUCTURES WITHIN 50.0M SHOWN

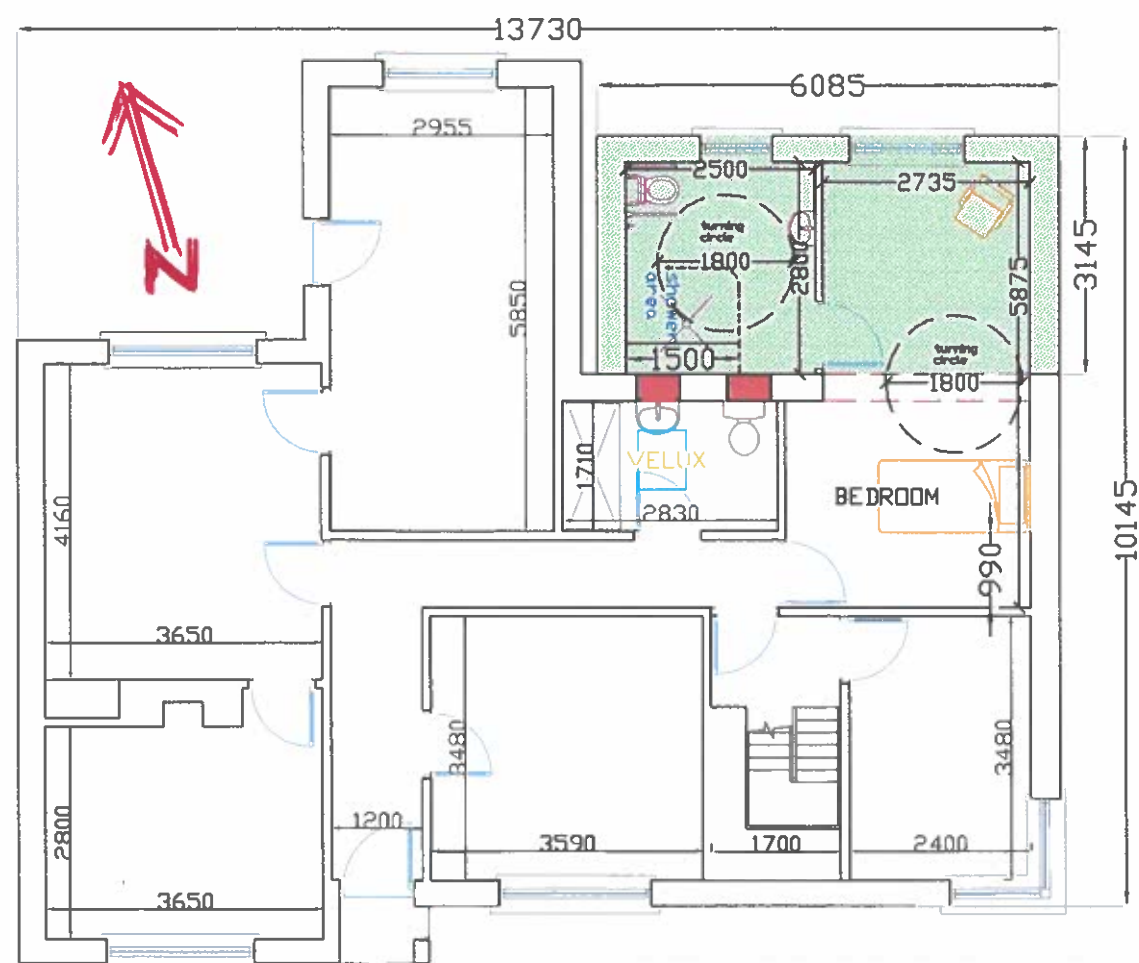


All measurements, heights, areas, levels, and structural details to be checked and verified by the contractor, prior to commencement of any works or agreements. Do not scale any drawing. Work to figured dimensions only.

All materials, workmanship, methods of construction to be in accordance with the current Building Regulations in force at time of construction and all local authority conditions of planning etc. Contractors will be fully responsible for all Regulations to comply with, whether or not all notations for same have been implemented on these drawings.



First Floor

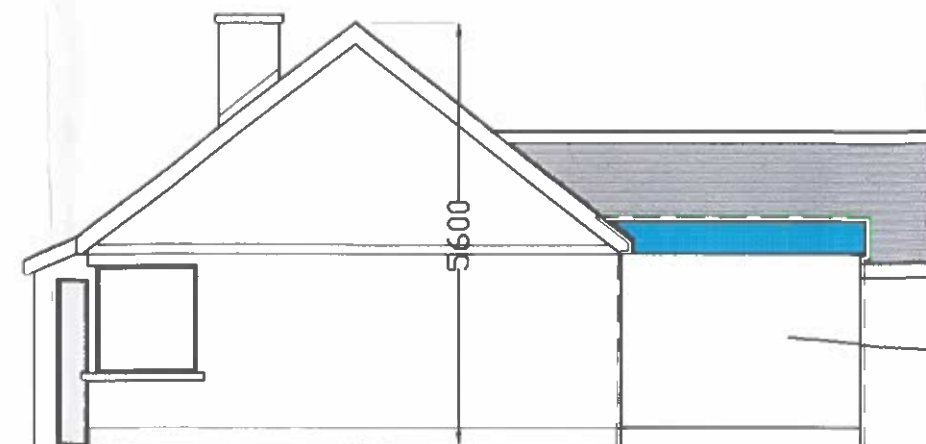


Ground Floor

EXTENSION PLAN = 15 m²
EXTENSION AREA SHADED GREEN

BLOCKED OPE HATCHED RED

NEW WALL OPE SHOWN THUS



Proposed Side Elevation

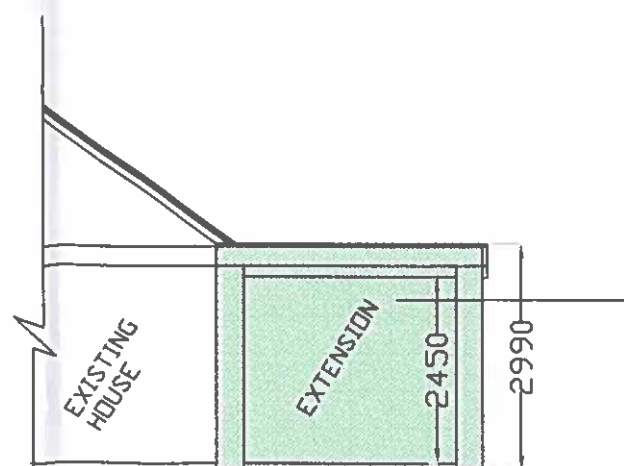
NAP PLASTER FINISH
TO MATCH EXISTING

EXTENSION OUTLINED DASHED GREEN LINE

NEW VELUX WINDOW



Proposed Rear Elevation



SECTION

A3- 1:100

SM SEAN MALONEY
BUILDING & PLANNING CONSULTANTS
HOUSE DESIGN, PLANNING, ESTIMATING,
PROPERTY LOSS ASSESSING, SITE SURVEYING.

Unit 46,
M17 Business Park,
Tuam,
Co. Galway,
Ireland.
Phone: (093) 28977
Mobile: 087 278 2620
Fax: (093) 28979
SM

Client	Scale
Sweeney M.	1:100
Project	Date
Proposed Extension	16/07/2026
Title	Drawn by
Plan, Elevations & Section	AB
	Project No.
	Drawing No.