

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

REGISTERED POST

Adrian McKenna,



Reference Number: DED 931
Application Received: 21st July, 2025
Name of Applicant: Adrian McKenna
Agent: Mick Conlon

WHEREAS a question has arisen as to whether the renovation and material alterations of a dwelling house at Elphin Street, Boyle, Co. Roscommon, F52 R791, 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.

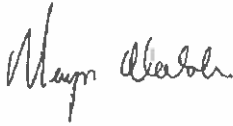
AND WHEREAS Roscommon County Council has concluded that:

- (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 and the material alterations of a dwelling house at Elphin Street, Boyle, Co. Roscommon, F52 R791., 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: 26th January, 2026

c.c. agent via email: **Mick Conlon**
mickconlon36@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: Tuesday 27 January 2026 09:18
To: mick conlon
Subject: DED931 - Adrian McKenna
Attachments: DED 931 Notification of Determination.pdf

A Chara,

Please find attached Notification of Determination for the Section 5 Declaration of Exempted Development Application submitted for Adrian McKenna – DED931.

Mise le meas,

Carmel

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

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

MAP LOCATION



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

Reference Number:	DED 931
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding exempted development for renovation and material alterations of dwellinghouse including replacing render, levelling floors, insulation, new foul sewer, stud partitions, replace ceilings and external joinery, floor and wall tiling, kitchen/bathroom fittings, upgrade all plumbing and electrics, and decoration throughout.
Name of Applicant:	Adrian McKenna
Location of Development:	Elphin Street, Boyle, Co. Roscommon, F52 R791.
Site Visit:	13 th August 2025

WHEREAS a question has arisen as to whether the following works for renovation and material alterations of dwellinghouse 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 subject site is located on Elphin Street, Boyle, Co. Roscommon and is accessed off the N-61 road. The site contains a two-story terrace dwelling. The proposed works are for the renovation and material alterations of the dwelling which is to include the replacement of the render and external joinery, repairs to the roof valleys, new foul connection and various other internal works.

There are no European designated sites in, adjoining or in close proximity to the subject site. There is no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS.

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 sites to the site of the development are Drum Bridge (Lough Key) PNHA (Site Code 001631) which is located circa 2km to the northeast and Lough Gara PNHA (Site Codes 000587) which is located circa 3.5km to the west of the subject site.

Having regard to the 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

As per the Roscommon County Council's Planning Registry, no recent planning history has been traced relating to the subject 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.

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

- Replacing render
- Levelling floors

- Insulation
- New foul sewer
- Stud partitions
- Replace ceilings and external joinery
- Floor and wall tiling
- Kitchen/bathroom fittings
- Upgrade all plumbing and electrics
- Decoration throughout

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).

Further information was requested to clarify the proposed external finish/render of the proposed development. The applicant has submitted clarification to this query stating there will be no external rendering to the house other than minimal works to make good around external joinery. This render will be smooth plaster to match existing finish. It may be concluded therefore that the referenced replacement render will be localised and associated with making good following installation of joinery.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for the renovation and material alterations of a dwellinghouse as outlined above at Elphin Street, Boyle, Co. Roscommon, F52 R791, is or is not development and is or is not exempted development, I have considered this question, and I have had regard particularly to –

- Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- 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.
- 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 the for the renovation and material alterations of a dwellinghouse as outlined above at Elphin Street, Boyle, Co. Roscommon, F52 R791, is exempt development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 26/01/2026

Signed: 
Senior Executive Planner

Date: 26th January 2026

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

Planning Section
Roscommon Co. Co.
Aras an Chontae
Roscommon
Dated 20/08/2025

Tulsk
Co Roscommon
F45 R682

Your Ref: DED 931

Re: Application for a Declaration under Section 5 of the Planning and Development Act 2000 for dwellinghouse at Elphin St, Boyle F52 R791 the property of Mr Adrian McKenna, [REDACTED]

A Chara,

Further to your letter dated 15th August 2025 in the above regard I wish to clarify that there will be no external rendering to the house other than minimal works to make good around replacement of external joinery. This will be finished in smooth plaster to match existing finish.

I trust this clarifies the situation

Mise Le Meas,


Michael Conlon.

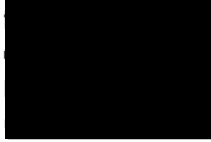




Comhairle Contae
Ros Comáin
Roscommon
County Council



Adrian McKenna,



Date: 15th August, 2025
Reference: DED 931

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 and material alterations of a dwelling house, including replacing render, levelling floors, insulation, new foul sewer, stud partitions, replace ceilings and external joinery, floor and wall tiling, kitchen/bathroom fittings, upgrade all plumbing and electrics, and decoration throughout at Elphin Street, Boyle, Co. Roscommon, F52 R791, is or is not development and is or is not exempted development.

A Chara,

Further to your application received on the 21st July, 2025 and in order for the Planning Authority to determine as to whether the renovation and material alterations of a dwelling house, including replacing render, levelling floors, insulation, new foul sewer, stud partitions, replace ceilings and external joinery, floor and wall tiling, kitchen/bathroom fittings, upgrade all plumbing and electrics, and decoration throughout at the above address is or is not development and is or is not exempted development, you are requested to submit the following further information:

1. Provide more information of the proposed replacement render to the dwelling, eg. material, finish etc.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 931**

Note: Replies to this communication must be by way of original documents.

Mise le meas,

Alan O'Connell,
Senior Executive Planner,
Planning.

cc agent via email: Mick Conlon
mickconlon36@gmail.com

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

Reference Number:	DED 931
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding exempted development for renovation and material alterations of dwellinghouse including replacing render, levelling floors, insulation, new foul sewer, stud partitions, replace ceilings and external joinery, floor and wall tiling, kitchen/bathroom fittings, upgrade all plumbing and electrics, and decoration throughout.
Name of Applicant:	Adrian McKenna
Location of Development:	Elphin Street, Boyle, Co. Roscommon, F52 R791.
Site Visit:	13/08/2025

WHEREAS a question has arisen as to whether the following works; for renovation and material alterations of dwellinghouse including replacing render, levelling floors, insulation, new foul sewer, stud partitions, replace ceilings and external joinery, floor and wall tiling, kitchen/bathroom fittings, upgrade all plumbing and electrics, and decoration throughout 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, 9 and 10 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 subject site is located on Elphin Street, Boyle, Co. Roscommon and is accessed off the N-61 road. The site contains a two story terrace dwelling. The proposed works are for the renovation and material alterations of the dwelling which is to include the replacement of the render and external joinery, repairs to the roof valleys, new foul connection and various other internal works.

There are no European designated sites in, adjoining or in close proximity to the subject site. There is no known heritage related sites/structures in very close proximity to the subject site, as per the Roscommon County Council GIS.

Archaeological and Cultural Heritage

No RMP recorded in the likely zone of influence of the development. No Protected structures or structures listed in the National Inventory of Architectural Heritage the likely zone of influence of the development.

Appropriate Assessment

The closest European sites to the site of the development are Drum Bridge (Lough Key) PNHA (Site Code 001631) which is located circa 2km to the northeast and Lough Gara PNHA (Site Codes 000587) which is located circa 3.5km to the west 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, therefore, be excluded.

Planning History

As per the Roscommon County Council's Planning Registry, no recent planning history has been traced relating to the subject site. Note DED 850 is for the adjoining property under the same applicant and agent with works/partial works completed in conjunction with this application.

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,

Initial Planning Assessment:

Following a review of the documents submitted and site inspection there are varies elements of the proposed works that require further information such as the proposed external finish/render.

Accordingly, a further Information request will be made in this regard.

Recommendation:

Please provide the below information:

- Provide more information of the proposed replacement render to the dwelling, eg. Material, finish etc.

Signed:



Date: 15th August 2025

Assistant Engineer

Signed:



Date: 15th August 2025

Senior Executive Planner





Caroline Pease

From: Caroline Pease
Sent: Wednesday 23 July 2025 12:05
To: mickconlon36@gmail.com
Subject: DED931 - Adrian McKenna
Attachments: DED931 Acknowledgement Letter - Signed.pdf; DED931 Receipt.pdf

Dear Mick,

Copy acknowledgment letter and receipt as posted today to Adrian McKenna.

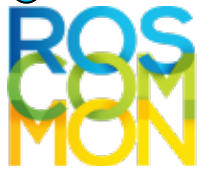
Kind regards,
Caroline

Caroline Pease | Clerical Officer

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

☎ (090) 6637206 ✉ cpease@roscommoncoco.ie

🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council





Comhairle Contae
Ros Comáin
Roscommon
County Council



Adrian McKenna,

Date: 23rd July, 2025
Planning Reference: DED 931

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

Development: Permission for renovation and material alterations of dwellinghouse including replacing render, levelling floors, insulation, new foul sewer, stud partitions, replace ceilings and external joinery, floor and wall tiling, kitchen/bathroom fittings, upgrade all plumbing and electrics, and decoration throughout under the Planning & Development Act (Exempted Development) regulations 2018 at Elphin Street, Boyle, Co. Roscommon, F52 R791.

A Chara,

I wish to acknowledge receipt of the application which was received on the 21st 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: L01/0/235848 dated 22nd July, 2025 receipt enclosed herewith.

Note: Please note your Planning Reference No. is DED 931
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: Mick Conlon
mickconlon36@gmail.com

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

22/07/2025 09:28:31

Receipt No. : L01/0/235848

ADRIAN MCKENNA


CO. ROSCOMMON
EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED931	

Total :	80.00 EUR
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Tendered :	
Cheque	80.00
160	

Change :	0.00
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Issued By : Louis Carroll
From : Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council



Aras 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)	ADRIAN McKENNA
Name of Agent	MICHAEL CONNOR
Nature of Proposed Works	REFURBISHMENT OF DWELLING HOUSE
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	ELPHIN ST. BOYLE F52 R791 LARAGHMEADOW O.S NO 6-9 CO. ROSCOMMON
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>52 M²</u> b) <u>NIL</u>
Height above ground level:	NA
Total area of private open space remaining after completion of this development	NA
Roofing Material (Slates, Tiles, other) (Specify)	NA

Roscommon County Council

Application for a Declaration under Section 5 of the



Proposed external walling (plaster, stonework, brick or other finish, giving colour)	NA 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	DIRECT
Proposed use of land or structure	RESIDENTIAL
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:

9/July/2025

Note: This application must be accompanied by: -

- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed

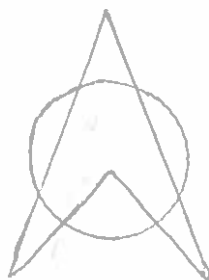


Specification for Refurbishment of dwelling at Elphin St. Boyle the property of Mr Adrian McKenna.

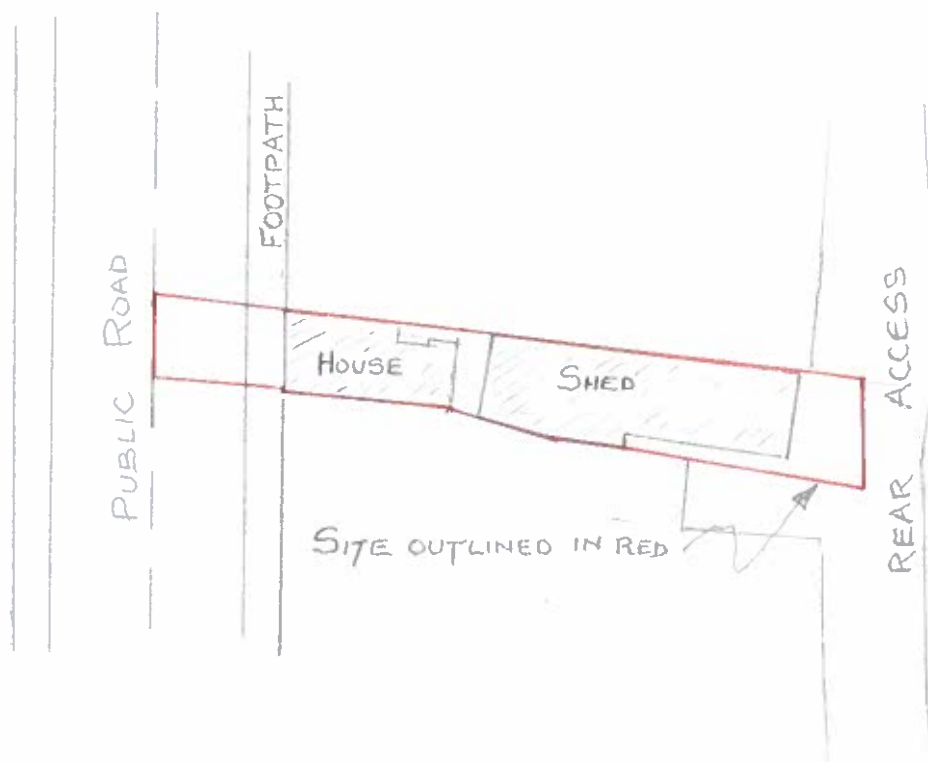
	Details	
	Clear out internally ground floor and first floor- Remove 20M ² stud partition.	
	Hack off and remove rendering as required.	
	Excavate existing ground floor to reduced level.	
	Disposal of material off site.	
	Hardcore filling to make up levels under floor slab. (150mm stone)	
	Level and compact.	
	50 mm thick sand blinding.	
	Services under floor slab.	
	Floor insulation 100mm xtratherm.	
	A142 mesh.	
	150mm thick concrete slab.	
	Radon barrier incl. sump and pipework.	
	25mm vertical insulation.	
	60mm screed.	
	Powerfloat finish.	
	Remove and dispose of spoil and excavated material to licensed landfill.	
	New foul sewer connection and pipework.	
	Stud Partitions.	
	Extra over for door opes. and doors.	
	Replace ground floor ceilings and skim.	
	Ceilings to first floor and insulation.	
	Replace external joinery incl. builders work.	
	Wall finish and skim.	
	Insulation to external wall. 92.5mm insulated plasterboard on 50mm wall battens incl. vapour membrane.	
	Repair roof valleys at rear.	
	Softwood skirtings and architrave and window boards.	
	Floor and wall tiling.	
	Kitchen units and presses.	
	Bathroom fittings.	
	Installation of electrical services.	
	Plumbing and heating installations.	
	Painting and decoration. Internal and external.	



GREATMEADOW TD.



NORTH



SITE LAYOUT PLAN

SCALE 1:500



