

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

**REGISTERED POST**

Deirdre Kelly & Declan Nee,  


**Reference Number:** DED 968

**Application Received:** 30<sup>th</sup> October, 2025

**Name of Applicants:** Deirdre Kelly & Declan Nee

**Agent:** N/A

**WHEREAS** a question has arisen as to whether the renovation of a dwelling with works including;  
1)replacement of windows & doors (within existing opes); 2)fitted kitchen; 3)installation of utility; 4)re-wiring; 5)re-plumbing; 6)replacement of heating system; 7)replacement of doors, architraves & skirting & 8)painting and decorating at Cloonakille, Mount Talbot, Co. Roscommon, F42 HF43, 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.

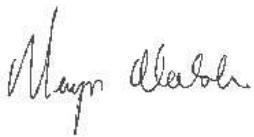
**AND WHEREAS** Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed internal works fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:  
*development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*
- (c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

**NOW THEREFORE:**

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development to renovate a dwelling with works including; 1)replacement of windows & doors (within existing opes); 2)fitted kitchen; 3)installation of utility; 4)re-wiring; 5)re-plumbing; 6)replacement of heating system; 7)replacement of doors, architraves & skirting & 8)painting and decorating at Cloonakille, Mount Talbot, Co. Roscommon, F42 HF43, 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 Department.**

Date: 30<sup>th</sup> January, 2026

**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**

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**From:** Carmel Curley  
**Sent:** Friday 30 January 2026 14:36  
**To:** deirdre kelly  
**Subject:** DED968 - Notification of Determination  
**Attachments:** DED 968 Notification of Determination .pdf

A Chara,

Please find attached Notification of Determination for the Section 5 Declaration of Exempted Development Application – DED 968.

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](mailto:planning@roscommoncoco.ie) | [www.roscommoncoco.ie](http://www.roscommoncoco.ie)

**MAP LOCATION**



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

|                                 |  |
|---------------------------------|--|
| <b>Reference Number:</b>        | DED 968  |
| <b>Re:</b>                      | Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the renovation of a dwelling with works including; 1) replacement of windows & doors; 2) fitted kitchen; 3) installation of utility; 4) re-wiring; 5) re-plumbing; 6) replacement of heating system; 7) replacement of doors, architraves & skirting & 8) painting and decorating. |
| <b>Name of Applicant:</b>       | Deirdre Kelly and Declan Nee.  |
| <b>Location of Development:</b> | Cloonakilleg, Mount Talbot, Co. Roscommon, F42 HF43.   |
| <b>Site Visit:</b>              | 14/11/2025   |

**WHEREAS a question has arisen as to whether the renovation of a dwelling with works including; 1) replacement of windows & doors; 2) fitted kitchen; 3) installation of utility; 4) re-wiring; 5) re-plumbing; 6) replacement of heating system; 7) replacement of doors, architraves & skirting & 8) 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 north facing bungalow with a garage located to the southeast corner of the subject site. The site is accessed via the L-7516 Local Secondary Road. The site is located c 1.5km from the village of Mount Talbot. The proposed development consists of the renovation of a dwelling with works including 1) replacement of windows & doors; 2) fitted kitchen; 3) installation of utility; 4) re-wiring; 5) re-plumbing; 6) replacement of heating system; 7) replacement of doors, architraves & skirting & 8) 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 River Suck Callows SPA (Site Code 004097) located c. 140m from the subject site.

Having regard to the separation distance between the site and the closest Natura 2000 site and the nature of the proposal, there is no real likelihood of significant effects on the conservation objectives of these or other European sites arising from the proposed development. The need for further Appropriate Assessment can, therefore, be excluded.

### **Planning History**

#### ***PD/83/15636***

**Development Description:** Permission for the erection of dwellinghouse and construction of a septic tank.

**Applicant:** Thomas Connelly

**Decision:** Granted.

#### ***PD/95/366***

**Development Description:** Construct a garage + turf shed.

**Applicant:** Thomas Connelly.

**Decision:** Granted.

### **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**

- Cosmetic Works.
- Remove existing external windows and doors + replace with new ones. (double glazed)
- Remove kitchen units and replace with new fitted kitchen units.
- Fit new utility unit.
- Upgrade existing bathroom ware with new ones and install a bath.
- Remove carpets throughout the house and lay new wooden floors in hall, sitting room and bedrooms.
- Tile kitchen, utility, WC and bathroom floors.
- Remove existing internal doors, architraves + skirting boards + replace with new wood.
- Upgrade the fascia + soffit on the gable of the house.
- Install upgraded heat system + for new boiler.

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).

## **Recommendation**

**WHEREAS a question has arisen as to whether the** renovation of a dwelling with works including; 1) replacement of windows & doors; 2) fitted kitchen; 3) installation of utility; 4) re-wiring; 5) re-plumbing; 6) replacement of heating system; 7) replacement of doors, architraves & skirting & 8) painting and decorating at Cloonakille, Mount Talbot, Co. Roscommon, F42 HF43, 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 internal 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 renovation of a dwelling with works including; 1) replacement of windows & doors (within existing opes); 2) fitted kitchen; 3) installation of utility; 4) re-wiring; 5) re-plumbing; 6) replacement of heating system; 7) replacement of doors, architraves & skirting & 8) painting and decorating at Cloonakille, Mount Talbot, Co. Roscommon, F42 HF43, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

**Signed:**

Graduate Planner



**Date:** 29/01/2026

**Signed:**

Senior Executive Planner



**Date:** 29/01/2026













## Carmel Curley

---

**From:** Carmel Curley  
**Sent:** Monday 17 November 2025 15:40  
**To:** deirdre kelly  
**Subject:** DED968 - Acknowledgement  
**Attachments:** DED968 - Ack Letter & Receipt.pdf

A Chara,

Please find attached Acknowledgement Letter & Receipt for your Section 5 Declaration of Exempted Development Application – DED 968.

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](mailto:planning@roscommoncoco.ie) | [www.roscommoncoco.ie](http://www.roscommoncoco.ie)

**MAP LOCATION**





Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Deirdre Kelly & Declan Nee,



Date: 17<sup>th</sup> November, 2025  
Planning Reference: DED 968

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

Development: WHEREAS a question has arisen as to whether the renovation of a dwelling with works including; 1) replacement of windows & doors; 2) fitted kitchen; 3) installation of utility; 4) re-wiring; 5) re-plumbing; 6) replacement of heating system; 7) replacement of doors, architraves & skirting & 8) painting & decorating at Cloonakille, Mount Talbot, 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 30<sup>th</sup> October, 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. L01/0/237824 dated 13<sup>th</sup> November, 2025, receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 968**  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

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

Roscommon County Council  
Aras an Chontae  
Roscommon  
09068 37100

13/11/2025 11:11:00

Receipt No.: L01/0/237824

DEIRDRE KELLY

EXEMPTED DEVELOPMENT

|                           |       |
|---------------------------|-------|
| PLANNING APPLICATION FEES | 80.00 |
| GOODS                     | 80.00 |
| VAT Exempt/Non-vatable    |       |
| DED968                    |       |

|       |           |
|-------|-----------|
| Total | 80.00 EUR |
|-------|-----------|

|                   |       |
|-------------------|-------|
| Tendered:         |       |
| Credit/Debit Card | 80.00 |
| 1506              |       |

|         |      |
|---------|------|
| Change: | 0.00 |
|---------|------|

Issued By: Louis Carroll  
From: Central Cash Office



Cathair Chontae  
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:  | DEIRDRE KELLY + DECLAN NEE   |
| Address:   | [Redacted]   |
| Name & Address of Agent:   | <del>Cosmetic Renovation Works<br/>Internal + External Doors, External Windows<br/>New fitted kitchen, Rewire + re-plumb.<br/>Fit new architraves, skirting</del>  |
| Nature of Proposed Works   | <del>Cosmetic Renovation Works Only.<br/>External doors + windows replacement<br/>New fitted kitchen + utility installation<br/>Rewire, re-plumb. Replace heating<br/>System. Replace doors, architraves + skirting</del><br>painting + decorating |
| Location (Townland & O.S No.)  | Cloonakillleg  |
| Floor Area   | 111m <sup>2</sup>  |
| Height above ground level  | 4  |
| Total area of private open space remaining after completion of this development      | 1900 m <sup>2</sup>  |
| Roofing Material (Slates, Tiles, other) (Specify)                                    | Tiles  |
| Proposed external walling (plaster, stonework, brick or other finish, giving colour) | Plaster  |
| Is proposed works located at front/rear/side of existing house.                      | N/A  |

## 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                        | No                              |
| If yes give ref. number (include full details of existing extension, if any) |                                 |
| Existing use of land or structure  | Residential - Vacant            |
| Proposed use of land or structure  | Residential - Primary Residence |
| Distance of proposed building line from edge of roadway                      | n/a                             |
| Does the proposed development involve the provision of a piped water supply  | Yes.                            |
| Does the proposed development involve the provision of sanitary facilities   | Yes                             |

Signature:

D Kelly Droe

Date:

22/09/25



Note: This application must be accompanied by:-

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

Location 78  
on map.

Planning No:  
95/366  
+ 15636/83

Folio No:





Official Tailte Éireann Registration Map

This map should be read in conjunction with the folio.

Tailte Éireann (TE) Registration mapping is based on TE Surveying mapping. Where TE Registration maps are printed at a scale that is larger than the TE Surveying scale, accuracy is limited to that of the TE Surveying map scale.

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This map incorporates TE Surveying map data under a licence from TE  
Copyright © Tailte Éireann and Government of Ireland

(centre-line of parcels(s) edged)

Freehold

Leasehold

SubLeasehold

'S' Register

(see Section 8(6)(ii) of Registration of Title  
Act 1964 and Rule 234 & 225 Land  
Registration Rules 1972 - 2010).

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

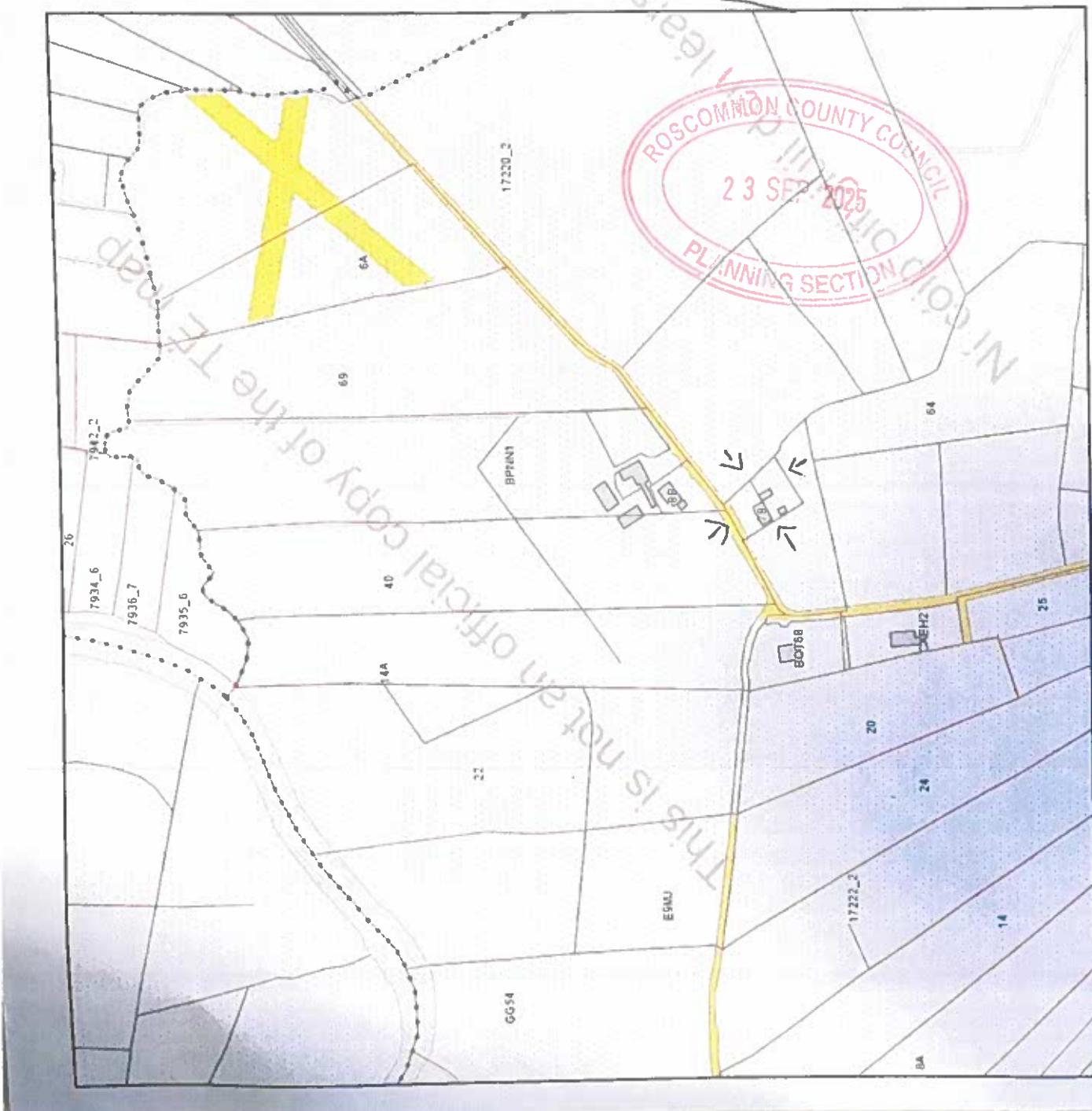
Pump

Septic Tank

Septic Pit

A full list of burdens and their symbology can  
be found at: [www.landdirect.ie](http://www.landdirect.ie)

Tailte Éireann Registration operates a non-conclusive boundary system.  
The TE Registration map identifies properties not boundaries meaning  
neither the description of land in a folio nor its identification by reference to  
a TE Registration map is conclusive as to the boundaries or extent  
(see Section 85 of the Registration of Title Act 1964) As inserted by  
Section 62 of the Registration of Deed and Title Act 2006



# Detailed Outline of Development proposed.



- Cosmetic Works
- Remove existing external windows and doors + replace with new ones. (double glazed)
- Remove existing kitchen units and replace with new fitted kitchen units.
- Fit new utility units.
- \* Upgrade existing bathroom wares with new ones + install a bath.
- \* Remove carpets throughout the house + lay new wooden flooring in hall, sitting room + bedrooms.
- Tile kitchen, utility, WC + bathroom floors.
- Remove existing internal doors, architraves + skirting boards + replace with new wood.
- Upgrade the fascia + soffit on the gable of the house.
- \* Install upgraded heat system + fit new boiler.

581840 mE, 751890 mN

Talte  
Éireann



Clarification Land  
Surveyor  
Registration Valuer  
Surveyor

Official Talte Éireann Registration Map  
This map should be read in conjunction with  
the folio

Talte Éireann (TÉ) Registration mapping is  
based on TÉ Surveying mapping. Where TÉ  
Registration maps are printed at a scale that is  
larger than the TÉ Surveying scale, accuracy is  
limited to that of the TÉ Surveying map scale.

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to Land Registry maps, see [www.talte.ie](http://www.talte.ie)

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Éireann and Government of Ireland.

(centre-line of parish(s) edged)

Freehold

Leasehold

Subleasehold

'S' Register

(see Section 8(b)(i) of Registration of Title  
Act 1964 and Rule 224 & 225 Land  
Registration Rules 1972 - 2010).

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Soak Pit

A full list of burdens and their symbology can  
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as to the boundaries or extent. (see  
Section 85 of the Registration of Title Act,  
1964) As inserted by Section 62 of the  
Registration of Deed and Title Act 2006

581680 mE, 751760 mN

Application Number: S2025LR014417V

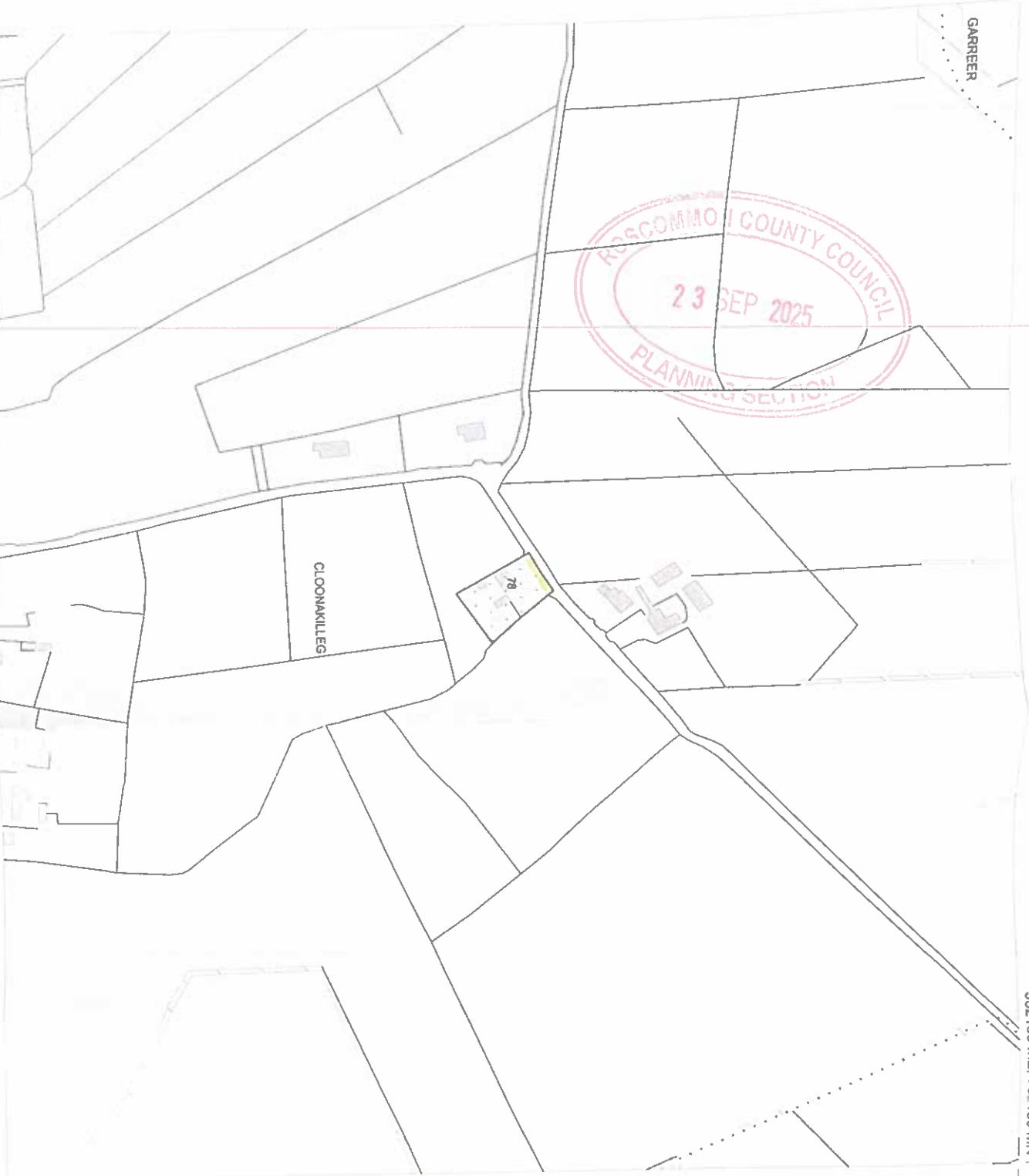
Creation Date: 29 October 2025 08:03:23

1:500



Táilte  
ÉireannChúcháin, Uimháil,  
Scoilteáil, Uimháil,  
Scoileanna, Valúint,  
Scoileanna, Valúint

GARREER



Folio: RN10958F

This map should be read in conjunction with the folio.

Táilte Éireann (TÉ) Registration mapping is based on TÉ Surveying mapping, where TÉ Registration maps are printed at a scale that is larger than the TÉ Surveying scale, accuracy is limited to that of the TÉ Surveying map scale.

For details of the terms of use and limitations of scale, accuracy and other conditions relating to TÉ Registration maps, see [www.talte.ie](http://www.talte.ie).

This map incorporates TÉ Surveying map data under licence from TÉ. Copyright © Táilte Éireann and Government of Ireland.

(contour(s) of parcel(s) edged)

Freehold

Leasehold

SubLeasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Seak Pnt



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The TÉ Registration map identifies properties, not boundaries, meaning neither the description of land in a folio nor its identification by reference to a TÉ Registration map is conclusive as to the boundaries or extent, (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

