

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

VIA EMAIL

Roy Anthony Nolan & Anthony John Colwell

Reference Number: DED 972
Application Received: 7th November, 2025
Name of Applicants: Roy Anthony Nolan & Anthony John Colwell
Agent: N/A

WHEREAS a question has arisen as to whether the renovation of an existing dwelling at Clashaganny, Tulsk, Castlerea, Co. Roscommon, F45 FC61., 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.

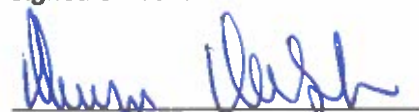
AND WHEREAS Roscommon County Council has concluded that:

- (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 an existing dwelling at Clashaganny, Tulsk, Castlerea, Co. Roscommon, F45 FC61., 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: 27th 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

From: Carmel Curley
Sent: Tuesday 27 January 2026 16:21
To: roy
Subject: DED972 - Notification of Determination
Attachments: DED972 - Notification of Determination.pdf

A Chara,

Please find attached Notification of Determination for your Section 5 Declaration of Exempted Development Application – DED972.

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 972
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the renovation of an existing dwelling with works including; 1) new windows & doors; 2) works to flat roof; 3) central heating; 4) plumbing; 5) wiring; 6) refit kitchen & bathroom; 7) check roof insulation & 8) internal decoration.
Name of Applicant:	Roy Anthony Nolan & Anthony John Colwell
Location of Development:	Clashganny, Tulsk, Castlerea, Co. Roscommon, F45 FC61.
Site Visit:	04/12/2025

WHEREAS a question has arisen as to whether the renovation of an existing 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) 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 bungalow dwelling house and front garden located along the N61 roadway at Clashganny, Tulsk. The site is situated 4.5km south of Tulsk village. The proposed development consists of the renovation of an existing dwelling with works including; 1) new windows & doors; 2) works to flat roof; 3) central heating; 4) plumbing; 5) wiring; 6) refit kitchen & bathroom; 7) check roof insulation & 8) internal decoration.

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 Mullygollan Turlough SAC (Site Code 000612) located c. 5.3km 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/23/162

Development Description: Permission to decommission existing septic tank and percolation area and construct wastewater treatment unit and percolation area within the curtilage of site and associated works.

Applicant: Ann Marie Burke

Decision: Conditional.

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

- Replace all windows with new white UPVC to the same size as existing (all matching with top opener as existing including size in plain glass with triple glazed along roadside).
- Upgrade hot water tank
- New upgraded boiler for central heating
- New radiators
- Full rewire – in line with regulations
- New flat roof – raised to give an interior head height of 2.4m fully insulated and the same size as existing roof.

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 proposed works are deemed an exempt development.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; the renovation of an existing dwelling as outlined above at Clashganny, Tulsk, Castlerea, Co. Roscommon, F45 FC61, 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 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 renovation of an existing dwelling as outlined above at Clashganny, Tusk, Castlerea, Co. Roscommon, F45 FC61, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 27/01/2026

Signed: 
Senior Executive Planner

Date: 27/01/2026













Comhairle Contae
Ros Comáin
Roscommon
County Council



Via email: [REDACTED]

Roy Anthony Nolan & Anthony John Colwell.

Date: 17th November, 2025

Planning Reference: DED 972

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 an existing dwelling with works including; 1) new windows & doors; 2) works to flat roof; 3) central heating; 4) plumbing; 5) wiring; 6) refit kitchen & bathroom; 7) check roof insulation & 8) internal decoration at Clashaganny, Tulsk, Castlerea, Co. Roscommon, F45FC61, 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 7th November, 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. **L01/0/237822** dated 13th November, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 972**.
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
09066 37100

13/11/2025 10:38 04

Receipt No : L01/0/237822

RAY ANTHONY NOLAN & ANTHONY JOHN COLWELL



EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 972	

Total	80.00 EUR
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Tendered	
Credit/Debit Card	80.00
5475	

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



Comhairle Contae
Ros Common



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)	ROY ANTHONY NOLAN ANTHONY JOHN COLWELL
Name of Agent	
Nature of Proposed Works CHECK Roof insulation internal decoration	NEW WINDOWS, DOORS WORKS TO flat roof Central Heating, Plumbing wiring. Refit Kitchen + Bathroom
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No. CLOONYOGAN FOLIO 29720	CLASHAGANNY, TUSK, CASTLEREA, Co. ROSCOMMON F45 FC.61
Floor Area: a) Existing Structure b) Proposed Structure	a) 119 m ² b) NO CHANGE
Height above ground level:	
Total area of private open space remaining after completion of this development	NO EXTENSIONS PLANNED.
Roofing Material (Slates, Tiles, other) (Specify)	

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	Retaining original finish
Is proposed works located at front/rear/side of existing house.	No extra work to existing house
Has an application been made previously for this site	No
If yes give ref. number (include full details of existing extension, if any)	Res 1
Existing use of land or structure	Residential.
Proposed use of land or structure	No change.
Distance of proposed building line from edge of roadway	No extended building line
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:

Anthony Caldwell

Date:

24.09.25



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

2 Agent(s) (if any) Address/Contact Details:

Address:	
Telephone No.:	
Email Address:	

A contact address must be given, whether that of the applicant or that of the agent

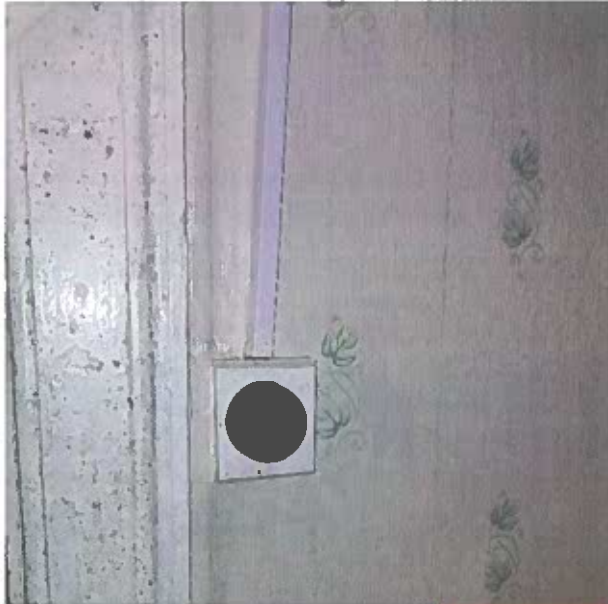
NO CHANGE TO THE INTERIOR ROOMS OR SIZES,
EXISTING WALLS + DOORS STAYING.
REPLACE ALL WINDOWS WITH NEW WHITE UPVC TO THE
SAME SIZE AS EXISTING AND ALL MATCHING WITH TOP
OPENER AS EXISTING IN PLAIN GLASS WITH TRIPLE
GLAZED ALONG THE ROADSIDE. ALL WINDOW SIZES WILL
BE THE SAME SIZE AS EXISTING.
UPGRADE THE HOT WATER TANK, A NEW UPGRADED
BOILER FOR THE CENTRAL HEATING + NEW RADIATORS.
HOUSE FULLY REWIRED TO PRESENT REGULATIONS
WITH THE FINAL CONNECTION SIGNED OFF BY THE
ELECTRIC COMPANY. OUTSIDE NO CHANGE TO THE
FOOTPRINT OF THE HOUSE ONLY A NEW FLAT ROOF
RAISED TO GIVE AN INTERIOR HEAD HEIGHT OF
2.4M FULLY INSULATED AND THE SAME SIZE
AS THE EXISTING ROOF



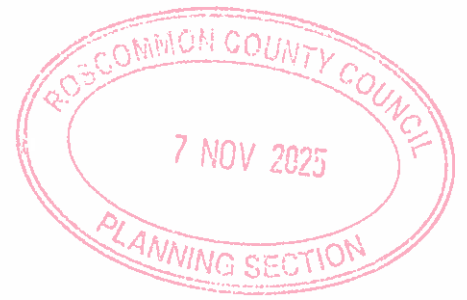




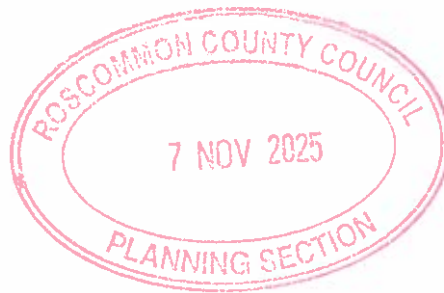














Folio: RN29720

This map should be read in conjunction with the folio.

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- (centre-line of parcel(s) edged)
- Freehold
 - Leasehold
 - SubLeasehold

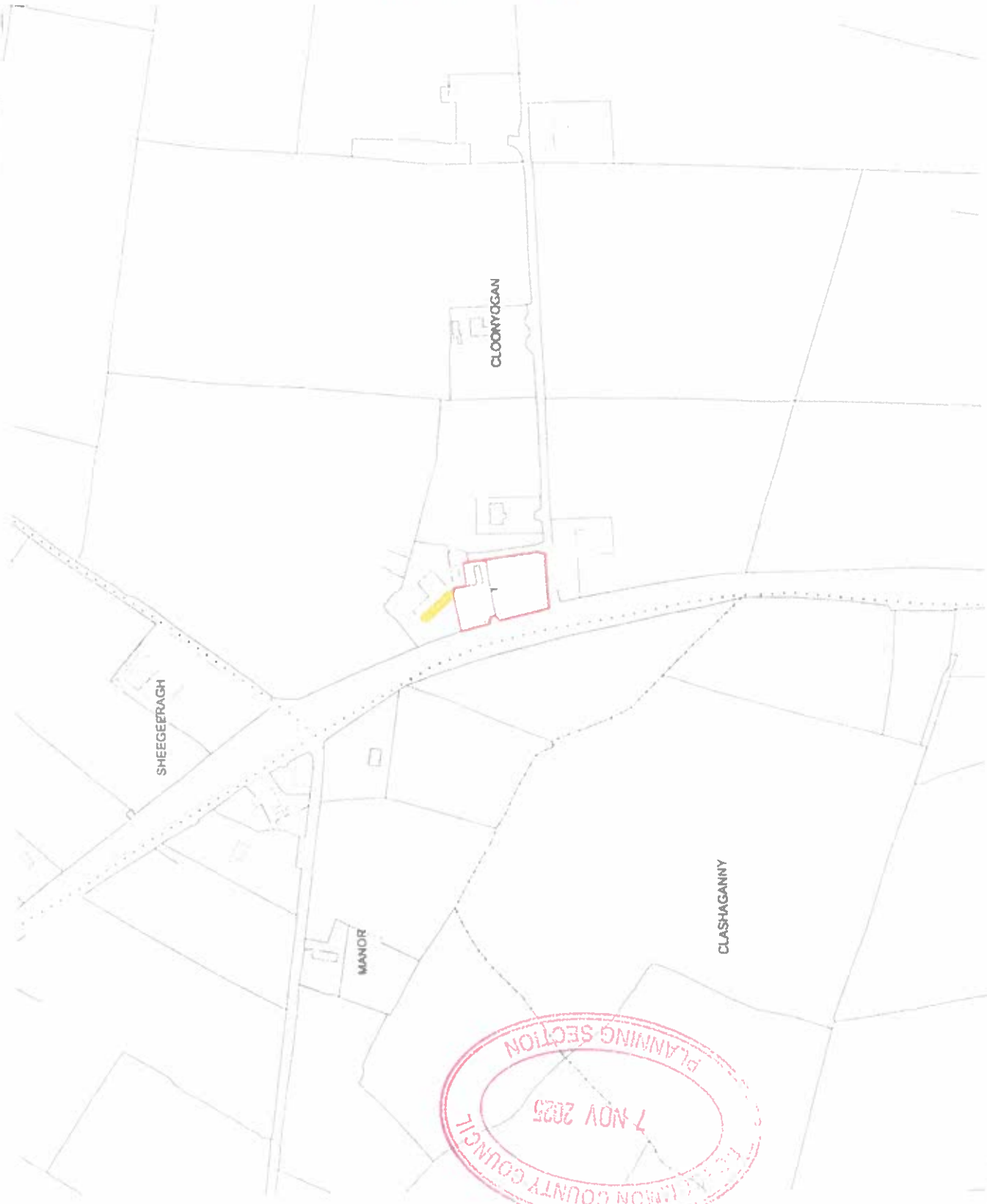
Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Seprec Tank
- Soak Pit

A full list of burdens and their symbology can be found at www.landdirect.ie

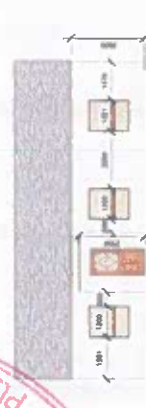
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1:2500 Scale





1 Ground Floor Plan
1:160



2 Front Elevation 1:100



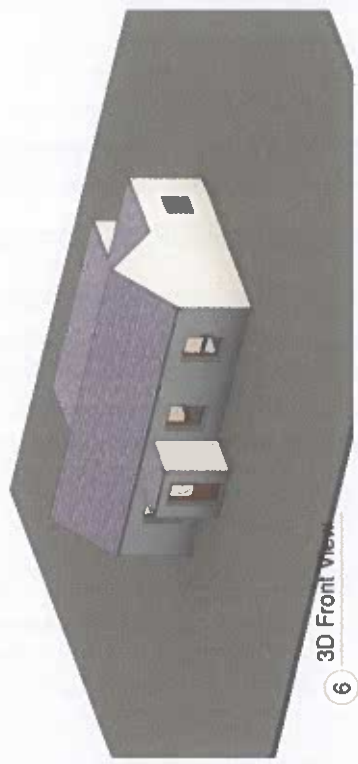
3 Rear Elevation 1:100



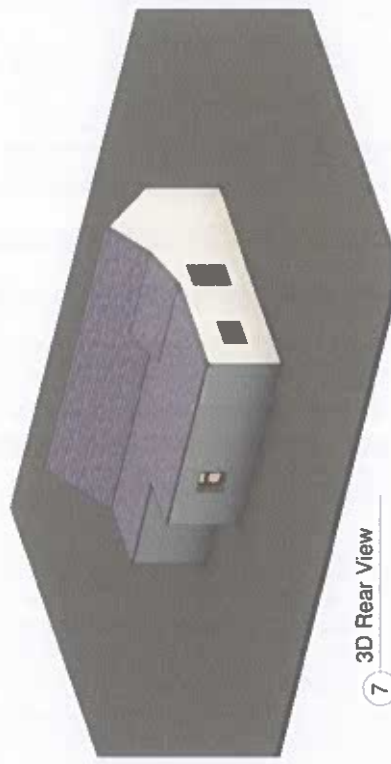
Side Elevation 1
1 : 100



5 Side Elevation 2
1:100



6 3D Front view



7 3D Rear View

Proposed Raising of Flat Roof by 675mm Outline in

Proposed Raising of Flat
Roof by 675mm Outline in
Green

Proposed Raising of Flat Roof by 675mm Outline in Green

Proposed Raising of Flat Roof by 675mm Outline In Green

File	Name	Scale	1/100
Client	Ray Nolan	City	Oct 20
Project	Raising of flat roof to rear of existing dwelling house at Clatskanie, Tule, Clatskanie, Co. Roseburg.	Drawn by	RM
		Working in	2
		Plant	Planned



**MIDDLETON ARCHITECTURAL
& ENGINEERING DESIGN**

**PROJECT
MANAGEMENT**

4400 West 12th Avenue, Co. Roseburg
Tel: 503-751-8888 Fax: 503-751-1118

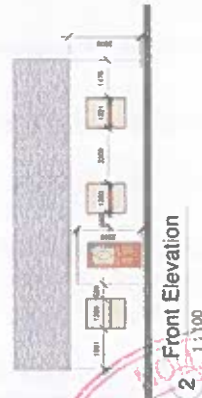
**PLAN, ELEVATIONS AND
3D VIEWS OF
EXISTING DWELLING
HOUSE**

Title

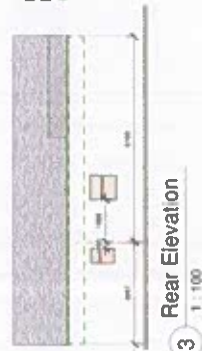
A red oval stamp from Roscommon County Council Planning Section, dated 7 Nov 2025. The stamp is oriented vertically and contains the text "ROSCOMMON COUNTY COUNCIL" around the bottom edge, "PLANNING SECTION" around the top edge, and "7 NOV 2025" in the center. A small circular mark with the number "1" is visible near the top of the stamp.



Ground Floor Plan
1 : 100



2 Front Elevation 1:400



3 Rear Elevation
1:100



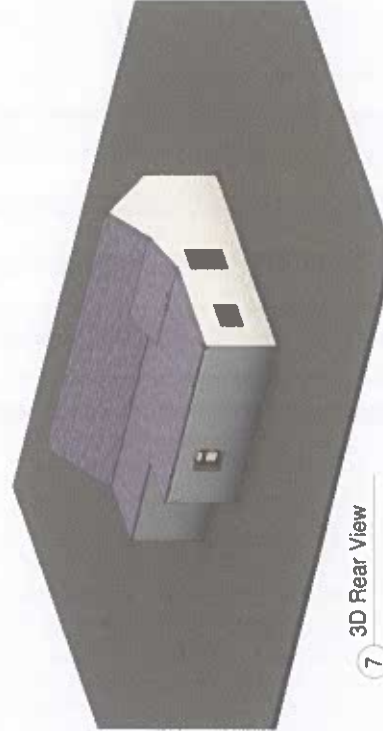
4 Side Elevation 1
1:100



5 Side Elevation 2 1:100



3D Front view



7 3D Rear View

Map	Region	Area
Client	Project	
<p>  MIDDLETON ARCHITECTURAL & ENGINEERING DESIGN PROJECT MANAGEMENT 1400 North St., 12th Floor, Co. Bldg Tel: 071 919446 Fax: 001 002118 </p>		
File	Scale	1/100
<p> PLAN, ELEVATIONS AND 3D VIEWS OF EXISTING DWELLING HOUSE </p>		
Date	Drawn by	RM
	Checking by	2
	Issue	
	Planning	
<p> Raising of flat roof to rear of existing dwelling house at Claghanny, Tullak, Castlereagh, Co. Roscommon. </p>		
<p> Play Nodan </p>		



**MIDDLETON ARCHITECTURAL
& ENGINEERING DESIGN**

**PROJECT
MANAGEMENT**

Humbert St., Laboratory, Co. Bago
Tel 071 9198484 Mob 088 0032118

PLAN, ELEVATIONS AND 3D VIEWS OF EXISTING DWELLING HOUSE	Date	Oct 2025
	Drawn by	RM
	Checking no.	2
	Project	Planning

**CONFIDENTIAL
INFORMATION
REMOVED**

585570 mE, 777460 mN

Folio: [REDACTED]

This map should be read in conjunction with the folio.

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(centre-line 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

Soak Pit



A full list of burdens and their symbology can be found at: www.landdirect.ie

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