

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/779/26

Reference Number:

DED1007

Name of Applicant:

Padraic Kyle & Jacinta McDonnell

Agent:

N/A

WHEREAS a question has arisen as to whether the proposed following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior at Carrowkeel, Dysart, Co. Roscommon, H53 D282, 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 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.
- (c) The proposed refurbishment of a existing vacant dwelling falls within the provisions of Section 4 (1)(h) of the Planning and Development Act, 2000, as amended.

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 proposed following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior at Carrowkeel, Dysart, Co. Roscommon, H53 D282, 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: 3 June, 2026

Gemma Cunningham

From: Gemma Cunningham
Sent: Wednesday 1 July 2026 15:40
To: [REDACTED]
Subject: DED1007 Notification of Decision
Attachments: DED1007 notification.pdf

A Chara,

Please find attached correspondence for your attention regarding DED1007. Please be advised hard copy of the attached has been sent registered post.

Kind Regards

Gemma Cunningham | Clerical Officer

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

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

🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council



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

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

REGISTERED POST

Padraic Kyle & Jacinta McDonnell,

Reference Number: DED1007
Application Received: 4th March 2026
Name of Applicants: Padraic Kyle & Jacinta McDonnell
Agent: N/A

WHEREAS a question has arisen as to whether the proposed following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior at Carrowkeel, Dysart, Co. Roscommon, H53 D282, is or is not development and is or is not exempted development.

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (d) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- The works outlined above are development.
- The proposed 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 refurbishment of an existing vacant dwelling falls within the provisions of Section 4 (1)(h) of the Planning and Development Act, 2000, as amended.

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 following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior at Carrowkeel, Dysart, Co. Roscommon, H53 D282, 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: 30/06/2026

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.

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

Reference Number:	DED 1007
Re:	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development as to whether the proposed following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior, is or is not development and is or is not exempted development.
Name of Applicant:	Padraic Kyle & Jacinta McDonnell
Location of Development:	Carrowkeel, Dysart, Co. Roscommon, H53 D282.
Site Visit:	Yes

WHEREAS a question has arisen as to whether 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior **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.

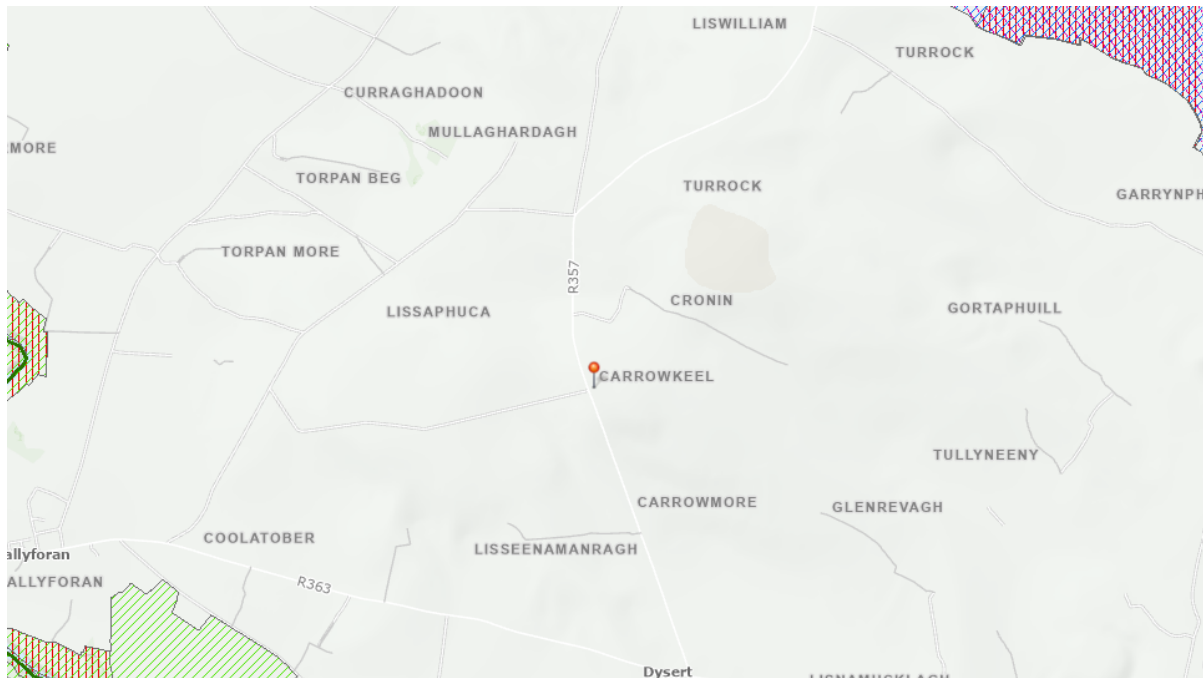
Site Location & Development Description

The subject structure consists of an existing west facing bungalow dwelling. The subject site fronts onto the R357 Regional Road and is located c. 4.2km south of Four Roads and c. 1.6km north of Dysart. The proposed development consists of 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior.

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 proposed development is Lough Croan Turlough SPA (Site Code 004139) and the River Suck Callows SPA (Site Code 004097) both located c. 2.9km 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

9509/77

Development Description: Erection of Bungalow + construction of septic tank.

Applicant: Mr. James Cormican.

Decision: Granted.

9509/77A

Development Description: Erection of a wall outside bungalow.

Applicant: Mr. James Cormican.

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)

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

- New kitchen cabinets and white goods.
- New bathroom cabinets and bath/shower.
- New wooden floors.
- New front and back doors.
- New fascia, soffit, slates on roof, eave runs.
- Painting of interior and exterior.

The applicant proposes refurbishing an existing vacant dwelling. The proposed works have been assessed under Section 4 (1)(h) of the Planning and Development Act 2000, as amended, and fall within the provisions of this section of the act and therefore, in this instance, are deemed an exempt development.

Recommendation

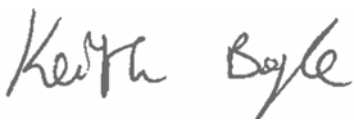
WHEREAS a question has arisen as to whether the proposed following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior as outlined above at Carrowkeel, Dysart, Co. Roscommon, H53 D282, 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 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 refurbishment of an existing vacant dwelling falls within the provisions of Section 4 (1)(h) of the Planning and Development Act, 2000, as amended.

AND WHEREAS I have concluded that the said development for the proposed following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior as outlined above at Carrowkeel, Dysart, Co. Roscommon, H53 D282, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.


Signed:
Graduate Planner

Date: 26th June 2026


Signed:
Senior Executive Planner

Date: 26th June 2026









MEMORANDUM

To: South Roscommon Area.

From: Mervyn Walsh, Administrative Officer, Planning Department.

Date: 25th March, 2026

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

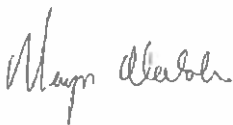
Development: WHEREAS a question has arisen as to whether the proposed following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior at Carrowkeel, Dysart, Co. Roscommon, H53 D282, is or is not development and is or is not exempted development.

Applicants: Padraic Kyle & Jacinta McDonnell

Planning Ref: DED 1007

Attached, please find an application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended) regarding Exempted Development from Padraic Kyle & Jacinta McDonnell for the said development above, which was received on 4th March, 2026.

Please let me have your recommendation.



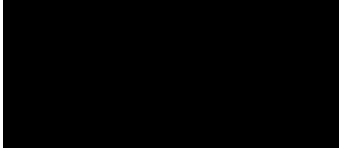
**Mervyn Walsh,
Administrative Officer,
Planning Department.**



Comhairle Contae
Ros Comáin
Roscommon
County Council



Padraic Kyle & Jacinta McDonnell,



Date: 25th March, 2026
Planning Reference: DED 1007

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 following works; 1) new kitchen cabinets and white goods; 2) new bathroom cabinets & bath/shower; 3) new wooden floor; 4) front & back door; 5) fascia & soffit, slates on roof, eave runs; 6) painting of interior & exterior at Carrowkeel, Dysart, Co. Roscommon, H53 D282, 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 4th March, 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. L01/0/239684 dated 12th March, 2026, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 1007**.
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

12/03/2026 12:20:44

Receipt No : L01/0/238684

JACINTA McDONNELL

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED 1007	

Total : 80.00 EUR

Tendered
Credit/Debit Card 0320 80.00

Change : 0.00

Issued By : Louis Carroll
From : Central Cash Office

**ROS
COMMON**

Comhairle Contae
Ros Common
Roscommon
County Council

2 MAR 2026

PLANNING SECTION

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)	Padraic Kyle and Jacinta McDonnell
Name of Agent (No Agent)	—
Nature of Proposed Works	New kitchen cabinets and white gasco, new bathroom cabinets and bath/shower, new wooden floors, front and back doors, slates on roof, fascia, soffit, eave Rens and painting of interior and exterior
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Carnowkeel, Dysart, Co Roscommon, H53 D282
Floor Area: a) Existing Structure b) Proposed Structure	a) Bungalow b) No New Structure (No extension)
Height above ground level:	Bungalow
Total area of private open space remaining after completion of this development	No development
Roofing Material (Slates, Tiles, other) (Specify)	Slater



Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	No change to be made to exterior walling except painting
Is proposed works located at front/rear/side of existing house.	No building works
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	Private dwelling (currently vacant)
Proposed use of land or structure	Private dwelling
Distance of proposed building line from edge of roadway	No building to take place
Does the proposed development involve the provision of a piped water supply	No proposed development
Does the proposed development involve the provision of sanitary facilities	No proposed development

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

Signature:

John Hill

John Hill

Date:

2/3/26

Note: This application must be accompanied by: -

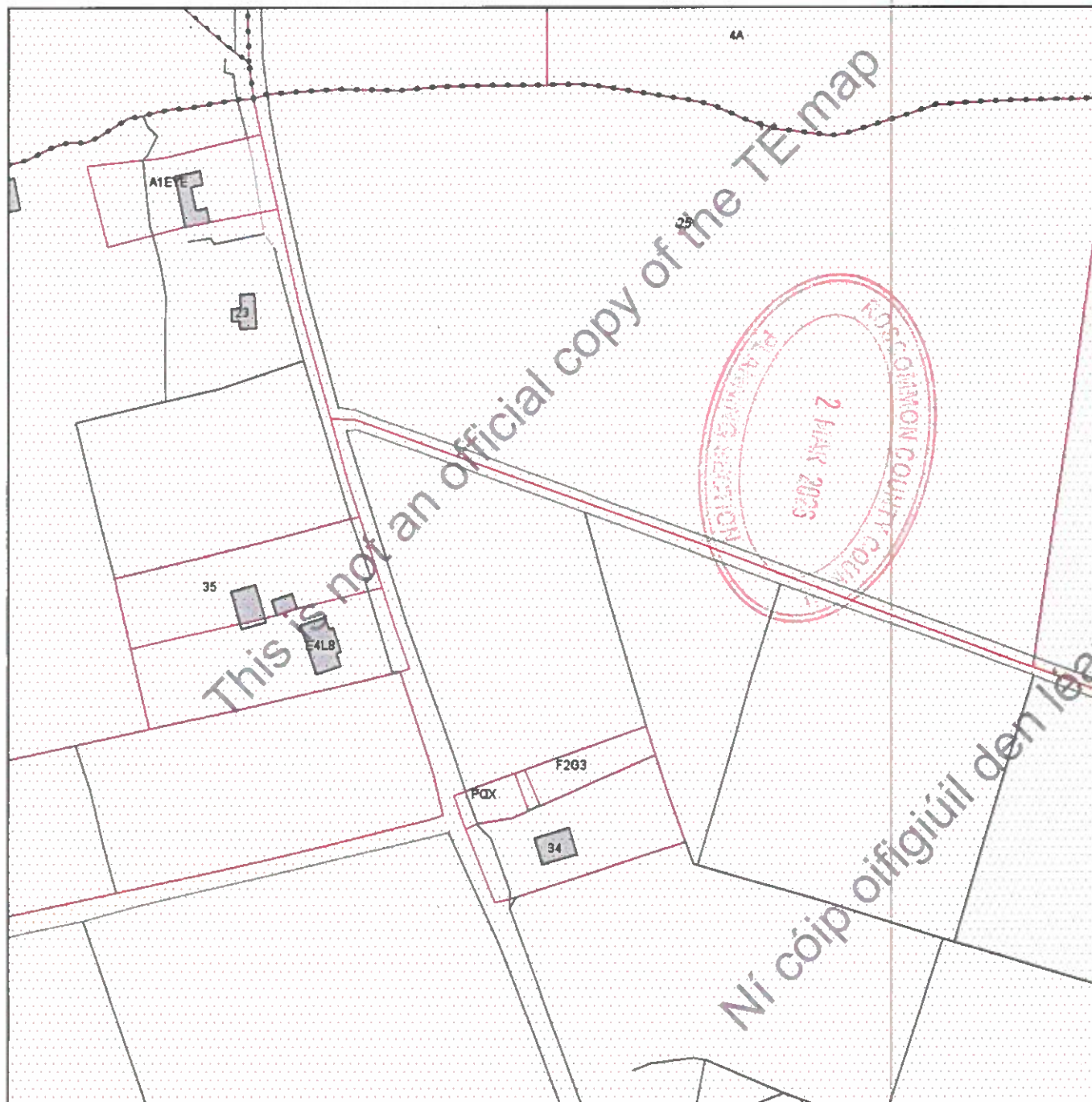
- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed — no development proposed. (We had

(No development)
Existing
House marked '34' on
attached map.

Details of works proposed (No development /
no extension)

- New kitchen cabinets and white goods
- New bathroom cabinets and bath/shower
- New wooden floors, front and back doors, fascia, soffit, slates on roof, eave runs
- painting of interior and exterior





Tailte Éireann

Clárúchán, Luacháil,
Suirbhéireacht
Registration, Valuation,
Surveying

Official Tailte Éireann Registration Map

This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(ii) 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 be found at: www.lenddirect.ie

Tailte Éireann Registration operates a non-conclusive boundary system. 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.



Carmel Curley

From: Jacinta McDonnell [REDACTED]
Sent: Wednesday 4 March 2026 14:48
To: Carmel Curley
Subject: Re: Section 5 Declaration of Exempted Development Application
Attachments: image005.png; image003.png; image001.png; image004.png; image006.png; image002.png; Screenshot_20260304_144031.jpg; Screenshot_20260304_144132.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This email originated outside the organisation and may be malicious. Report all suspicious emails immediately by using the Meta Phish button above.

Carmel, a chara,

Thank you for your email and thanks very much for your call to chat this through - that was very helpful.

I will come back to you with the site layout plan and, in the meantime, I confirm that the existing openings are to be used for the replacement front and back doors. I also attach a copy of the site location map with the existing house (marked number 34) circled in orange. (We are not adding any extension).

Many thanks again.

Kind regards,
Jacinta



On Wed 4 Mar 2026, 12:51 p.m. Carmel Curley, <CCurley@roscommoncoco.ie> wrote:

A Chara,

I refer to the Section 5 Declaration of Exempted Development Application submitted on 2nd March, 2026, unfortunately the application has not deemed valid; we require the following information;

1. The site location map enclosed – please identify the subject structure
2. Site layout plan to the scale of 1:500 indicating exact location of proposed development
3. Detailed specification of development proposed – please clarify the replacement doors are they being replacement in the existing openings or new openings?

I have attached your application, for you to review and amend.

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



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**Tallte
Éireann**

Clárúcháin, Luacháil,
Tuairiscleachtaí
Registration, Valuation,
Surveying

Official Tallte Éireann Registration Map

This map should be read in conjunction with the folio.

Tallte 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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(colour-line of (smaller) edged)

Freehold

Leasehold

SubLeasehold

"S" Register

(see Section 8(b)(ii) 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 be found at: www.landireg.ie

Tallte 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 2008.



Carmel Curley

From: Carmel Curley
Sent: Wednesday 4 March 2026 12:51
To: [REDACTED]
Subject: Section 5 Declaration of Exempted Development Application
Attachments: Scanned from a Xerox Multifunction Printer (006).pdf

A Chara,

I refer to the Section 5 Declaration of Exempted Development Application submitted on 2nd March, 2026, unfortunately the application has not deemed valid; we require the following information;

1. The site location map enclosed – please identify the subject structure
2. Site layout plan to the scale of 1:500 indicating exact location of proposed development
3. Detailed specification of development proposed – please clarify the replacement doors are they being replacement in the existing openings or new openings?

I have attached your application, for you to review and amend.

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

