

**ROSCOMMON COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

**SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**NOTIFICATION OF DECISION**

**REGISTERED POST**

Kevin King,



Reference Number: DED 920  
Application Received: 3<sup>rd</sup> July, 2025  
Name of Applicant: Kevin King  
Agent: Canplan

**WHEREAS** a question has arisen as to whether the renovation of an old cottage at Cregganor, Trien, Castlerea, Co. Roscommon., 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, 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.

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

- (a) The works outlined above are development.
- (b) The proposed refurbishment of the existing dwelling as above 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 old cottage at Cregganor, Trien, Castlerea, Co. Roscommon., 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:**

Alan O'Connell,  
Senior Executive Planner,  
Planning.

**Date: 15<sup>th</sup> August, 2025**

agent via email: Canplan  
[info@canplan.ie](mailto:info@canplan.ie)

**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 Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.**

## Carmel Curley

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**From:** Carmel Curley  
**Sent:** Friday 15 August 2025 10:14  
**To:** info@canplan.ie  
**Subject:** DED 920 - Kevin King  
**Attachments:** DED 920 - Notification of Decision.pdf

A Chara,

Please find attached Notification of Decision for the Section 5 Declaration of Exempted Development Application submitted on behalf of Kevin King– DED 920.

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 920
<b>Re:</b>	Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the renovation of an old cottage.
<b>Name of Applicant:</b>	Kevin King
<b>Location of Development:</b>	Cregganor, Trien, Castlerea, Co. Roscommon.
<b>Site Visit:</b>	07/08/2025

**WHEREAS a question has arisen as to whether the following works; for the renovation of an old cottage 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 property is a single story dwelling with a garden area to the rear of the property in Cregganor, Trien, Castlerea, Co. Roscommon. The property is accessed off the L-65402 road. The proposed development consists of the renovation of the dwelling with works including the replacement of external doors and windows, reroofing with slates, new gutters, fascia and soffits and varies 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 proposed development are Corliskea/Trien/Cloonfelliv Bog PNHA/SAC (Site Code 002110) which is located circa 1.5km to the south and Cloonchambers Bog /SAC (Site Code 000600) which is located circa 2km to the north 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 traced to the 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,

## **Assessment:**

In accordance with the Planning and Development Act, 2000 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.

The proposal includes the renovation of a single story house, external works include the replacement of windows/doors, reroofing with slates, new gutters, fascia and soffits. These works have 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 neighboring structures. The proposed works are deemed an exempt development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations 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 Art 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

## **Recommendation**

**WHEREAS a question has arisen as to the renovation of an old cottage in Cregganor, Trien, Castlerea, Co. Roscommon 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

## **AND WHEREAS I have concluded that**

- The works outlined above are development.
- The proposed refurbishment of the existing dwelling as above 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 old cottage in Cregganor, Trien, Castlerea, Co. Roscommon, is an exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: *Seán Tiernan*

Date: 7<sup>th</sup> August 2025

Planning Department

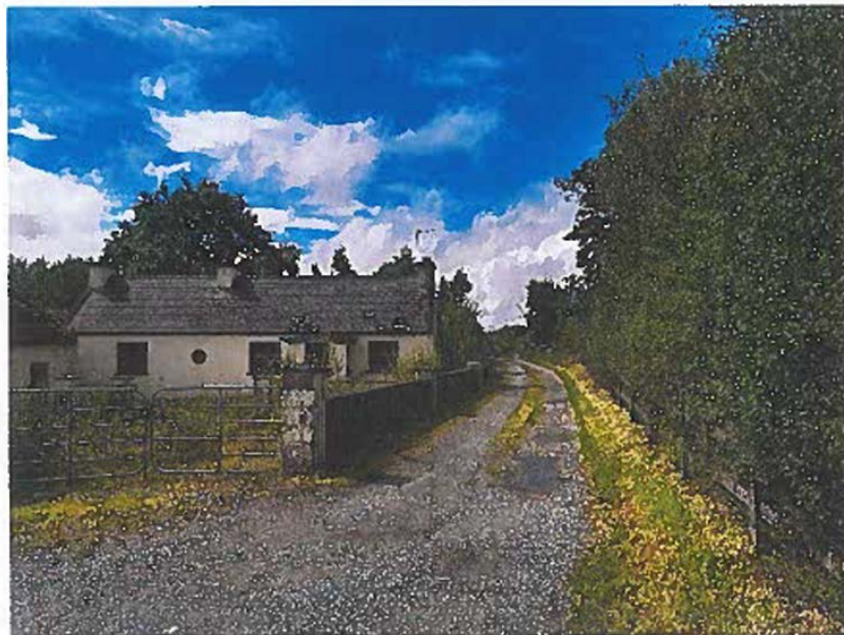


Signed:

Date: 14<sup>th</sup> August 2025

Senior Executive Planner







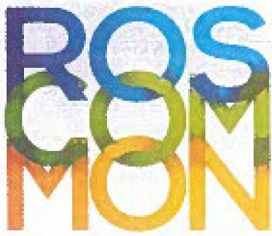












Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Kevin King,



Date: 10<sup>th</sup> July, 2025  
Planning Reference: DED 920

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

Development: Permission for the renovation of an old cottage under the Planning & Development Act (Exempted Development) regulations 2018 at Cregganor, Trien, Castlerea, Co. Roscommon.

\*\*\*\*\*

A Chara,

I wish to acknowledge receipt of the application which was received on the 3<sup>rd</sup> 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: L/01/0/235589 dated 3<sup>rd</sup> July, 2025 receipt enclosed herewith.

**Note:** Please note your Planning Reference No. is **DED 920**  
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Brian Farragher,  
Senior Executive Planner,  
Planning Department.

cc agent via email: [Canplan](mailto:Canplan)  
[info@canplan.ie](mailto:info@canplan.ie)

Roscommon County Council  
Aras an Chontae  
Roscommon  
09066 37100

03/07/2025 15 24 59

Receipt No L01/0/235588

KEVIN KING

PL REF: DED 920

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED920	

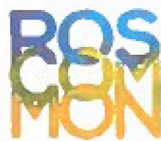
Total	80 00 EUR
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Tendered	
Cheque	80 00
502869	

Change	0 00
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Issued By : Geraldine Murren  
From : Central Cash Office





Comhairle Contae  
Ros Comáin  
Roscommon  
County Council



Áras an Chontae,  
Roscommon,  
Co. Roscommon.

Phone: (090) 6637100

Email: [planning@roscommoncoco.ie](mailto:planning@roscommoncoco.ie)



### Roscommon County Council

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

Name:	KEVIN KING
Address:	[REDACTED]
Name & Address of Agent:	Can plan info@canplan.ie [REDACTED]
Nature of Proposed Works	Renovation of old cottage.
Location (Townland & O.S No.)	Cregganor, Tieny Castleree - [REDACTED] townland code
Floor Area	124.00 sqm exterior wall 87.78 sqm interior wall
Height above ground level	5570
Total area of private open space remaining after completion of this development	Existing cottage area will remain the same.
Roofing Material (Slates, Tiles, other) (Specify)	slates
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	plaster finish on base (grey).
Is proposed works located at front/rear/side of existing house.	House being internally renovated - no change to existing floor plan

## 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	- Derelict
Proposed use of land or structure	House for rent.
Distance of proposed building line from edge of roadway	Private hse down a laneway - 0.5 km from main road.
Does the proposed development involve the provision of a piped water supply	No - existing pipework will be used.
Does the proposed development involve the provision of sanitary facilities	No - existing septic tank will be used.

Signature:

Kevin King

Date:

10-6-2025

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







Mr Kevin King.

Tel: [REDACTED]

11/06/25.

Planning.  
Roscommon County Council.  
Roscommon.

Dear Sir/Madam,



I am writing to you regarding  
a house I intended in 2013. Is this property exempt from  
planning?

The property has been vacant since 2010 and was  
disconnected from the ESB supply in 2013, with the water being  
switched off also. The house has since fallen into bad repair  
and we were hoping to avail of the vacant property

Refurbishment Grant Scheme which is on offer currently.  
We would hope to then rent this property long term,  
whilst tidying it up and making it look more presentable.  
As part of this process we need to establish that  
this property is exempt from planning permission.

I enclose the site location map giving the details of the  
property in Creganor, Trillick, Co. Roscommon. We only intend to  
renovate the house internally, no external changes will be made.

I look forward to hearing from you on this matter.

yours sincerely

Kevin King



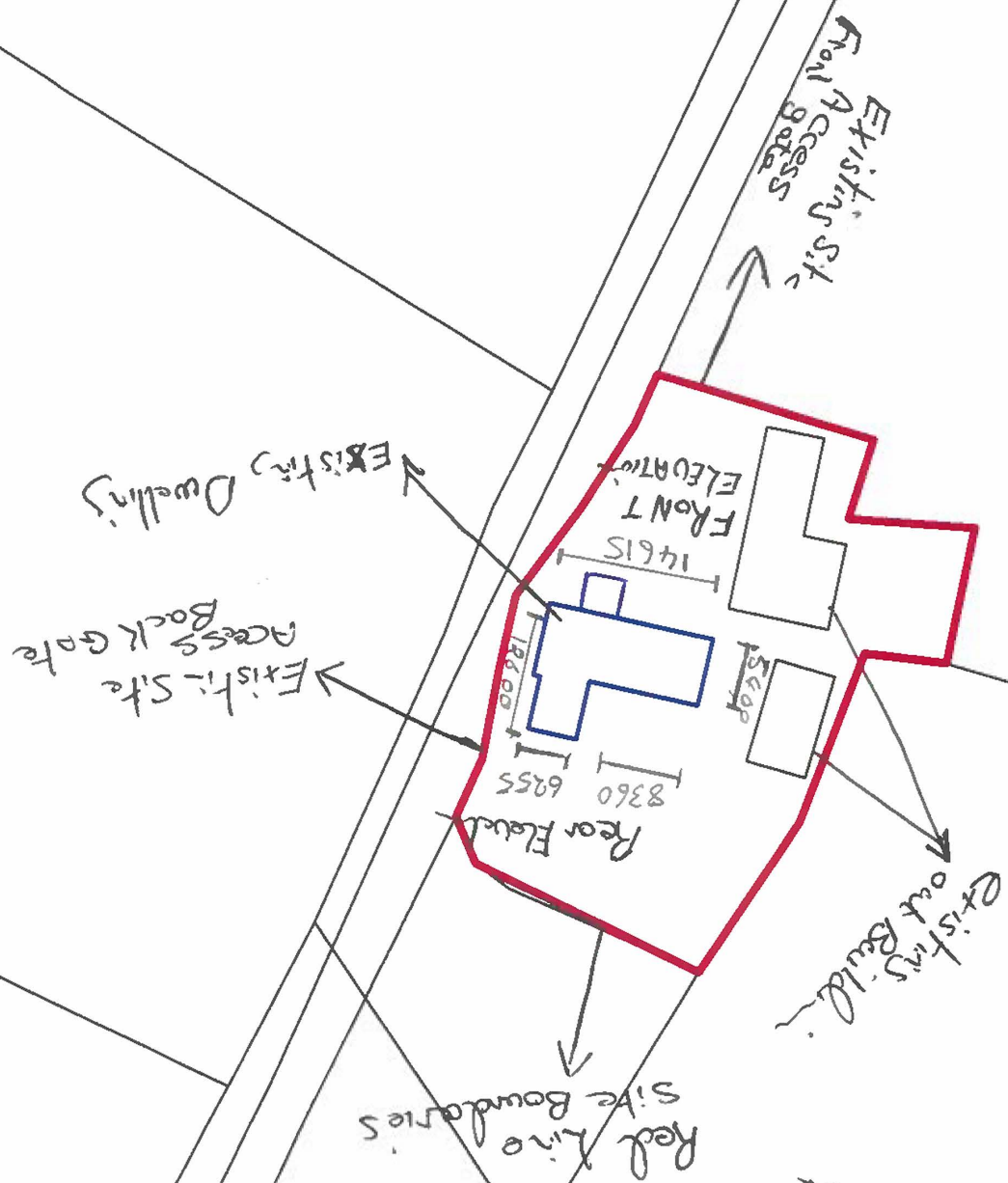
# List of Proposed works Kevin King

3-7-2025

- 1 Re Roof Existing house & Porch  
Faca and gutter & slate
- 2 Insulate house inside walls Floor ceiling
- 3 Replace window & door
- 4 Rewire existing house
- 5 Re-plant existing house
- 6 Paint house
- 7 Drive way & garden  
and head
- 8 Bring house up to a second  
live standard

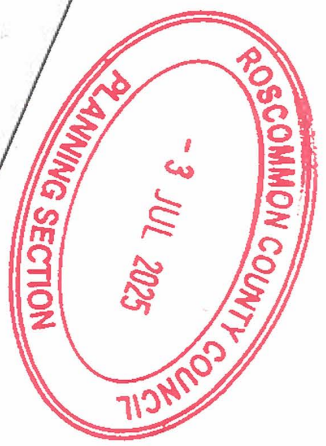


Cresson Terri  
Cashen 30 Roscom

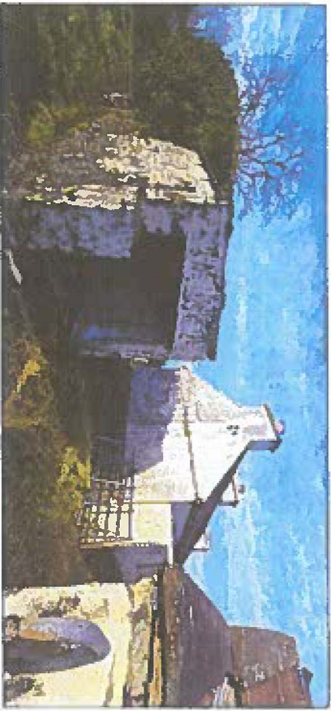


I own all land  
that surround house  
and other side off  
Road

N







## 1 SITE PHOTOS

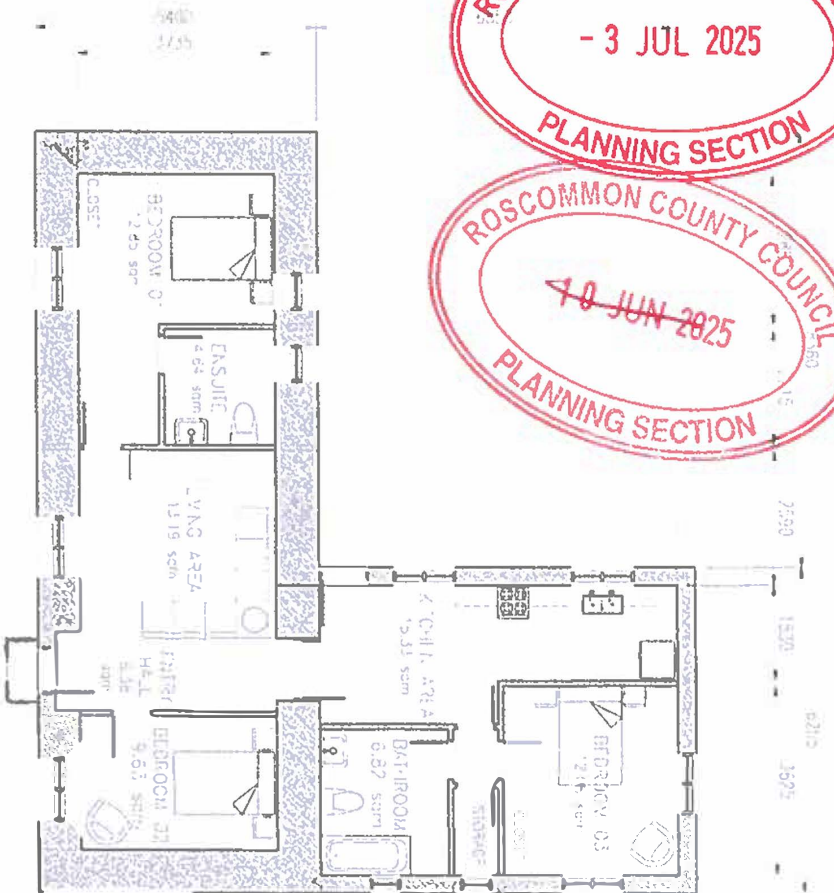
1:1000

SCALE

## 2 FLOOR PLAN

1:100

SCALE



**CANPLAN**

www.canplan.ie | info@canplan.ie

Kevin King

Proposed Residential Development

OWNER: JAMES CANNON

DATE: MAY 2025

PROJECT INFORMATION

OWNER: JAMES CANNON

DATE: MAY 2025

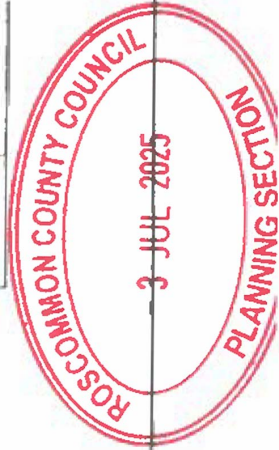
PROJECT INFORMATION

A3

A-101

1:100

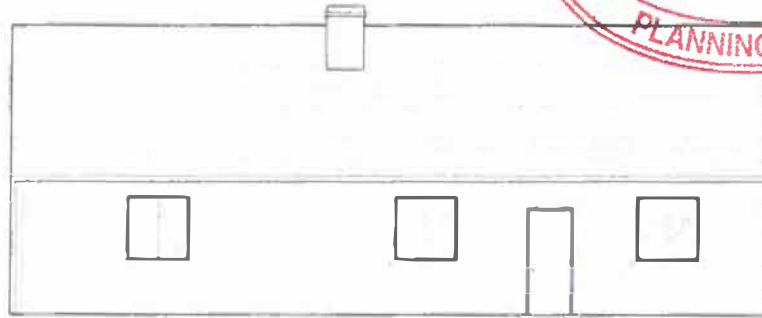
001



APEX LINE  
+5570MM

GUTTER LINE  
2570

GRND FFL  
+000MM



### FRONT ELEVATION

SCALE

1:100M



### REAR ELEVATION

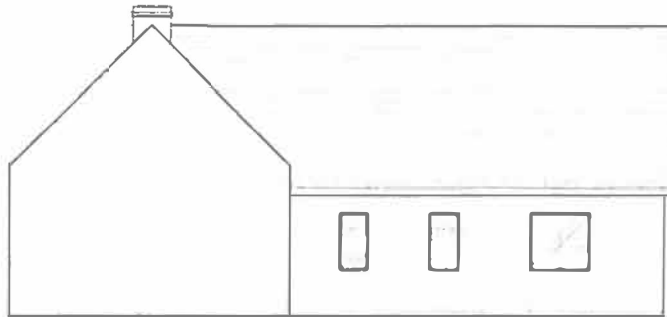
SCALE

1:100M

APEX LINE  
+5570MM

GUTTER LINE  
2570

GRND FFL  
+000MM



### RIGHT SIDE ELEVATION

SCALE

1:100M



### LEFT SIDE ELEVATION

SCALE

1:100M



**CANPLAN**

www.canplan.ie | info@canplan.ie

CLIENT

Kevin King

PROJECT TITLE/LOCATION

Proposed Residential Development

DRAWN BY

JAMES CANNON

DATE

Mar 2025

NO

REVISIONS

OWN

DATE

PAPER SIZE

A3

SCALE

1:100

SHEET NO

A-102

PROJECT NO


001

Kevin King



## CERTIFICATE OF REGISTRATION

Reference ID: 

Registration number:	
Date of registration:	13/11/2024
Registered to:	Kevin King
Registered address:	Creggancor, Trlen, Castlerea, Co. Roscommon, F45 XT81
Water services authority:	Roscommon County Council

**Issued under the Water Services Act 2017.**

This document certifies that the domestic wastewater treatment system connected to a property at the aforementioned address, and registered to the aforementioned owner, has been included on the Domestic Wastewater Treatment Systems register.

**Please retain this document.**

- You may be requested to present this document to an authorised person appointed by the water services authority.
- When selling or transferring ownership of your property please provide a copy of this certificate to the new owner. The new owner will be responsible for notifying the water services authority above of the change in ownership. For more information on change of ownership please visit [www.protectourwater.ie](http://www.protectourwater.ie).





Good Afternoon [REDACTED]

Thank you for your email.

I am writing to confirm as per ESB Networks records the following mpm [REDACTED] at address Creggancor, Castlerea, Co Roscommon was disconnected on the following date 7th August 2013

Please contact me again if I can be of further assistance.

Kind regards,

Jacqui

**ESB Networks Customer Care | T: 1800372757 | +353 21 2386555 | F: +353 21 4844261 | [www.esbnetworks.ie](http://www.esbnetworks.ie)**



The Property  
Registration Authority  
An tÚdarás  
Clárúcháin Maoine



Folio: RN3392

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

For details of the terms of use and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see [www.prai.ie](http://www.prai.ie).

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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](http://www.landdirect.ie)

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry 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.





For Single Payment Scheme,  
Disadvantaged Areas Scheme and  
other Area-Based Schemes Purposes only

Year: 2012 Scale: 1:5000

Name: Kevin King

Address:

Ortho Years: 2009



All areas displayed above are in hectares

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