

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DETERMINATION

REGISTERED POST

Cathal Treacy & Georgia Hannon,



Reference Number: DED 928
Application Received: 16th July, 2025
Name of Applicants: Cathal Treacy & Georgia Hannon
Agent: Kevin Keenan

WHEREAS a question has arisen as to whether the internal refurbishment of a derelict dwelling at Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38, 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) Class 6 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- (d) 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.
- (e) 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 internally refurbish a derelict dwelling at Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38, 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: 10th September, 2025

cc agent via email: Kevin Keenan
kevinkeen86@gmail.com

ADVICE NOTE

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Coimisiún Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

ADVICE NOTE

This Declaration is based on the relevant Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) at the date of issue. In the event that the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended) change prior to the works being carried out this Declaration may no longer apply.

Carmel Curley

From: Carmel Curley
Sent: Wednesday 10 September 2025 16:26
To: [REDACTED]
Cc: kevinkeen86@gmail.com
Subject: DED 928 - Notification of Determination
Attachments: DED 928 - Notification of Determination.pdf

Hi Cathal,

Please find attached Notification of Determination for your Section 5 Declaration of Exempted Development Application - DED 928.

Regards,

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 928
Re:	Permission for the internal refurbishment of derelict dwelling under the Planning & Development Act (Exempt Development) Regulations 2018
Name of Applicant:	Cathal Treacy & Georgia Hannon
Location of Development:	Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38.
Site Visit:	20 th August 2025

WHEREAS a question has arisen as to whether the following works for the internal refurbishment of derelict 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) Class 6 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- (d) 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.
- (e) The planning history of the site

Site Location & Development Description

The site consists of a north facing detached bungalow and large front garden. The subject site is accessed off the L-7642 Local Secondary Road. The proposed development is located c. 3km northwest of Four Roads village and c. 3.1km east of Rahara village. The proposed development consists of internal refurbishment of derelict dwelling.

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 Lisduff Turlough SAC (Site Code 000609) located c. 3.2km 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/2534/68

Development Description: Reconstruction of a dwellinghouse

Applicant: Mr. James Egan

Decision: Exempt

PD/2534A/71

Development Description: Retention of bathroom & septic tank

Applicant: James Egan

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.

PART 1 - Article 6 - Exempted Development – General

Development within the curtilage of a house

Development Description	Conditions and Limitations
CLASS 6 (a) The construction of any path, drain or pond or the carrying out of any landscaping works within the curtilage of a house.	The level of the ground shall not be altered by more than 1 metre above or below the level of the adjoining ground.

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

Internal

- Knocking the internal wall in the hall for the living room.
- Moving the bathroom from the back wall to leave space for a hall to future extension.
- Adding a small toilet on the right-hand side as you come in the back door.
- Adding in a skylight to the roof at the back to allow in light to kitchen.
- Putting in a new liner into the chimney.
- Knocking the internal wall in between the two bedrooms.
- Re Plumbing new radiators.
- New fuse board and upgrade of the electrics.
- Slabbing of ceilings.
- Reskim the walls.
- Take out the old footpaths and put in new ones.
- New internal doors.
- New floors.
- Tiling waterproofing areas.
- New kitchen fitted.
- Damp removal and improving ventilation.
- Additional insulation where required.

External

- Landscaping and surfacing, removing overgrowth.
- Take out the old footpaths and put in new ones

The applicant is proposing the installation of external footpaths and the site clearance of overgrowth around the existing dwelling. Consideration must be taken to the conditions and limitations under Class 6 Part 1 Schedule 2 of the Planning and Development Regulations 2001, as amended when constructing external paths and carrying out the site clearance for the proposed development.

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 work falls under the provisions of Section 4 (1)(h) of the Planning and Development Act 2000 (as amended).



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.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for the internal refurbishment of derelict dwelling as outlined above at Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38, 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) Class 6 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- (d) 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.
- (e) 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 internal refurbishment of derelict dwelling as outlined above at Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed: 
Graduate Planner

Date: 10th September 2025

Signed: 
Senior Executive Planner

Date: 10th September 2025















Caroline Pease

From: Caroline Pease
Sent: Friday 1 August 2025 12:20
To: kevinkeenan86@gmail.com
Subject: DED 928 Cathal Treacy & Georgia Hannon
Attachments: DED928 Acknowledgement Letter - Signed.pdf

Dear Kevin,

Please see attached copy acknowledgement letter as posted to Cathal and Georgia.

Kind regards,
Caroline

Caroline Pease | Clerical Officer

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

☎ (090) 6637206 ✉ cpease@roscommoncoco.ie

🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council





Comhairle Contae
Ros Comáin
Roscommon
County Council



Cathal Treacy & Georgia Hannon,


Date: 1st August, 2025

Planning Reference: DED 928

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

Development: Permission for internal refurbishment of derelict dwelling under the Planning & Development Act (Exempted Development) regulations 2018 at Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38.

A Chara,

I wish to acknowledge receipt of the application which was received on the 16th July, 2025, for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development along with the appropriate fee in the sum of €80.00, Receipt No: L01/0/235794 dated 17th July, 2025 receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 928**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell,
Senior Executive Planner,
Planning Department.

CC: Agent: Kevin Keenan
Email: kevinkeenan86@gmail.com

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

17/07/2025 12:08:13

Receipt No : L01/0/235794

CATHAL TREACY

EXEMPTED DEVELOPMENT

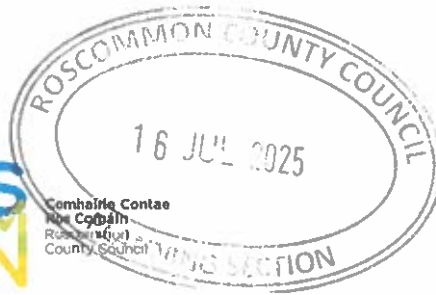
PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED928	

Total : 80.00 EUR

Tendered :
Credit/Debit Card 80.00
8009

Change : 0.00

Issued By : Louis Carroll
From : Central Cash Office



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)	Cathal Treacy & Georgia Hannon
Name of Agent	Kevin Keenan
Nature of Proposed Works	Internal refurbishment of derelict dwelling
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Funshinagh, Cuillawinnia Mount Talbot, Co. Roscommon F42 WK38
Floor Area: a) Existing Structure b) Proposed Structure	a) 92m2 b) n/a
Height above ground level:	5m
Total area of private open space remaining after completion of this development	n/a
Roofing Material (Slates, Tiles, other) (Specify)	Slate on existing

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	n/a
Is proposed works located at front/rear/side of existing house.	n/a
Has an application been made previously for this site	n/a
If yes give ref. number (include full details of existing extension, if any)	n/a
Existing use of land or structure	Derelict dwelling
Proposed use of land or structure	Refurbished dwelling
Distance of proposed building line from edge of roadway	n/a
Does the proposed development involve the provision of a piped water supply	n/a Using existing
Does the proposed development involve the provision of sanitary facilities	n/a Upgrading existing

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

Signature:

[Signature]

Date:

14/7/2025

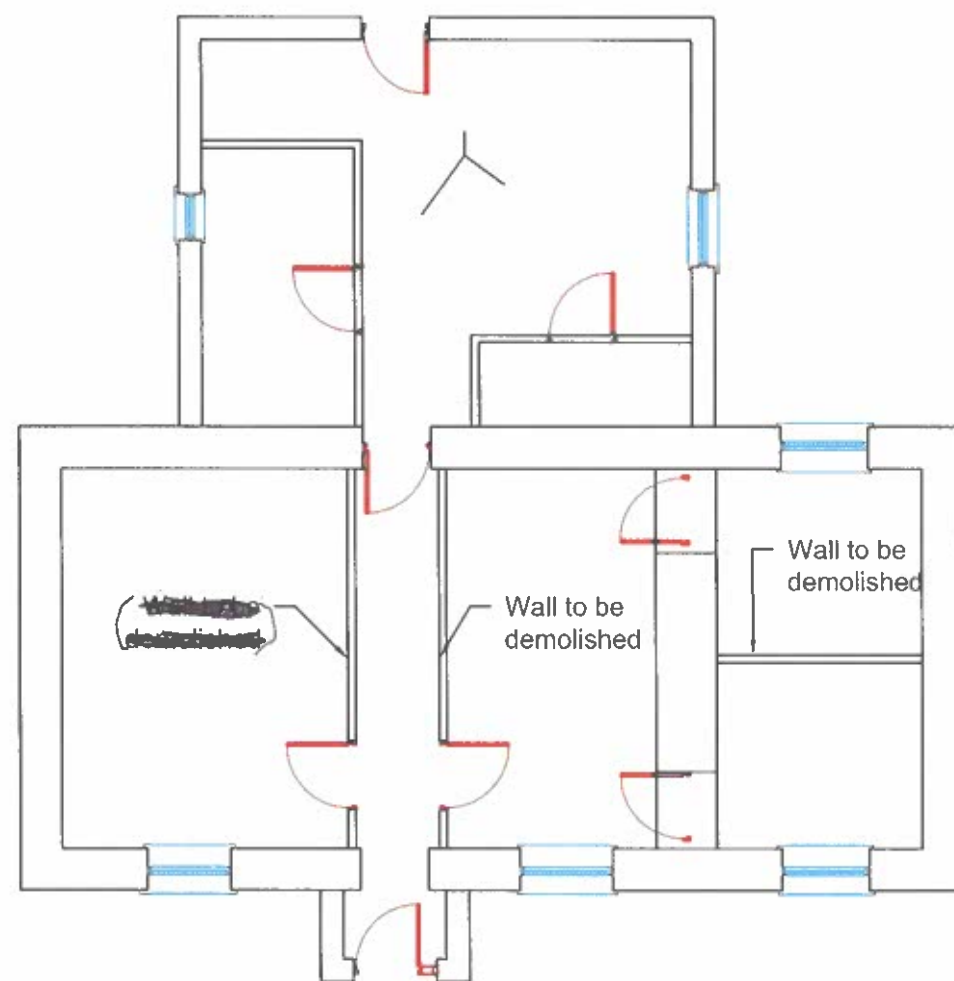
Note: This application must be accompanied by: -

- (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



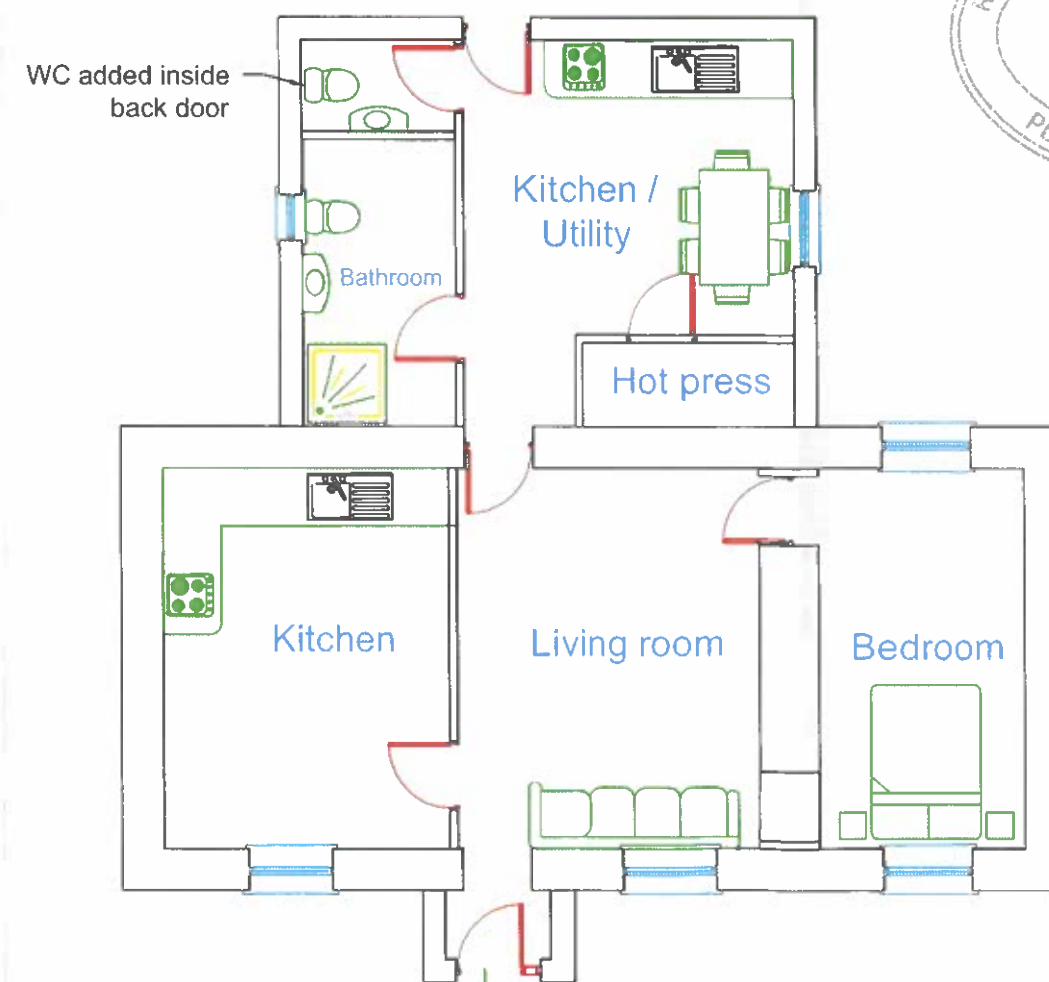
Scope of renovations:

1. Knocking the internal wall in the hall for the living room
2. Moving the bathroom from the back wall to leave space for a hall to future extension
3. Adding in a small toilet on the rhs as you come in the back door
4. Adding in a skylight to the roof at the back to allow in light to kitchen
5. Putting in a new liner into the chimney
6. Knocking the internal wall in between the two bed rooms
7. Re Plumbing new radiators
8. New fuse board and upgrade of the electrics
9. Slabbing the ceilings
10. Reskim the walls
11. Take out the old footpaths and put in new ones
12. New internal doors
13. New floors
14. tiling waterproofing areas
15. New kitchen fitted
16. Landscaping and surfacing. removing overgroth
17. Damp removal and improving ventilation
18. Additional insulation where required



EXISTING PLAN

Scale 1:100 @A3



UPGRADED INTERNAL PLAN

Scale 1:100 @A3



Property Registration Authority

Folio No. 32929

Appl No: D2024LR15799SY

Land ownership is Freehold

— Site Boundary



OSI Maps purchased

Coordinates

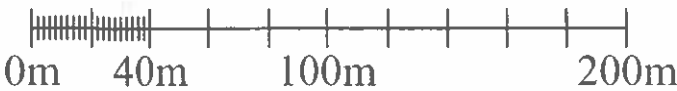
587549, 753618

Tailte Order No: 50478883



SITE LOCATION PLAN

Scale 1:2500 @A3



Drawing by:
Kevin Keenan, B.Eng, MIEI, MICE
kevinkeen86@gmail.com
+44 (0) 7860454236

0	FIRST ISSUE	14/07/2025
NO.	REVISIONS/SUBMISSIONS	DATE

Client: Cathal Treacy and Georgia Hannon
Site: Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38
Job: Application for a declaration under Section 5 - planning exempt
Internal and landscaping upgrades to derelict dwelling

DRAWN BY
KK
CHECKED
PK

Drawing: Site Location Map
Cathal Treacy and Georgia Hannon.
Scale: 1:2500 @ A3 paper
Date: 14/07/2025
Page: 1 of 3



Property Registration Authority

Folio No. 32929

Appl No: D2024LR15799SY

Land ownership is Freehold

— Site Boundary

Existing dwelling
Footprint or external facade unchanged



SITE LAYOUT PLAN

Scale 1:500 @A3



Drawing by:
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+44 (0) 7860454236

NO.	REVISIONS/SUBMISSIONS	DATE
0	FIRST ISSUE	14/07/2025

Client: Cathal Treacy and Georgia Hannon
Site: Funshinagh, Cuillawinnia, Mount Talbot, Co. Roscommon, F42 WK38
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DRAWN BY
KK
CHECKED
PK

Drawing: Site Layout Map
Cathal Treacy and Georgia Hannon.
Scale: 1:500 @ A3 paper
Date: 14/07/2025
Page: 2 of 3