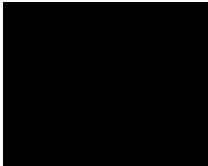


ROSCOMMON COUNTY COUNCIL
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)
SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
NOTIFICATION OF DETERMINATION

REGISTERED POST

Patrick Finneran,



Reference Number: **DED 956**
Application Received: **19th September, 2025**
Name of Applicant: **Patrick Finneran**
Agent: **Seamus Murray**

WHEREAS a question has arisen as to whether the refurbishment of an existing dwelling at Hudson Bay, Barrymore, Athlone, Co. Roscommon, N37 RX85, 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.

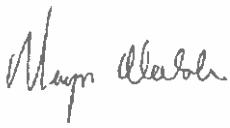
AND WHEREAS Roscommon County Council has concluded that:

- (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 refurbish an existing dwelling at Hudson Bay, Barrymore, Athlone, Co. Roscommon, N37 RX85, 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: 26th January, 2026

c.c. agent via email: **Seamus Murray**
seamusmurray60@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: Monday 26 January 2026 12:49
To: [REDACTED]
Cc: Seamus Murray
Subject: DED956 - Notification of Determination
Attachments: DED 956 Notification of Determination.pdf

A Chara,

Please find attached Notification of Determination for your Section 5 Application – DED956.

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 956
Re:	Permission for the refurbishment of an existing dwelling under the Planning & Development Act (Exempt Development) Regulations 2018
Name of Applicant:	Patrick Finneran
Location of Development:	Hudson Bay, Barrymore, Athlone, Co. Roscommon, N37 RX85.
Site Visit:	6 th October 2025

WHEREAS a question has arisen as to whether the following works for the refurbishment 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 an east facing bungalow dwelling that is stepped to the rear. The subject site is accessed off the L-2020 Local Primary Road with a speed limit of 50km/h. The site is situated c. 2.1km southeast of Kiltoom village and c. 5.5km northwest of Athlone. The proposed development consists of the refurbishment of an existing 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 Lough Ree SAC (Site Code 000440) located c. 245m 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

5467/72

Development Description: Proposed housing development

Applicant: Mr. Patrick Linehan

Decision: Granted Outline Permission

5467A/74

Development Description: Proposed erection of dwellinghouse

Applicant: Mr. Thomas Hogan

Decision: Granted

5467B/73

Development Description: Housing Development consisting of 6 dwelling homes & septic tanks

Applicant: Cunningham Brothers

Decision: Unknown

5467E/77

Development Description: Revised Housing Layout

Applicant: Cunningham Brothers

Decision: Granted

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3. -(1)

In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1) of the Act defines certain types of development as being ‘exempted development’. Of potential relevance is section 4(1)(h) which provides as follows:

development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 4 (2) of the Planning and Development Act provides that the Minister, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations.

Planning and Development Regulations, 2001 as amended

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Article 9 (1) applies;

Development to which article 6 relates shall not be exempted development for the purposes of the Act

viiB) comprise development in relation to which a planning authority or an Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

Environmental Considerations

With regard to Article 9 (1)(a) of the Planning and Development Regulations 2001 (as amended), it is reasonable to conclude, on the basis of the information available, that the proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the need for AA does not apply with respect to the current case.

I am satisfied that an Environmental Impact Statement or Appropriate Assessment are not required. It should be noted that any development for which Environmental Impact Assessment or Appropriate Assessment is required shall not be exempted development unless specifically exempted in regulations where there is provision in other legislation for the carrying out of EIA or AA. In addition,

the restrictions on exemption Article 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

Assessment

In accordance with the Planning and Development Act, 2000, as amended Section 3. (1) development is defined as the following: "In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land". The proposed development is considered to be the carrying out of works. Works are defined in the Act as; "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure....". It is considered that said works constitute development, as defined in Section 3 of the said Act.

Extent of Works

Demolitions/Strip-out/Site Clearance

- Remove kitchen.
- Strip-out and remove existing roof finishes and timbe work.
- Remove and dispose of existing windows and doors.

Superstructure works

- Supply and install new structural timber where necessary.
- Supply and install new structural steel to support structural roof timbers.

Completions

- Supply and install new external doors and windows to house only.
- Supply and install new internal doors/frames/architraves/ironmongery throughout.
- Supply and install new skirtings throughout.
- Supply and install aluminium fascia's & soffit.
- Supply and install roof flashings, gutters and downpipes.

Finishes

- Tiling and wet area finishes.
- Painting and decorating.
- Roof finishes – trocal roof membrane or similar inc warranty and roof insulation.

Fittings

- Kitchen units.
- Sanitary ware and bathroom fittings.

These works have been considered in the context of Section 4 (1)(h) of the Act, consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The stated works fall under the provisions of Section 4 (1)(h) of the Planning and Development Act 2000 (as amended).

The applicant is proposing internal refurbishment works to the existing property. Roscommon County Council's Planning Registry confirms that there were numerous planning applications on this site.

External works

- New main sewer connection from house to site boundary.

In relation to the referenced associated sewer connection, I note the provisions of Article 6, Part 1, Class 48:

- *The connection of any premises to a wired broadcast relay service, sewer, watermain, gas main or electricity supply line or cable, including the breaking open of any street or other land for that purpose.*

Recommendation

WHEREAS a question has arisen as to whether a proposed development; for the refurbishment of an existing dwelling as outlined above at Hudson Bay, Barrymore, Athlone, Co. Roscommon, N37 RX85, 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 refurbishment of an existing dwelling as outlined above at Hudson Bay, Barrymore, Athlone, Co. Roscommon, N37 RX85, is exempted development. I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Graduate Planner

Date: 26/01/2026

Signed:


R. D. O'Brien

Senior Executive Planner

Date: 26/01/2026



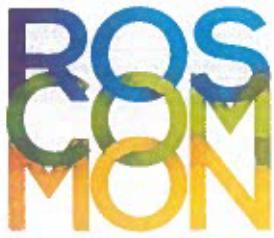












Comhairle Contae
Ros Comáin
Roscommon
County Council



Patrick Finneran,



Date: 23rd September, 2025
Planning Reference: DED 956

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 refurbishment of an existing dwelling at Hudson Bay, Barrymore, Athlone, Co. Roscommon, N37RX85, 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 19th September, 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. L01/0/236791 dated 23rd September, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is DED 956
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Mervyn Walsh,
Administrative Officer,
Planning Department.

cc agent via email: Seamus Murray
seamusmurray60@gmail.com

Roscommon County Council
Aras an Chontae
Roscommon
09088 37100

23/08/2025 09 56:22

Receipt No.: L01/0/238791

PATRICK FINNERAN
C/O SEAMUS MURRAY
CASTLE ST
ROSCOMMON
EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED856	

Total: 80.00 EUR

Tendered: 80.00
Credit/Debit Card
0007

Change: 0.00

Issued By: Louis Carroll
From: Central Cash Office



Comhairle Contae
Ros Comáin
Roscommon
County Council



Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100
Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the

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

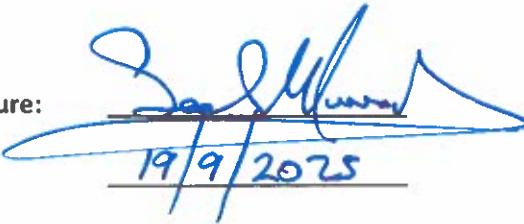
Name of Applicant(s)	PATRICK FINNERAN.
Name of Agent	Seamus Murray. Project Managers, Engineers & Surveyors, 2 Cherryside Business Park, Castle Street, Roscommon. Ph- 087 2222874.
Nature of Proposed Works	REFURBISHMENT OF EXISTING DWELLING HOUSE AS PER ATTACHED SCOPE OF WORKS.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	HODSON BAY, ATHLONE, N37 2X85 BARRYMORE. 2965-A.
Floor Area: a) Existing Structure b) Proposed Structure	HOUSE - 180m ² a) GARAGE - 34.70m ² b) N/A
Height above ground level:	4.28m.
Total area of private open space remaining after completion of this development	3300m ² .
Roofing Material (Slates, Tiles, other) (Specify)	REPLACING MINERAL FELT WITH TROCAL OR SIMILAR MEMBRANE.

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	EXISTING WALLS - NEW PLASTER. UNCHANGED By NEW works
Is proposed works located at front/rear/side of existing house.	NO PROPOSED EXTERNAL works
Has an application been made previously for this site	NO.
If yes give ref. number (include full details of existing extension, if any)	W/A
Existing use of land or structure	RESIDENTIAL
Proposed use of land or structure	RESIDENTIAL
Distance of proposed building line from edge of roadway	EXISTING.
Does the proposed development involve the provision of a piped water supply	EXISTING
Does the proposed development involve the provision of sanitary facilities	YES - SEWER CONNECTION.

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

Signature: 

Date: 19/9/2025

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 - **ATTACHED**.



Planning Pack Map

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Project Managers, Engineers & Surveyors,
2 Cherryside Business Park,
Castle Street,
Roscommon.
Ph: 087 2722874.
9/6/25. S.M.

Site Layout Plan.
Scale - 1:500.

EXISTING
SEWERAGE

EXISTING
SEWERAGE

House

Exits

Garage

SITE FEATURES

41.2

Preferred
Sewerage

EXISTING
SEWER

EXISTING
SEWER

Scope of works at Hodson Bay, Athlone, Roscommon, N37 RX85

Item	Description	cost (inc VAT)
1	<p>Demolitions/Strip-out/Site Clearance:-(includes internal stripout/ Disconnections/Builders works/Chasing/Early Plumbing Works ahead of Scaffold)</p> <p>1a Remove Kitchen, protect & store for re-use in garage.</p> <p>Strip and remove existing roof finishes (mineral felt)and timber work ready to receive</p> <p>1b new timbers & roof finishes to same pitch.(to existing house only)</p> <p>1c Remove and dispose of existing windows and doors</p>	
2	Substructure Works: n/a	
3	<p>Superstructure Works:</p> <p>3a Supply and install new structural timber where necessary to the house only</p> <p>Supply & Install new structural steel to support structural roof timbers- as per engineers</p> <p>3b design between Dining & Living Area.(inc wall prep and pad stones)</p>	
4	<p>Completions:</p> <p>Supply and Install new external doors and windows to house only(Target U-value of 1.2 or better)</p> <p>4a</p> <p>4b Supply and install new internal doors/frames/architraves/ironmongery throughout.</p> <p>4c Supply and Install new skirtings throughout.</p> <p>4d Supply and Install aluminium fascia & soffit.</p> <p>4e Supply and Install roof flashings, gutters and downpipes</p>	
5	<p>Finishes:</p> <p>5a Tiling and wet area finishes</p> <p>5b Painting and Decorating</p> <p>5c Roof Finishes- Trocal Roof membrane or similar inc warranty & roof insulation.</p>	
6	<p>Services: (including Plumbing and Electrical Supply and Install of main works only)</p> <p>Builders works picked up in item 1 above.</p>	
7	<p>Fittings:</p> <p>7a Kitchen Units: (As per 1a above and refit on completion of floor finishes)</p> <p>7b Sanitary Ware and bathroom fittings</p>	
8	External Works(works within the site boundary)- new main sewer connection from house to site boundary.	
9	Extension-n/a	
10	Professional Services- n/a	
	Total	

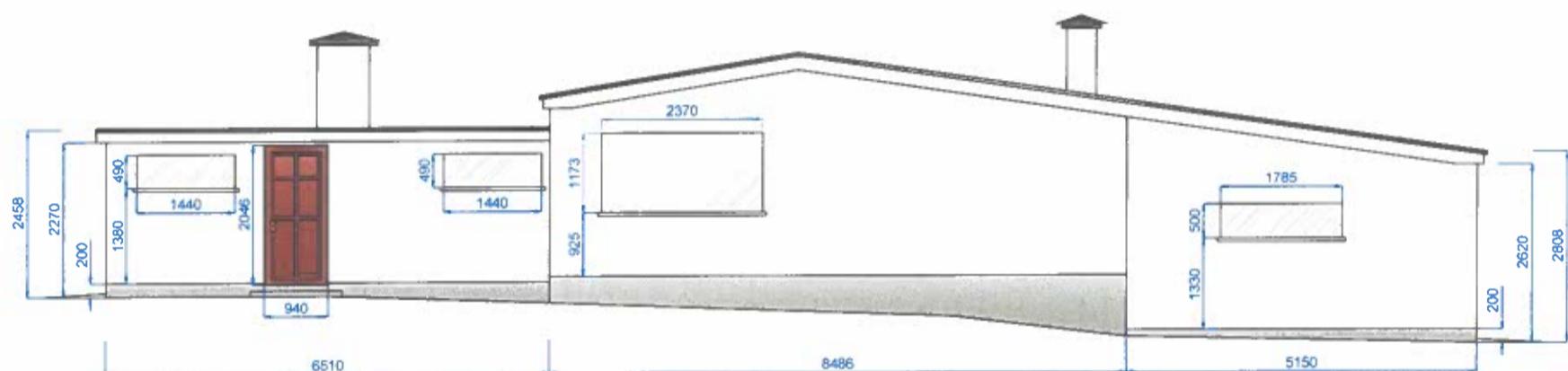


FLOOR PLAN

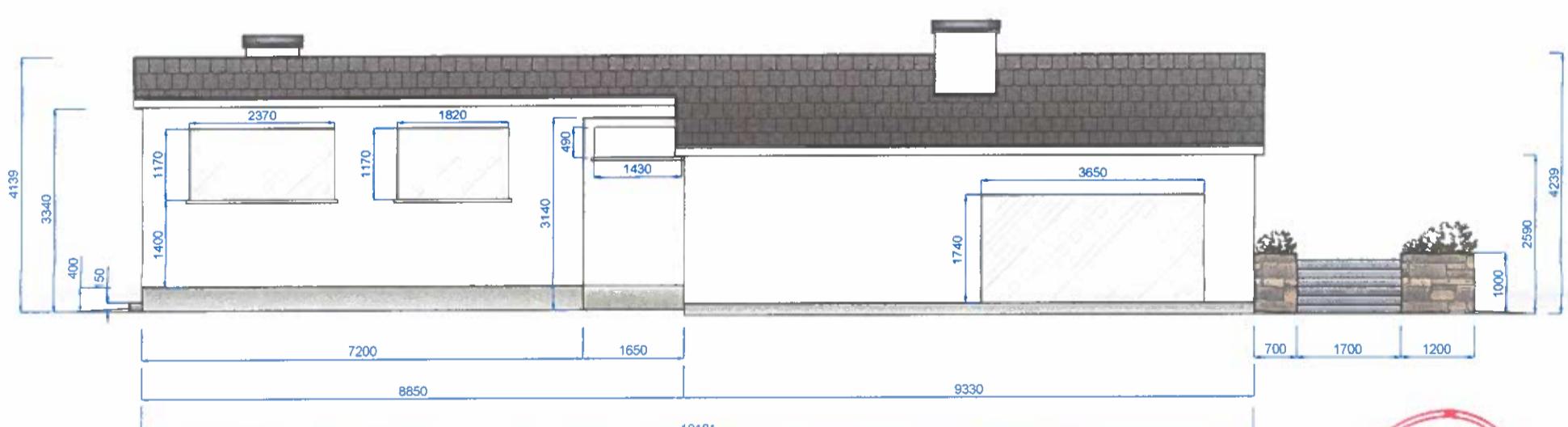
25	A	RFI RESPONSE	date	ISSUE	REVISIONS	PROJECT MANAGERS, ENGINEERS & SURVEYORS	Do not scale from this drawing. If in doubt, consult Engineer	Job Title:	Job no.:	Draw. no.:	Issue:
25	A	RFI RESPONSE				SEAMUS MURRAY 2 CHERRYSIDE BUSINESS PARK CASTLE STREET, ROSCOMMON Tel: 087 2222674 Email: seamusmurray60@gmail.com	The copyright of this drawing is vested in the Engineer. It must not be copied or reproduced without written consent	Proposed Dwelling for Pat Finneran, Hudson Bay, Kittoom, Athlone Co. Roscommon	1	01	PLANNING



FRONT ELEVATION [EAST]



SIDE ELEVATION [NORTH]



SIDE ELEVATION [WEST]



25	A	RFI RESPONSE	date	issue	Revisions

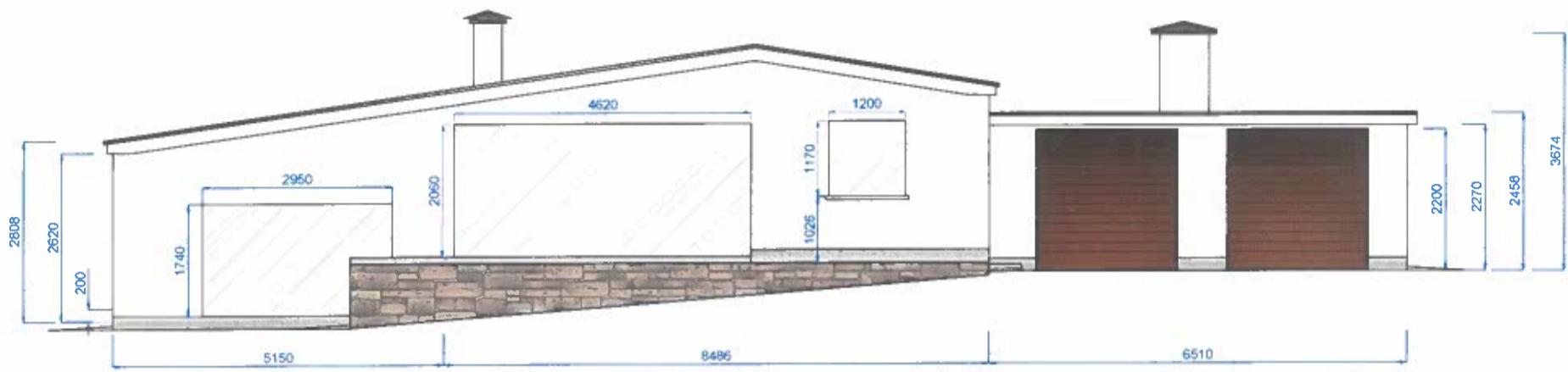
SEAMUS MURRAY
PROJECT MANAGERS, ENGINEERS &
SURVEYORS
2 CHERRYSIDE BUSINESS PARK,
CASTLE STREET, ROSCOMMON
Tel: 087 2222874
Email: seamusmurray60@gmail.com

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drawing if in doubt.
consult Engineer

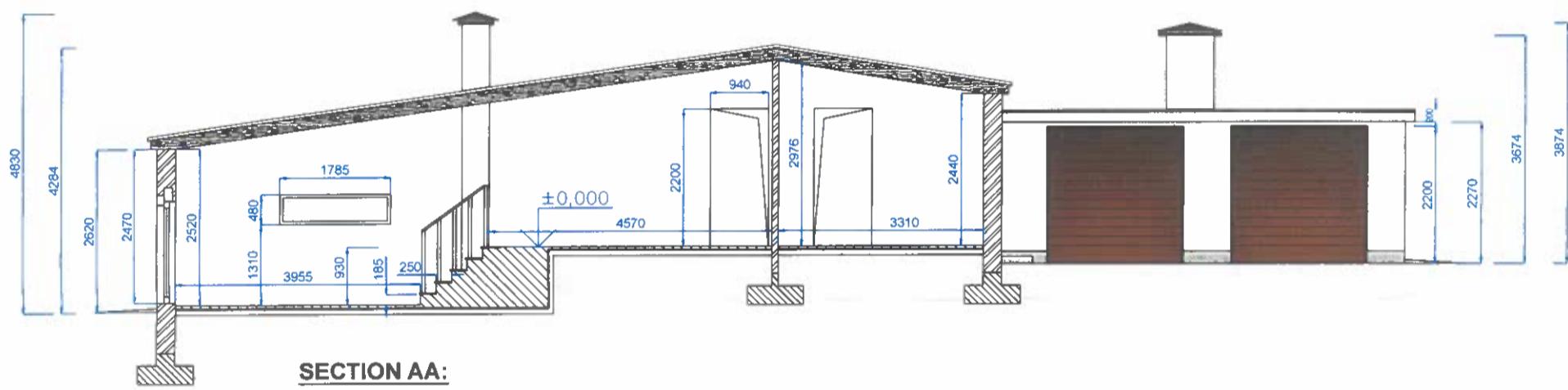
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Job Title:
Proposed Dwelling for
Pat Finneran,
Hudson Bay, Kiltoom, Athlone
Co. Roscommon

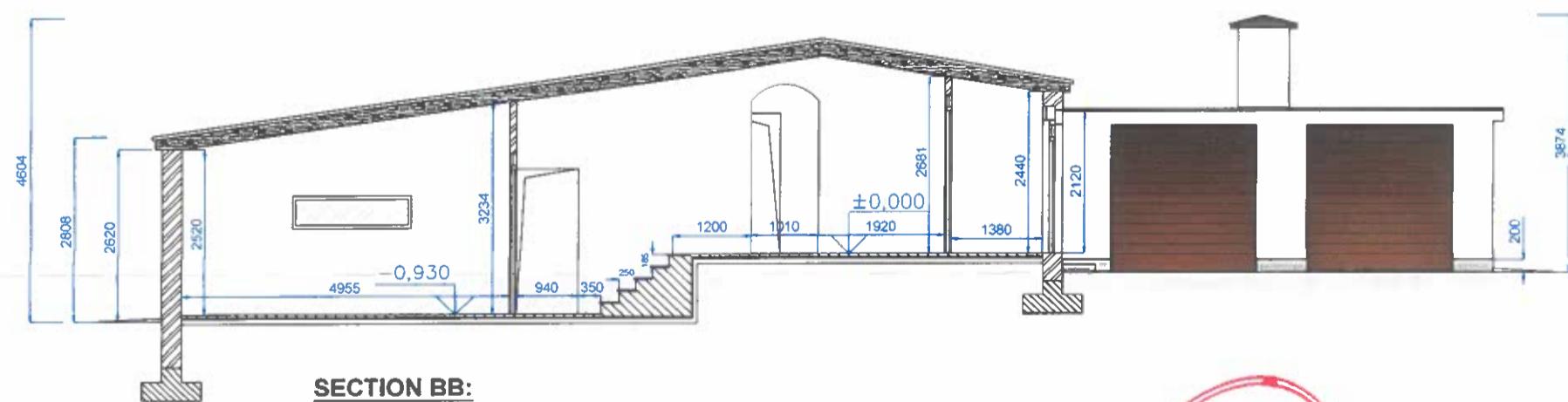
Job no.:
Drwg no.:
Draw Title:
Proposed Floor Plans
Drawn by:
SB Scale:
1:100 Date:
August 25



ROAD ELEVATION [SOUTH]



SECTION AA:



SECTION BB:



25	A	RFI RESPONSE	date	issue	Revisions
date	issue	Revisions			

SEAMUS MURRAY
PROJECT MANAGERS, ENGINEERS &
SURVEYORS
2 CHERRYSIDE BUSINESS PARK
CASTLE STREET, ROSCOMMON
Tel: 087 2222674
Email: seamusmurray60@gmail.com

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Tel: 087 2222674
Email: seamusmurray60@gmail.com

Job Title:
Proposed Dwelling for
Pat Finneran,
Hudson Bay, Kiltoom, Athlone
Co. Roscommon

Job no.:
03
Drawn by:
SB
Scale:
1:100
Date:
August '23

Drawn no.:
03
Issue:
PLANNING