



**Declaration regarding Development/Exempted Development
(Section 5 of Planning & Development Act 2000, as amended)**

Leitrim County Council Reference Number: ED- 25-14

WHEREAS a question has arisen as to whether the construction of an extension, not exceeding 40m², to the rear of an existing dwelling at Tamlaghtavally, Mohill, Co. Leitrim, constitutes development which is exempted development.

AND WHEREAS the said question was referred to Leitrim County Council by Patricia Scollan on 10th of April 2025

AND WHEREAS Leitrim County Council, in considering this referral, had regard particularly to –

- (a) Section 2(1), 3(1) and 4(1) of the Planning and Development Act, 2000 (as amended)
- (b) Article 6 (1) of the Planning and Development Regulations 2001 (as amended)
- (c) Article 9 (1)(a) of the Planning and Development Regulations 2001 (as amended)
- (d) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended)
- (e) Schedule 2, Part 1, Class 50 of the Planning and Development Regulations 2001 (as amended)

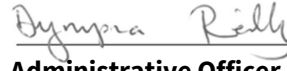
AND WHEREAS Leitrim County Council has concluded that –

- a) The construction of an extension, not exceeding 40m², to the rear of the dwelling, constitutes development which is exempted development with the provisions of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) applying in this instance, and;
- b) The demolition of the existing extension at the rear of the structure to facilitate construction of the aforementioned extension constitutes development which is exempted development with the provisions of Schedule 2, Class 50 of the Planning and Development Regulations 2001 (as amended) applying in this instance, and;
- c) The improvements and alterations to the original dwelling, 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, constitutes development which is exempted development with the provisions of Section 4 (1)(h) of the Planning & Development Act, 2000 applying in this instance.

NOW THEREFORE Leitrim County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the 2000 Act, as amended, hereby declares that:

The construction of an extension, not exceeding 40m², to the rear of an existing dwelling at Tamlaghtavally, Mohill, Co. Leitrim, constitutes development which is **exempted development**.

Signed:


**Administrative Officer
Planning Department**

Dated this 6th May, 2025

Advice Note

Section 5 – Patricia Scollan – Tamlaghtavally, Mohill, Co. Leitrim

Any repair, refurbishment, maintenance, improvement or other alteration works proposed to the pre-existing dwelling shall satisfy the requirements of Section 4(1)(h) of the Planning & development Act 2000 (as amended) which states;

S. 4.(1) The following shall be exempted development for the purposes of this Act—

(h) 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.