



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

Leitrim County Council Reference Number: ED-25-32

WHEREAS a question has arisen as to whether the **change of use from the current existing residence attached to an existing pub (7 no. domestic dwelling) for use as residence for a respite care facility for persons with intellectual / physical disabilities or mental illness and their carers together with a small rear bedroom extension of 11.16 m²** at Sranagross, Glenfarne, Co. Leitrim, is or is not development and whether it is or is not exempted development;

AND WHEREAS the said question was referred to Leitrim County Council by Cróga Care Partners Ltd. on the 27th of June 2025 and supplemented by additional further information and drawings submitted on the 22nd of October 2025 following a request for further information by the Planning Authority

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

- a) Sections 2(1), 3(1), 4(1)(h) and 4(2) of the Planning and Development Act, 2000, as amended,
- b) Article 6(1), 9(1) and 10 of the Planning and Development Regulations, 2001, as amended,
- c) Class 14(f) of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- d) the planning history and established use of the building,
- e) the submissions on file,
- f) the report of the Senior Planner:

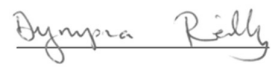
AND WHEREAS Leitrim County Council has concluded that

The change of use of from the current existing residence attached to an existing pub (7 no. domestic dwelling) for use as residence for a respite care facility for persons with intellectual / physical disabilities or mental illness and their carers together with a small rear bedroom extension of 11.16 m² at Sranagross, Glenfarne, Co. Leitrim

- i) would constitute development under Section 3(1) of the Planning and Development Act 2000, as the proposed change of use does not relate to a private residence as described in the declaration request but rather to a property which includes a number of established and authorised uses comprising a bar / lounge area with ancillary accommodation, a 4 no., bedroom guesthouse with ancillary private domestic dwelling along with an unauthorised extension remaining at first floor level, and

- ii) in order to satisfy the provisions of the exemption category afforded under Class 14(f) of the Regulations, the existing permitted and established use of the building would have to be that of a *house*. It is clearly not, and
- iii) Article 9(1) of the Planning and Development Regulations 2001, as amended, identifies restrictions on exemptions which includes if the carrying out of such development consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use. As the structure retains an unauthorised element remaining, the exempted development provisions do not therefore apply, and
- iv) there is no provision within the Planning and Development Act 2000, as amended or in the Planning and Development regulations 2001, as amended to construct an extension to a commercial premises without first obtaining planning permission.

NOW THEREFORE Leitrim County Council, in exercise of the powers conferred on it by section 5 of the Planning and Development Act 2000, as amended, hereby decides that the change of use of an existing property at Sranagross, Glenfarne, Co Leitrim from use as an existing residence attached to an existing pub (7 no. domestic dwelling) for use as residence for a respite care facility for persons with intellectual / physical disabilities or mental illness and their carers together with a small rear bedroom extension of 11.16 m² is development and **is not exempted development**.

Signed: 
Administrative Officer
Planning Department

Dated this **5th November, 2025**