



Leitrim County Council Planning Report

Reference No:	ED25-34
Applicant:	Michael & Mary Hand
Location:	12 The Waterfront, Dromod Harbour, Dromod, Co. Leitrim
Application Type:	Declaration under Section 5 of the Planning and Development Act 2000, as amended.
Proposal:	The addition of new doors and a balcony to the front elevation of No. 12 The Waterfront consisting of a) breaking out a 2m wide x 2.2m high opening from the 1st floor bedroom and installing French double doors, b) removal of existing Velux rooflight and construction of a pitched roof extension using similar materials to the existing roof, c) erection of a 3m x 1m steel balcony, similar to and matching the existing balcony.
Date of Site Inspection:	18/07/2025
Due Date:	06/08/2025

Introduction

This subject request for a declaration under Section 5 of the Planning and Development Act 2000, as amended, was received by the Planning Authority on the 10th of July 2025 and relates to whether the addition of new doors and a balcony to the front elevation of No. 12, The Waterfront, Dromod Harbour, Dromod, Co. Leitrim, consisting of a) breaking out a 2m wide x 2.2m high opening from the 1st floor bedroom and installing French double doors, b) removal of existing Velux rooflight and construction of a pitched roof extension using similar materials to the existing roof, c) erection of a 3m x 1m steel balcony, similar to and matching the existing balcony is development and whether it is exempted development.

Site Location and Context

The subject site is located in the Waterfront Holiday Village in Dromod and is occupied by an existing dwelling which is part of a larger development of 25 No. holiday homes (granted permission under P.14578).

The works as proposed are to the front of the dwelling – refer to photograph below identifying the dwelling in question. Similar type extensions to the front elevations of other holidays homes within the estate have been granted planning permission – refer to photograph below.

The nearest Natura 2000 site is Clooneen Bog Special Area of Conservation (SAC Site Code: 002348) which is located approximately 5km south of the subject site.

The nearest nationally designated site is Lough Boderg and Lough Bofin a proposed Natural Heritage Area (pNHA Site Code: 001642) which is located approximately 125m west of the subject site.



Fig. 1 – The dwelling that is the subject of this Section 5 application.



Fig. 2: Photograph showing similar types of proposal within the holiday development complex.

Planning History

P. 14578 – Application for 25 No. dormer holiday homes with ancillary works. Permission was granted 16/03/2000.

Other than the above application which relates to the entire 25 No. Holiday home development, there is no record of any other planning history relating to this dwelling.

Relevant Legislation

Planning and Development Act, 2000 (as amended)

Section 2 Interpretation

Section 2(1) of the Planning and Development Act, 2000 (as amended) provides an interpretation of 'works' as including '*any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...*'.

An “alteration” includes ‘...the replacement of a door, window or roof... that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures...’.

Section 3 Development

Section 3 (1) In this Act ‘development’ means, except where the context otherwise requires, the carrying out of any works on, in, or under land or the making of any material change in the use of any structures or other land.

Section 4 Exempted Development

Section 4 (1)- The following shall be exempted developments for the purposes of this Act –

(h) development consisting of the carrying out 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 of the structure inconsistent with the character of the structure or of neighbouring structures;

Planning and Development Regulations, 2001 (as amended)

Article 6(1) of the Planning and Development Regulations 2001, as amended, states that:

Subject to article 9, development of a class specified in column 1 of Part 1 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 1 opposite the mention of that class in the said column 1.

Article 9(1) of the Planning and Development Regulations 2001, as amended, identifies restrictions on exemptions. Of relevance in this case would be the following:

(a) if the carrying out of such development would –

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act

(iii) endanger public safety by reason of traffic hazard or obstruction or road users

(vi), interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.

Class 1 of Schedule 2 Part 1 of Exempted Development – General allows for the following exemption subject to conditions and limitations as set out in column 2;

Description of Development:

Development within the curtilage of a house

CLASS 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

Conditions and Limitations:

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

Assessment

Referral Question

Having reviewed all of the documents relating to this referral, I consider the question to be based simply on whether or not the addition of new doors and a balcony to the front elevation of No. 12 The Waterfront consisting of a) breaking out a 2m wide x 2.2m high opening from the 1st floor bedroom and installing French double doors, b) removal of existing Velux rooflight and construction of a pitched roof extension using similar materials to the existing roof, c) erection of a 3m x 1m steel balcony, similar to and matching the existing balcony constitutes development and whether such development is or is not exempted development.

Is or is not development.

In relation to whether the proposed works constitute development, regard is had to Section 3(1) of the Planning and Development Act 2000, as amended, which states that ‘development’, except where the context otherwise requires, “*means the carrying out of any works on, in, over or under land...*”,

Section 2(1) of the Act provides an interpretation of ‘alteration’ as including ‘*(a) plastering or painting or the removal of plaster or stucco, or (b) the replacement of a door, window, or roof, that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures*’

Section 2(1) of the Act provides an interpretation of 'works' as including any “*act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...*”.

Therefore, the proposal to carry out the works as identified in the referral question above is development within the meaning of the Act.

Is or is not exempted development.

In order to ascertain whether or not the development works proposed constitute development which could be considered exempted development, the Planning Authority must consider whether the development will meet the conditions and limitations set out in Class 1 of Schedule 2 Part 1 of *Exempted Development – General* as set out above.

Based on the documentation submitted, the proposed works are located to the front of the dwelling and so do not satisfying the conditions and limitations set out in Class 1(a).

With reference to Section 4(1)(h) it is clearly stated the following shall be exempted development:

“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”.

While it is noted that of the 25 No. holiday homes in this estate, 7 of them have similar type alterations/extensions carried out to them (all of which were the subject of planning applications, two of which were for retention), the dwellings either side of this dwelling are as originally permitted under P.14578 and so the proposed works would render its appearance inconsistent with the character of the neighbouring structures either side of the dwelling which is the subject of this Section 5. Therefore, in this instance it is considered that the works proposed would materially affect the character of the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and of the neighbouring structures.

Appropriate Assessment

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The proposed development has been screened for Appropriate Assessment (AA), and it has been determined that an AA is not required. See Appropriate Assessment (AA) screening report attached.

Environmental Impact Assessment

Having regard to the nature and scale of the proposed development, its location in a serviced built-up area, the absence of any connectivity to any sensitive location and the likely emissions therefrom and the fact that the development proposed is not of a development type or class set out in Part 1 and is sub-threshold of applicable development type/class set out in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, it is concluded that there is no real likelihood of significant effects on the environment arising from the proposed development having regard to the criteria set out in Schedule 7 to the Planning and Development Regulations 2001, as amended. It is therefore concluded that EIA is not required.

Recommendation

Having regard to the foregoing, I recommend that the Planning Authority issue the following Declaration under Section 5 of the Planning and Development Act 2000, as amended:

WHEREAS a question has arisen as to whether the addition of new doors and a balcony to the front elevation of No. 12, The Waterfront, Dromod Harbour, Dromod, Co. Leitrim, consisting of a) breaking out a 2m wide x 2.2m high opening from the 1st floor bedroom and installing French double doors, b) removal of existing Velux rooflight and construction of a pitched roof extension using similar materials to the existing roof, c) erection of a 3m x 1m steel balcony, similar to and matching the existing balcony is development and whether it is exempted development.

AND WHEREAS the said question was referred to Leitrim County Council by Michael & Mary Hand on the 10th of July 2025;

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

- (a) Sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1) and 9(1) of the Planning and Development Regulations 2001, as amended,
- (c) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and
- (d) the documentation submitted as part of the referral;

AND WHEREAS Leitrim County Council has concluded that:

- (a) the addition of new doors and a balcony to the front elevation of No. 12, The Waterfront, Dromod Harbour, Dromod, Co. Leitrim, consisting of a) breaking out a 2m wide x 2.2m high opening from the 1st floor bedroom and installing French double doors, b) removal of existing Velux rooflight and construction of a pitched roof extension using similar materials to the existing roof, c) erection of a 3m x 1m steel balcony, similar to and matching the existing balcony is considered to be works and is, therefore, development within the meaning of the Planning and Development Act 2000, as amended;
- (b) the addition of new doors and a balcony to the front elevation of No. 12, The Waterfront, Dromod Harbour, Dromod, Co. Leitrim, consisting of a) breaking out a 2m wide x 2.2m high opening from the 1st floor bedroom and installing French double doors, b) removal of existing Velux rooflight and construction of a pitched roof extension using similar materials to the existing roof, c) erection of a 3m x 1m steel balcony, similar to and matching the existing balcony is considered to be works and is not exempted development as per Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) or 4(1)(h) of the Planning and Development Act 2000 (as amended).

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 addition of new doors and a balcony to the front elevation of No. 12, The Waterfront, Dromod Harbour, Dromod, Co. Leitrim, consisting of a) breaking out a 2m wide x 2.2m high opening from the 1st floor bedroom and installing French double doors, b) removal of existing Velux rooflight and construction of a pitched roof extension using similar materials to the existing roof, c) erection of a 3m x 1m steel balcony, similar to and matching the existing balcony is development and is not exempted development.



Aoife Mulcahy
Executive Planner
Date: 29/07/2025



Liam Flynn
Senior Executive Planner
Date: 29/07/2025



Appropriate Assessment Screening and Determination

STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	ED25-34
(b) Brief description of the project or plan:	As per Section 5 report
(c) Brief description of site characteristics:	As per Section 5 report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	No
(e) Response to consultation:	N/A


STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest	Distance from proposed development (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Clooneen Bog SAC (002348)	https://www.npws.ie/protected-sites/sac/002348	5km	None	No

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests 	No significant potential impacts.
Operational phase e.g. <ul style="list-style-type: none"> Direct emission to air and water Surface water runoff containing contaminant or sediment Lighting disturbance Noise/vibration Changes to water/groundwater due to drainage or abstraction Presence of people, vehicles and activities Physical presence of structures (e.g. collision risks) Potential for accidents or incidents 	No significant potential impacts.

In-combination/Other	No significant potential impacts.	
(b) Describe any likely changes to the European site:		
<ul style="list-style-type: none">• Examples of the type of changes to give consideration to include:• Reduction or fragmentation of habitat area• Disturbance to QI species• Habitat or species fragmentation• Reduction or fragmentation in species density• Changes in key indicators of conservation status value (water or air quality etc.)• Changes to areas of sensitivity or threats to QI• Interference with the key relationships that define the structure or ecological function of the site	No significant potential impacts.	
(c) Are ‘mitigation’ measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Step 4. Screening Determination Statement		
The assessment of significance of effects:		
Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.		
Having regard to the information on file, the nature and scale of the proposed development, its distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, either alone or in-combination with other developments, is not likely to have any significant effects on any European site in view of its conservation objectives.		
Conclusion:		
	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature of Recommending Planner:		Date: 29/07/2025



Environmental Impact Assessment (EIA) Pre-Screening

Establishing if the proposal is a 'sub-threshold development'

File Reference No:	ED25-34
Development Summary:	As per Section 5 Report
Was a Screening Determination carried out under Section 176A-C?:	<input type="checkbox"/> Yes – No further action required <input checked="" type="checkbox"/> No – Proceed to Part A

Part A - Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)

<input type="checkbox"/> Yes – specify class:	EIA is mandatory No screening required
<input checked="" type="checkbox"/> No	Proceed to Part B

Part B - Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)

<input type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No screening required
<input type="checkbox"/> Yes, the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold):	EIA is mandatory No screening required
<input checked="" type="checkbox"/> Yes, the project is of a type listed but is <i>sub-threshold</i> : [Schedule 5 Part 2 10 (dd) <i>All private roads which would exceed 2000 metres in length</i>]	Proceed to Part C


Part C – If yes, has Schedule 7A information/screening report been submitted?

<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input checked="" type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

EIA Preliminary Examination:

The Planning Authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

	Comment:	Yes/No/Uncertain:
Nature of the development: <i>Is the nature of the proposed development exceptional in the context of the existing environment?</i>		No

<p><i>Will the development result in the production of any significant waste, or result in significant emissions or pollutants?</i></p>		No
<p>Size of the development:</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there cumulative considerations having regard to other existing and/or permitted projects?</p>		No
<p>Location:</p> <p><i>Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?</i></p> <p><i>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</i></p>		No
<p align="center">Preliminary Examination Conclusion:</p>		
<p>Based on a preliminary examination of the nature, size or location of the development. (Tick as appropriate)</p>		
<p align="center"><input checked="" type="checkbox"/></p> <p>There is no real likelihood of significant effects on the environment.</p> <p>EIA is not required.</p>	<p align="center"><input type="checkbox"/></p> <p>There is real likelihood of significant effects on the environment.</p> <p>An EIAR is required.</p>	<p align="center"><input type="checkbox"/></p> <p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Request the applicant to submit the Information specified in Schedule 7A for the purposes of a screening determination.</p> <p>Proceed to Screening Determination.</p>
<p>Signature of Recommending Planner:</p>		<p>Date: 29/07/2025</p>