



**Comhairle Chontae Liatroma
Leitrim County Council**

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

Leitrim County Council Reference Number: ED- 25-42

WHEREAS a question has arisen as to whether: (a) the provision of a replacement roof (of part of the dwelling); and (b) the construction of a ground floor extension to the rear of the property measuring 4.5m² (external area 6.1m²) at Mullanaskagh, Dromahair, Co. Leitrim, D91 CD98, 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 Mel Gavin on the 8th of October 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 proposed replacement roof works would not materially affect the external appearance of the structures in question so as to render its appearance inconsistent with the character of the structure itself or of the neighbouring structures as per the provisions of Section 4(1)(h) of the Planning and Development Act 2000, as amended;
- (b) the construction of an extension to the rear of a house, measuring 4.5m² is considered to be development and in accordance with the conditions and limitations prescribed in Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001, as amended; and
- (c) the development granted permission under P.768 appears not to have been built in accordance with this permission and is therefore considered to be unauthorised and therefore the provisions of Article 9(1)(viii) of the Planning and Development Regulations 2001, as amended, which states that development which would ordinarily be considered exempted development shall not avail of such exemptions if the carrying out of such development consists of or comprises of the “*extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use*”, apply 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 proposed construction of an extension measuring 4.5 m² to the rear of a house and the proposed replacement roof works, including the change of roofing material from slate to standing seam material and the extension of this proposed roof profile in place of the existing flat roof adjoining this front elevation element of the dwelling at Mullanaskeagh, Dromahair, Co. Leitrim F91 CD98, is development that is **not exempted development**.

Signed:


Senior Staff Officer
Planning Department

Dated this 28th October, 2025

ED-25-42 Advice Note:

You are advised that the development granted under P.768 appears not to have been built in accordance with this permission and is therefore considered to be unauthorised. Accordingly, you are advised to regularise this issue by seeking retention permission for any unauthorised development on the subject site.

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