



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- 25-05

WHEREAS a question has arisen as to whether **the construction of a new extension, of floor area c.29m² and height 3.4m to the rear of the existing dwelling**, constitutes development which is exempted development.

AND WHEREAS the said question was referred to Leitrim County Council by Cyril & Ann Doherty on 27th of January 2024 in relation to a property/site at Drumsna, Carrick on Shannon, Co. Leitrim, N41VP84.

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

- (a) Section 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)

AND WHEREAS Leitrim County Council has concluded that –

- a) The construction of a new extension, of floor area c.29m² and height 3.4m, to the rear of the existing 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) Section 4(1)(h) of the Planning and Development Act, 2000 (as amended) applies in this instance to the minor alterations works which have been carried out to the elevations of the dwelling. Said works, as observed at the time of site inspection, 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.

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 a new extension, of floor area c.29m² and height 3.4m to the rear of the existing dwelling**, constitutes development which is **exempted development**.

Signed:


Senior Staff Officer
Planning Department

Dated this 19th February, 2025

Advice Note

Section 5 - Cyril & Ann Doherty – Drumsna, Carrick.On.Shannon, Co. Leitrim, N41 VP84.

Any existing or additionally proposed refurbishment works to the existing dwelling will need to 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.

As you may be aware your property is within the zone of archaeological potential established by the National Monuments Service around Recorded Monument LE031-0085 Ringfort – Rath and LE031-085002 Burial Ground. Please be advised that in the event that archaeological material was/is shown to be present during the course of any development works, works should/shall cease pending consultation with the National Monuments Service. Avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required. Any archaeological mitigation requirements specified by the National Monuments Service, shall be complied with by the developer. All resulting and associated archaeological costs shall be borne by the developer.