

Our Ref: I/ODC/22005

Date: 24th March 2026

Planning Department,
Leitrim County Council,
Áras an Chontae,
Carrick on Shannon,
County Leitrim,
N41 PF67.

PLANNING SECTION
LEITRIM COUNTY COUNCIL

27 MAR 2026

REF P. ED-26-21

Re/ Section 5 Declaration Application for proposed works to existing single storey dwelling at Cloonboniagh South, Mohill, County Leitrim, N41 PV06.
Applicants: Ross O'Daly & Gillian Carroll.

Dear Sir / Madam,

I refer to the above and enclose herewith a Section 5 Declaration application for your consideration. A schedule of drawings submitted with this application is included at the end of this letter. The following sets out information relevant to the consideration of this application.

The applicants purchased the existing single storey dwelling located at Cloonboniagh South, Mohill, Co. Leitrim (Eircode N41 PV06), approximately 1.8km north-east of Dromod and 5.8km south-west of Mohill, with the intention of making the dwelling their home. A site location map is enclosed.

The property meets the criteria to qualify for the Vacant Property Refurbishment Grant and SEAI energy upgrade grants. As part of that process, confirmation is required that the proposed works either have planning permission or constitute exempted development. It is considered that the proposed works constitute exempted development and a declaration is therefore sought from the Planning Authority under Section 5 of the Planning and Development Act 2000 (as amended).

The question on which a declaration is sought is as follows:

"Whether the renovation of, and extension to, an existing single storey dwelling at Cloonboniagh South, Mohill, Co. Leitrim, N41 PV06, comprising roof repair works, removal of existing chimneys, demolition of an existing single storey rear extension, internal alterations, external upgrade works including external wall insulation and replacement windows, and the construction of a new single storey extension to the rear of the dwelling not exceeding 40 square metres, constitutes development and, if so, whether such development is or is not exempted development."

The site layout plan showing the existing dwelling and the proposed rear extension is provided on drawing no. 22005-AR-PL-100. Existing plans, sections and elevations are shown on drawing no. 22005-AR-PL-110.

Proposed Roof Repair Works

The existing hipped roof, finished with natural slate, has structural defects and requires repair to roof timbers. This will necessitate the temporary removal and reinstatement of slates to facilitate repair works.

These works constitute development as defined under Section 3 of the Planning and Development Act 2000 (as amended) and are considered exempted development under Section 4(1)(h), being works of maintenance, improvement or alteration which do not materially affect the external appearance of the structure.

Proposed Demolition Works

The proposed works include the removal of internal walls, demolition of existing chimneys, and demolition of an existing single storey rear extension.

The internal alterations are considered exempted development under Section 4(1)(h), as works affecting only the interior of the structure.

The subject dwelling is not a protected structure and is not located within an Architectural Conservation Area. The removal of the existing chimneys forms part of a broader programme of repair and upgrade works to improve the habitability and energy performance of the dwelling. The existing chimneys are modest in scale and their removal will not materially alter the character of the dwelling or render its external appearance inconsistent with that of neighbouring structures in the rural context. These works are therefore considered exempted development under Section 4(1)(h).

The demolition of the existing rear extension is carried out in connection with the provision of a new extension and is considered exempted development under Schedule 2, Part 1, Class 50(b) of the Planning and Development Regulations 2001 (as amended).

Proposed Internal Alterations

The proposed internal alterations, as shown on drawing no. 22005-AR-PL-130, comprise reconfiguration of internal layouts to improve functionality and habitability.

These works affect only the interior of the structure and are therefore exempted development under Section 4(1)(h).

Proposed External Upgrade Works

The proposed external upgrade works include the application of external wall insulation with rendered finish and the replacement of existing windows.

These works form part of a programme of improvement works to the existing dwelling. The resultant external finish will be consistent in appearance with the existing rendered finish and will not materially alter the character of the dwelling or of neighbouring structures. These works are therefore considered exempted development under Section 4(1)(h).

Proposed New Single Storey Extension to the Rear

The proposed new single storey extension to the rear of the existing dwelling is shown on drawing no. 22005-AR-PL-130. This constitutes development and is considered exempted development under Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended).

The gross internal floor area of the proposed extension does not exceed 40 square metres. The existing rear extension, which is to be demolished in accordance with Class 50(b), is not included in the cumulative floor area calculation for the purposes of Class 1, and there are no other extensions constructed post-1 October 1964.

The proposed development complies with all relevant conditions and limitations of Class 1, as set out below:

Column 1 Description of Development	Column 2 Conditions and Limitations	Note on Conformity / Compliance
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.	1(a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.	The existing rear extension is to be demolished as permitted under Class 50(b), being <i>"the demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act."</i>. There are no other extensions to the house. The proposed extension does not exceed 40 square metres.
	1(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.	Not applicable, the house is detached.
	1(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.	There is no extension above ground level proposed.
	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.	The existing rear extension is to be demolished as permitted under Class 50(b), being <i>"the demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act."</i>. There are no other extensions to the house. The proposed extension does not exceed 40 square metres.
	2(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.	Not applicable, the house is detached.
	2(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level,	The existing rear extension is to be demolished as permitted under Class 50(b), being <i>"the demolition of part of a habitable house in connection with</i>

	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.	<i>the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act."</i> There are no other extensions to the house. There is no extension above ground level proposed.
	3 Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.	There is no extension above ground level proposed.
	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.	The design for the proposed extension (see drawing 22005-AR-PL-130) is compliant with this condition / limitation - the height of proposed walls do not exceed the height of the rear wall of the house.
	4(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.	The design for the proposed extension (see drawing 22005-AR-PL-130) is compliant with this condition / limitation. The rear wall of the house does not include a gable.
	4(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.	The design for the proposed extension (see drawing 22005-AR-PL-130) is compliant with this condition / limitation. The height of the extension is lower than 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.	The applicants site extends to almost 1 acre (see drawing 22005-AR-PL-100) and therefore the construction of the extension will not reduce the private open space 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.	The site layout plan shows dimensions from the proposed extension to site boundaries (see drawing 22005-AR-PL-100), which significantly exceed 1m in all cases.
	6(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.	There is no extension above ground level proposed.
	6(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	There is no extension above ground level proposed.

	than 11 metres from the boundary it faces.	
	7 The roof of any extension shall not be used as a balcony or roof garden.	The roof of the extension shall not be used as a balcony or roof garden.

Conclusion

It is respectfully submitted that the proposed works constitute development and are exempted development within the meaning of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). A declaration to that effect is therefore sought from the Planning Authority.

Yours Faithfully,



***Ivan O'Daly, MRIAI
O'Daly Architects.***

Schedule of Drawings being submitted:

- 1 x site location map
- 1 x site layout plan (drawing no. 22005-AR-PL-100)
- 1 x existing dwelling plan, section and elevations (drawing no. 22005-AR-PL-110)
- 1 x proposed demolitions plan, section & elevations (drawing no. 22005-AR-PL-120)
- 1 x proposed new extension and works plan, section & elevations (drawing no. 22005-AR—PL130)

Also:

- 1 x €80 application fee
- 1 x application form