



**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- 26-03

WHEREAS a question has arisen as to whether demolishing of existing 2-storey extension (measuring 8 m²) to the rear of a vacant commercial building to erect a 3-storey extension (measuring 21.4 m²) at 'Delahoide', Main Street, Ballinamore, Co. Leitrim, N41 PD73 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 Mr. Ciaran McCabe and Ms. Grainne Sharpley on the 16th of January 2026:

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, Part 2, Part 3 and Part 4 of the Planning and Development Regulations 2001 (as amended), and
- (d) the documentation submitted as part of the referral;

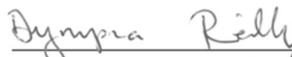
AND WHEREAS Leitrim County Council has concluded that:

- (a) In respect of the demolishing of an existing 2-storey extension to develop a 3-storey extension to the rear of a vacant commercial building;
- (b) the proposed works are not considered to be exempted development under the provisions of Section 4(1) of the Planning and Development Act 2000, as amended and Schedule 2 - Part 1, Part 2, Part 3 and Part 4 of the Planning and Development Regulations 2001 (as amended);
- (c) the exemptions available under Class 1, Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended, in relation to rear extension development relate to "*development within the curtilage of a house*" and not in relation to any proposed rear extensions associated with apartment/flat -type development;
- (d) the subject structure attains a commercial use as any previously proposed residential use of the structure under the provisions of Article 10(6) of the Planning and Development Regulations 2001, as amended, have not taken effect; and
- (e) accordingly, it is considered that the works which are subject of this application under Section 5 of the Planning and Development Act 2000 and Article 6(1) of the Planning and Development Regulations 2001, is development and is not exempted development.

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 demolishing of a 2-storey extension to develop a 3-storey extension to the rear of a vacant commercial building at 'Delahoide', Main Street, Ballinamore, Co. Leitrim, N41 PD73 is development that is not exempted development.

Signed:


**Administrative Officer
Planning Department**

Dated this 12th February 2026