



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

Leitrim County Council Reference Number: ED- 26-10

WHEREAS a question has arisen as to whether the construction of a single storey extension, with a floor area not exceeding 40m², to the rear of the existing dwelling; and the construction of a detached garage, with a floor area not exceeding 25m², to the rear of the existing dwelling; and the upgrade of the existing septic tank serving the existing dwelling at Lisseeghan, Carrick on Shannon, Co. Leitrim N41 H6C8 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 Patrick & Helen Reynolds on the 26 February 2026;

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

- (a) Sections 2(1), 3(1) and 4(1) 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) Class 1 of Schedule 2 Part 1 of the *Exempted Development –General* Planning and Development Regulations 2001, as amended, and
- (d) Class 3 of Schedule 2 Part 1 of the *Exempted Development –General* Planning and Development Regulations 2001, as amended, and
- (e) the documentation submitted as part of the referral;

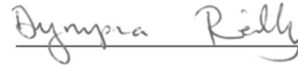
AND WHEREAS Leitrim County Council has concluded that:

- (a) the construction of a single storey extension, with a floor area not exceeding 40m², to the rear of the existing dwelling; and the construction of a detached garage, with a floor area not exceeding 25m², to the rear of the existing dwelling; and the upgrade of the existing septic tank serving the existing dwelling at Lisseeghan, Carrick on Shannon, Co. Leitrim N41 H6C8 is considered to be works and is, therefore, development within the meaning of the Planning and Development Act 2000, as amended; and
- (b) the construction of a single storey extension, with a floor area not exceeding 40m², to the rear of the existing dwelling at Lisseeghan, Carrick on Shannon, Co. Leitrim N41 H6C8 is exempted development as per Class 1 of Schedule 2 Part 1 of the *Exempted Development –General* of the Planning and Development Regulations 2001 (as amended) and Section 4(1)(h) of the Planning and Development Act 2000 (as amended).
- (c) the construction of a detached garage, with a floor area not exceeding 25m², to the rear of the existing dwelling at Lisseeghan, Carrick on Shannon, Co. Leitrim N41 H6C8 is exempted development as per Class 3 of Schedule 2 Part 1 of the *Exempted Development –General* of the Planning and Development Regulations 2001 (as amended) and Section 4(1)(h) of the Planning and Development Act 2000 (as amended).
- (d) the upgrade of the existing septic tank serving the existing dwelling at Lisseeghan, Carrick on Shannon, Co. Leitrim N41 H6C8 is development which 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 construction of a single storey extension, with a floor area not exceeding 40m², to the rear of the existing dwelling; and the construction of a detached garage, with a floor area not exceeding 25m², to the rear of the existing dwelling; at Lisseeghan, Carrick on Shannon, Co. Leitrim N41 H6C8 is development and is exempted development but the upgrade of the existing septic tank serving the existing dwelling at Lisseeghan, Carrick on Shannon, Co. Leitrim N41 H6C8 is **development which is not exempted development**.

Signed:



**Administrative Officer
Planning Department**

Dated this

20th March 2026

Advice Note

**Section 5 – Patrick & Helen Reynolds, Lisseeghan, Carrick on Shannon, Co. Leitrim,
N41 H6C8**

1. Planning permission is required for the installation or upgrade of a domestic wastewater treatment system.
2. The following limitations as set out in Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) are applicable to the exemption issued in respect of the provision of the extension to the rear of the dwelling:
 - The height of the walls of any such extension shall not exceed the height of the rear wall of the house.
 - 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.
 - Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.
 - The roof of any extension shall not be used as a balcony or roof garden.
3. The following limitations as set out in Schedule 2, Part 1, Class 3 of the Planning and Development Regulations 2001 (as amended) are applicable to the exemption issued in respect of the provision of the detached garage to the rear of the dwelling:
 - No such structure shall be constructed, erected or placed forward of the front wall of a house.
 - The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.
 - The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.
 - The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.
 - The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.