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- 26-36

WHEREAS a question has arisen as to whether the refurbishment of an existing two storey dwelling internally and externally (replacing windows, rebuilding chimney and new roof covering) at Cornageeha, Mohill, Co. Leitrim, constitutes development and, if so, whether such development is or is not exempted development.

AND WHEREAS the said question was referred to Leitrim County Council by Miriam Reilly on the 22nd of May 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 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 internal refurbishment works, replacement of roof works and windows 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 proposed replacement of a chimney would be in accordance with Class 2(a) of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended, and
(c) the development granted permission under P.7228 appears not to have been built in accordance with the 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 refurbishment of an existing two storey dwelling internally and externally (replacing windows, rebuilding chimney and new roof covering) at Cornageeha, Mohill, Co. Leitrim, is development that **is not exempted development**.

Signed: _____
ppAdministrative Officer
Planning Department

Dated this 8th June 2026