Comhairle Chontae Liatroma | Leitrim County Council	Leitrim County Council Planning Report
Reference No:	**ED26-32**
Applicant:	**Jacqueline Wilson**
Location:	**Cloonaquinn, Manorhamilton, Co. Leitrim.**
Application Type:	**Declaration under Section 5 of the Planning and Development Act 2000, as amended**
Proposal:	**Construction of a 23m² extension to the rear of an existing house at Cloonaquinn, Manorhamilton, Co. Leitrim.**
Date of Site Inspection:	**14/05/2026**
Due Date:	**02/06/2026**

Introduction

This is a request for a Declaration under Part 1, Section 5 of the Planning and Development Act 2000, as amended, as to whether the provision of a 23 m^2 extension to the rear constitutes development and, if so, whether such development is or is not exempted development at Cloonaquinn, Manorhamilton, Co. Leitrim.

The proposed works, which are the subject of this application, are as follows: the refurbishment of existing dwelling to include provision of corrugated iron roof, false chimney stacks, pointing of the stone to the front and a fine dashed finish to the side and rear, and the construction of a pitched roof extension to the rear (approx.23 m^2).

This subject request for a declaration under Section 5 of the Planning and Development Act 2000, as amended, was received by the Planning Authority on the 8th May 2026.

Site Location and Description

The subject site is located within the rural townland of Cloonaquinn, approximately 4 km southwest of Manorhamilton. The dwelling is situated higher than the road and at present there is no vehicular access onto the site; any vehicle would be required to park in an attached layby along the L41721 roadway. There is currently only pedestrian access onto site, via a sloping pathway from the roadway.

The subject site has a stated area of 0.38 Ha and currently accommodates an existing single storey cottage, and an outbuilding to the side of the cottage. The site is fully surrounded by forestry.

Fig. 1 Site Location

The nearest Natura 2000 site is Lough Gill Special Area of Conservation (SAC Site Code: 001976) which is located approximately 580m southeast of the subject site. There is no direct link to this SAC from the site.

The nearest nationally designated site is O'Donnell's Rock Wood proposed Natural Heritage Area (pNHA Site Code: 001418) which is located approximately 2.3km east of the subject site.

The subject site is not located within any landscapes designated for amenity value in the Leitrim County Development Plan 2023-2029.

There are no protected structures or structures listed in the National Inventory of Architectural Heritage (NIAH) located within the application site. Similarly, there are no Recorded Monuments or Zones of Archaeological Notification coinciding with the application site.

<u>Description of Existing Structures on Site</u>
The dwelling on site appears to have been vacant for some time and is in a state of disrepair. The roof is intact; doors and windows are absent or missing glass. It would appear that the lintels over the doors and window are wooden and a number of them are starting to give way. The lean too extension to the rear was of very poor construction. The external wall adjacent to this structure is in very poor condition, with evidence of extensive roots infiltration of the stonework.

There is a single storey shed to the west of the dwelling and the wall and roof are in good condition.

The subject dwelling and shed are elevated above the road level and the site is defined by a wall, with a layby area provided along the L41721 directly in front of the shed structure; this area is currently overgrown.

Fig. 2 **Front of Dwelling viewed from the L41721**

Fig. 3 – **Layby area, shed and dwelling**

Fig. 4 **Trees growing from the roof to the rear.**

Planning History

There is no recorded planning history attached to the subject site.

Relevant Legislation

Planning and Development Act 2000, as amended

Section 2 Interpretation

Section 2(1) of the Planning and Development Act, 2000 (as amended) provides an interpretation of 'works' as including 'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...'. An "alteration" includes '...the replacement of a door, window or roof.... that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures...'.

Section 3 Development

Section 3(1) In this Act 'development' means, except where the context otherwise requires, the carrying out of any works on, in, or under land or the making of any material change in the use of any structures or other land.

Section 4 Exempted Development

Section 4(1) The following shall be exempted developments 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.

S.4 (2) (a) The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—
(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or

(ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).

(b) Regulations under paragraph (a) may be subject to conditions and be of general application or apply to such area or place as may be specified in the regulations.

(c) Regulations under this subsection may, in particular and without prejudice to the generality of paragraph (a), provide, in the case of structures or other land used for a purpose of any specified class, for the use thereof for any other purpose being exempted development for the purposes of this Act.

Planning and Development Regulations 2001, as amended

Article 6(1) of the Planning and Development Regulations 2001, as amended, states that:

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9(1) of the Planning and Development Regulations 2001, as amended, identifies restrictions on exemptions. Of relevance in this case would be the following:

(a) if the carrying out of such development would –
(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act
(iii) endanger public safety by reason of traffic hazard or obstruction or road users
(vi), interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.

Class 1 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended, allows for the following exemption subject to conditions and limitations as set out in column 2:

Description of Development:
Development within the curtilage of a house
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.

Conditions and Limitations:
1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.
(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.
(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.

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.
(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.
(c) Subject to paragraph (a), where the house is 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 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 meters from any party boundary.

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.
(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.
(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.

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.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.
(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 than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

Class 50 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended, allows for the following exemption subject to conditions and limitations as set out in column 2:

(a) *The demolition of a building, or buildings, within the curtilage of-*
  (i) a House,
  (ii) an industrial building,
  (iii) a business premises, or
  (iv) a farmyard complex.
(b) *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 the permission for an extension or porch under the Act.*

Conditions and Limitations:
1. *No such building or buildings shall abut on another building in separate ownership.*
2. *The cumulative floor area of any such building, or buildings, shall not exceed:*
   a. *In the case of a building, or buildings within the curtilage of a house, 40 square metres, and*
   b. *In all other cases, 100 square metres.*
3. *No such demolition shall be carried out to facilitate development of any class prescribed for purposes of section 176 of the Act.*

Assessment

Proposed Development:

The refurbishment and extension will result in a dwelling with an overall area of approximately 80 m². The existing house (approximately 57m²) will be reconfigured to contain 2 bedrooms (1 ensuite), hallway and kitchen, while the extension to the rear will connect directly to the kitchen to provide an open plan kitchen/living area and a shower room.

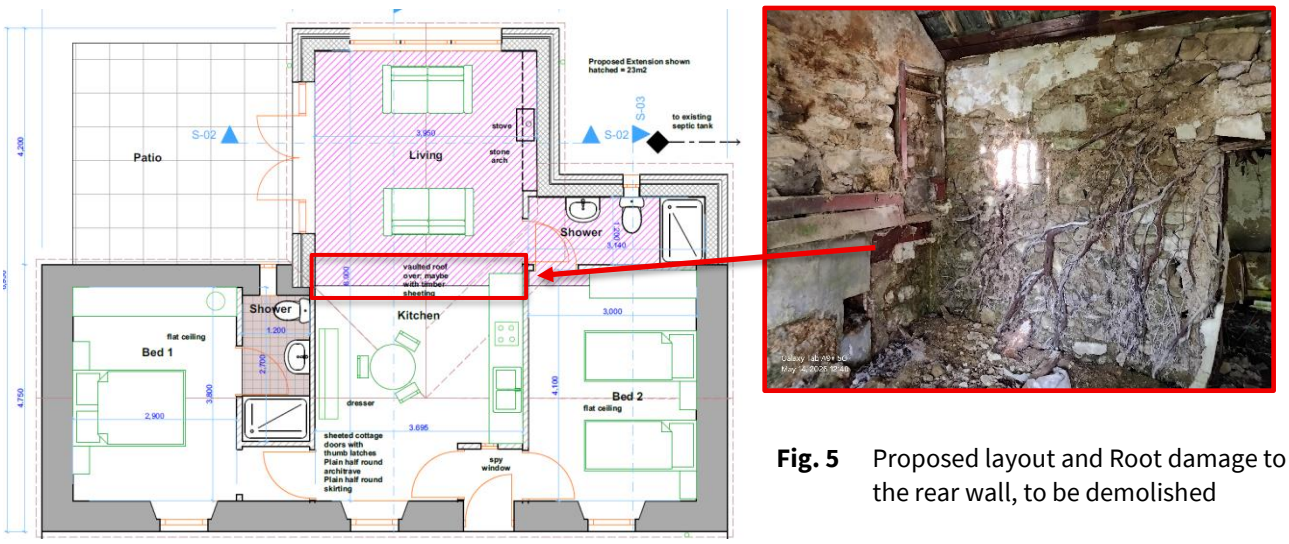

Fig. 5 Proposed layout and Root damage to the rear wall, to be demolished

It is also proposed to demolish a portion of the rear wall of the existing cottage and the poor-quality extension to the rear to facilitate the extension and new access to the outdoor space. The proposed extension will have a floor area of 23m² and the proposed pitched roof will be in line with that of the existing dwelling. It should be

noted that the portion of the dwelling to be demolished is a wall that has the root damage; the remainder of the outside walls appear sound.

It is proposed to re-roof the dwelling with red corrugated iron, and it is proposed to utilise the same material on the extension. While the new roof material will alter the appearance of the dwelling, there are a number of structures in the area with this type of roofing material and as such will not appear inconsistent with the character of the neighbouring structures.

Structural works will be required to strengthen the lintels over the windows; however, this will not materially alter the external appearance of the structure.

Referral Question
Upon inspection of the submitted application documentation relating to this referral, it is considered that referral question is based simply on whether the proposed works comprising of the refurbishment of an existing dwelling, construction of a pitched roof extension to the rear (approx. 23 m^2) at Cloonaquinn, Manorhamilton, Co. Leitrim, is or is not development and whether it is or is not exempted development.

Is or is not development
In relation to whether the proposed works are development, regard is had to Section 3(1) of the Planning and Development Act 2000, as amended, which defines 'development' as comprising of two possible components: *"the carrying out of any works on, in, over or under land"*, or *"the making of any material change in the use of any structures or other land"*.

Section 2(1) of the Act provides an interpretation of 'works' as *"the carrying out of any works on, in over, or under land"* including *"any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal..."*.

The issue of whether or not the proposed works constitute development is not disputed. Having regard to the definition of "works" as set out in Section 2 of the Planning and Development Act 2000, as amended, it is clear that the works constitute development within the meaning of the Act.

Is or is not exempted development
In consideration of the proposed rear extension, the Planning Authority notes from the submitted application documentation that this element will comprise of a single storey extension with an overall floor area of 23 m^2, therefore satisfying condition/limitation 1(a) of Class 1 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended.
From a visual inspection of the subject dwelling and site, it is clear that the dwelling was extended previously, however this extension is in very poor condition, and it is proposed to fully demolish this and construct new extension in its place, therefore remaining below 40 m^2. The roof level will not exceed the highest part of the roof of the dwelling. The private open space will not be reduced to be less than 25 square metres. The proposed rear extension will not be less than 2m from any party boundary. Moreover, the proposed rear extension will not give rise to any overlooking impacts on any neighbouring property.

Class 50 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended.

Only minimal demolition of a rear wall and old derelict extension is required to construct the 23 m^2extension, and the subject dwelling is a standalone detached dwelling.

Accordingly, it is considered that the proposed rear extension meets the applicable conditions and limitations set out in Class 1 and 50 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended.

Appropriate Assessment

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The proposed development has been screened for Appropriate Assessment (AA), and it has been determined that an AA is not required. See Appropriate Assessment (AA) screening report attached.

Environmental Impact Assessment

Having regard to the limited nature and scale of the proposed development and the fact that the development proposed is not of a development type or class set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, it is concluded that there is no real likelihood of significant effects on the environment arising from the proposed development having regard to the criteria set out in Schedule 7 to the Planning and Development Regulations 2001, as amended. It is therefore concluded that EIA is not required.

Recommendation

Having regard to the foregoing, I recommend that the Planning Authority issue the following Declaration under Section 5 of the Planning and Development Act 2000, as amended:

WHEREAS a question has arisen as to whether the proposed works comprising of the refurbishment of an existing dwelling, construction of a pitched roof extension to the rear (approx. 23m^2) at Cloonaquinn, Manorhamilton, Co. Leitrim 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 Jacqueline Wilson on the 8th 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) 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 and Class 50 of Part 1, Schedule 2 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 works comprising of the refurbishment of an existing dwelling, construction of a pitched roof extension to the rear (approx. 23 m^2) at Cloonaquinn, Manorhamilton, Co. Leitrim, constitutes development which is exempted development within the provisions of Section 4(1)(h) of the Planning and Development Act 2000, as amended and Class 1 and Class 50 respectively of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended, applying 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 proposed works comprising of the refurbishment of an existing dwelling, construction of a pitched roof extension to the rear (approx. 23 m^2) at Cloonaquinn, Manorhamilton Co. Leitrim, is development that ***is exempted*** development.

As a separate addendum to the above declaration, I recommend that the referee be advised of the following:

1- While a septic tank has been indicated to be in place to the east of the dwelling, the site was so overgrown in this area, I was unable to observe if the said tank was located here. However, a substantial amount of pipework emerging from the old extension where the bathroom was located travels towards the western edge of the site which would lead one to believe that said tank would be located here. If this is the case, the pipework disappears into lands outside your ownership, and it would be necessary to obtain consent form the landowner to continue to utilise and maintain this septic tank.

   In addition to this, there is no planning history attached to said tank, therefore its age and ability to function are undetermined. It is essential that an assessment of the functionality of this system is carried out by a suitably qualified individual. Should it be determined that an upgraded system is required, full planning permission will be required for any new wastewater treatment system to be provided.

_____
Aileen Farrell
Acting Executive Planner
Date: 26/05/2026

_____
Liam Flynn
Senior Executive Planner
Date: 27/05/2026

Comhairle Chontae Liatroma | Leitrim County Council	Appropriate Assessment Screening and Determination

STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	ED26-32
(b) Brief description of the project or plan:	As per planning report
(c) Brief description of site characteristics:	As per planning report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	No
(e) Response to consultation:	N/A

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest	Distance from proposed development (km)	Connections (Source- Pathway-Receptor)	Considered further in screening Y/N
Lough Gill SAC (001976)	https://www.npws.ie/protected-sites/sac/001976	580m	None	No

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests	No significant potential impacts.
Operational phase e.g. • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents	No significant potential impacts.

In-combination/Other	No significant potential impacts.
(b) Describe any likely changes to the European site:	
• Examples of the type of changes to give consideration to include: • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site	No significant potential impacts.
(c) Are *'mitigation'* measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? ☐ Yes ☒ No	

Step 4. Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

Having regard to the information on file, the nature and scale of the proposed development, its distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, either alone or in-combination with other developments, is not likely to have any significant effects on any European site in view of its conservation objectives.

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is **no likelihood** of significant effects on a European site.	☒	The proposal can be screened out: Appropriate assessment not required.
(ii) It is **uncertain** whether the proposal will have a significant effect on a European site.	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission
(iii) **Significant effects** are likely.	☐	☐ Request NIS ☐ Refuse planning permission

Signature of Recommending Planner:		**Date:**	26/05/2026

Comhairle Chontae Liatroma | Leitrim County Council	**Environmental Impact Assessment (EIA) Pre-Screening**

Establishing if the proposal is a *'sub-threshold development'*

File Reference No:	ED26-32
Development Summary:	As per Planning Report
Was a Screening Determination carried out under Section 176A-C?:	☐ Yes – No further action required ☒ No – Proceed to Part A

Part A - Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)

☐	Yes – specify class:	**EIA is mandatory** No screening required
☒	No	**Proceed to Part B**

Part B - Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)

☒	No, the development is not a project listed in Schedule 5, Part 2	**No screening required**
☐	Yes, the project is listed in Schedule 5, Part 2 **and** meets/exceeds the threshold, specify class (including threshold):	**EIA is mandatory** No screening required
☐	Yes, the project is of a type listed **but** is *sub-threshold*:	**Proceed to Part C**

Part C – If yes, has Schedule 7A information/screening report been submitted?

☐	Yes, Schedule 7A information/screening report has been submitted by the applicant	**Screening Determination required**
☐	No, Schedule 7A information/screening report has not been submitted by the applicant	**Preliminary Examination required**

EIA Preliminary Examination:
The Planning Authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

	Comment:	**Yes/No/Uncertain:**
Nature of the development: *Is the nature of the proposed development exceptional in the context of the existing environment?* *Will the development result in the*		

production of any significant waste, or result in significant emissions or pollutants?		
Size of the development: Is the size of the proposed development exceptional in the context of the existing environment? Are there cumulative considerations having regard to other existing and/or permitted projects?		
Location: Is *the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?* *Does the proposed development have the potential to affect other significant environmental sensitivities in the area?*		

Preliminary Examination Conclusion:		
Based on a preliminary examination of the nature, size or location of the development. (Tick as appropriate)		
☐ There is **no real likelihood** of significant effects on the environment. EIA is not required.	☐ There is **real likelihood of** significant effects on the environment. An **EIAR is required.**	☐ There is **significant and realistic doubt** regarding the likelihood of significant effects on the environment. Request the applicant to submit **the Information specified in Schedule 7A** for the purposes of a screening determination. Proceed to Screening Determination.
Signature of Recommending Planner:		**Date:** 26/05/2026