Comhairle Chontae Liatroma | Leitrim County Council	**Leitrim County Council Planning Report**
Reference No:	**ED 26-38**
Applicant:	**Jeremy & Corinna Hansford**
Location:	**Corlea, Kilnagross, N41 R1W7, Co Leitrim.**
Application Type:	**Declaration under Section 5 of the Planning and Development Act 2000, as amended**
Proposal:	**To repair and refurbish the existing dwelling with the following:** • *Demolition and replacement of existing rear extension of 40m², ,* • *Reinstatement of the dwelling's private driveway,* • *Reinstate the groundwater culverts and watercourses,* • *Demolition and replacement of the roof structure,* • *Replace windows that replicates the original style, dimensions and finish,* • *Replace existing incompatible cement render with lime render,* • *Replace existing rainwater system elements with new rainwater system,* • *Reinstatement of the property's driveway, parking spaces and footpaths,* • *Internal works including replacment stairs, provision of new insulation, upgrading of the electric and plumbing system.* • *The reinstatement of the existing EPA-registered wastewater treatment system,*
Due Date:	**12th July 2026**

Introduction

This subject application was received by the Planning Authority on the 15th June 2026 and seeks a declaration under Section 5 of the Planning and Development Act 2000, as amended, as to whether the repair and refurbishment of an existing dwelling house (as above) including the provision of a rear extension of less than 40m²and the reinstatement of the existing EPA-registered wastewater treatment system at Corlea, Kilnagross, N41 R1W7, Co. Leitrim is or is not development and whether it is or is not exempted development.

Site Location and Context

The subject site is located within the rural townland of Corlea, Kilnagross approximately 5km northeast of Drumsna village and approximately 9km east of Carrick on Shannon and fronts onto the L-7439 minor public road which forms the southern roadside boundary with the L-3439 located adjacent to the west side. This existing dwelling house is a traditional detached 2 storey structure with a number of outbuildings that appears structurally sound but run down and that is set back approximately 40 metres from the minor public road.

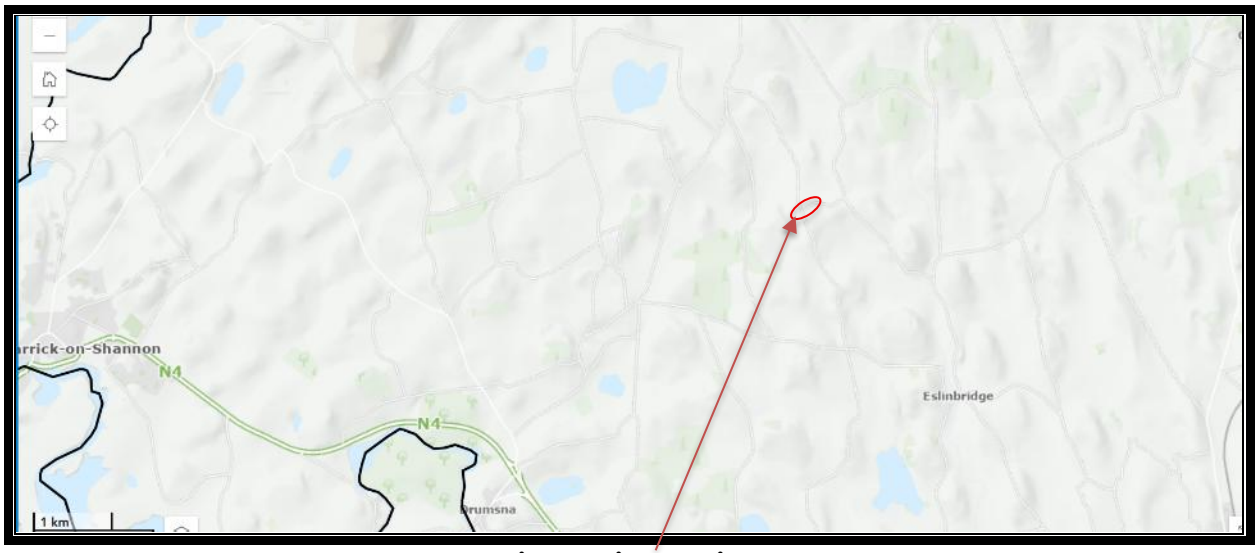


Fig. 1 Site Location

The existing two storey dwelling house appears run down, unoccupied and in a poor to moderate condition but otherwise appears structurally sound. Internal layout drawings are not included with this section 5 application. The dwelling house exhibits a hipped roof and a front flat roof porch feature. To the rear a small flat roof extension is evident which it is intended to demolish and replace.

Fig. 1– Image of front & rear elevations of the subject dwelling





The nearest Natura 2000 site is Cuilcagh-Anierin Uplands SAC Special Area of Conservation (SAC Site Code: 002348) which is located approximately 13.4km north of the subject site.

The subject site is not located within or adjacent to any visually sensitive designated areas as set out in the Leitrim County Development Plan 2023-2029.

Planning History

None stated or evident.

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 metres 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.

Development within the curtilage of a house
CLASS 13
The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.

Conditions and limitations as set out in column 2;
The width of any such private footpath or paving shall not exceed 3 metres.

Assessment

It is considered that the proposed works constitute development as defined in Section 3 of the Planning and Development Act, 2000 (as amended). I have considered all relevant exemptions available under the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

The development and location of this section 5 application is principally considered as refurbishment and repair located both internally and externally that also includes the provision of a small replacement extension located to the rear of this existing dwelling house. The description also includes the reinstatement of the existing EPA-registered wastewater treatment system which is considered as an upgrade and not exempt from planning permission and as such will require planning permission.

The development provides for roof replacement works, demolition of existing single storey extension and replacement with a single storey rear extension with an internal footprint of less than or equal to 40m^2, internal upgrade works and alterations, external upgrade works including replacement windows, reinstatement of the dwelling's private driveway, reinstate the groundwater culverts and watercourses and replacement of the existing incompatible cement render with lime render. In the first instance the Planning Authority considers that with two exceptions including the replacement of the existing rear extension and upgrade of the WWTS, these other stated elements would be in accordance with Section 4(1)(h) of the Planning and Development Act, 2000 (as amended) as follows;

> *The following shall be exempted developments for the purposes of this Act— 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;*

It is noted from the details submitted that development also provides for a proposed new extension with an internal footprint of less than or equal to 40m^2 that will form an integral part of the house and will be physically annexed to same. This new extension element is intended to replace the existing rear extension. As such, this can be considered under Class 1 of Schedule 2, Part 1 of the Planning & Development Regulations 2001 (as amended) subject to compliance with the conditions and limitations as outlined below:

Development within the curtilage of a house

Class 1

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.
The replacement of a rear extension less than 40 square metres and as such is under the 40sqm threshold as identified under 1(a) above.

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.
Proposed rear extension with an internal footprint of less than or equal to 40m² is to replace existing rear extension.

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

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.
NOT APPLICABLE

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.
A map was included with this application. From the details submitted and my site inspection, the rear garden space is substantial and exceeds the minimum 25sqm requirement.

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.
NOT APPLICABLE

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

*The proposed **reinstatement of the dwelling's private driveway** can also be considered under Class 13 of Schedule 2, Part 1 of the Planning & Development Regulations 2001 (as amended), subject to compliance with the conditions and limitations as outlined below:*

CLASS 13
The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.

Conditions and limitations as set out in column 2;
The width of any such private footpath or paving shall not exceed 3 metres.
The reinstatement of the dwelling's private driveway appears to comply with the above

Conclusion
Having examined the proposal and reviewed all of the documents relating to this development, along with the relevant legislation, I conclude that this proposal which provides for the demolition and replacement of existing rear extension of 40m^2; reinstatement of the dwelling's private driveway; reinstatement of the groundwater culverts and watercourses located on the applicants' property; demolition and replacement of the roof structure; replacement of windows that replicates the original style, dimensions and finish; replacement of existing incompatible cement render with lime render; replacement of existing rainwater system elements with new rainwater system; reinstatement of the property's driveway, parking spaces and footpaths; and internal works including replacement stairs, provision of new insulation, upgrading of the electric and plumbing system are works which are considered development and exempted development.

Any upgrade of the existing EPA-registered wastewater treatment system is not considered as exempted development and the applicants should be advised that a planning application will be required for this element of the proposal.

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 repair and refurbishment of an existing dwelling house (as above) including the provision of a rear extension of less than 40m^2 at Corlea, Kilnagross, N41 R1W7, 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 Jeremy & Corinna Hansford on the 15th June 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 Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended,
(d) Class 13 of Part 1, Schedule 2 of the 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 proposed repair and refurbishment of an existing dwelling house including the provision of a rear extension of less than 40m^2 at Corlea, Kilnagross, N41 R1W7, Co. Leitrim constitutes development which is exempted development with the provisions of Section 4(1)(h) of the Planning and Development Act 2000, as amended, Class 1 and Class 13 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended, applying in this instance,
(b) the reinstatement and upgrade of the existing EPA-registered wastewater treatment at Corlea, Kilnagross, N41 R1W7, Co Leitrim constitutes 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 proposed repair and refurbishment of an existing dwelling house including the provision of a rear extension of less than 40m^2 at Corlea, Kilnagross, N41 R1W7, Co. Leitrim is development that is exempted development.

The reinstatement of the existing EPA-registered wastewater treatment at Corlea, Kilnagross, N41 R1W7, Co. Leitrim constitutes development which is NOT exempted development.

Joe Duffy
Assistant Planner
Date: 07th July 2026

Liam Flynn
Senior Executive Planner
Date: 08/07/2026

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:	ED26-38
(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
Cuilcagh-Anierin Uplands SAC (000584)	https://www.npws.ie/protected-sites/sac/000584	13.5 km	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)	No significant potential impacts.

• Potential for accidents or incidents	
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

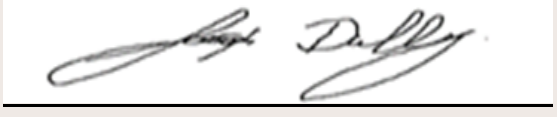
The assessment of significance of effects:

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:**	07/07/2026

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

Establishing if the proposal is a *'sub-threshold development'*	
File Reference No:	ED26-38
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**

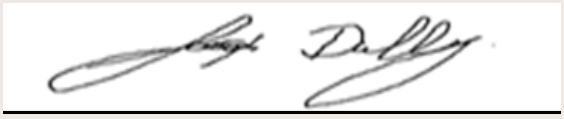
Part C – If yes, has Schedule 7A information/screening report been submitted?		
☐	Yes, Schedule 7A information/screening report has been submitted by the applicant	**Screening Determination required**
☐	No, Schedule 7A information/screening report has not been submitted by the applicant	**Preliminary 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:**	07/07/2026