Comhairle Chontae Liatroma | Leitrim County Council	**Leitrim County Council Planning Report**
Reference No:	**ED-26-67**
Applicant:	**Sandra O'Connor**
Location:	**Shannagh, Mohill, County Leitrim N41 E192**
Application Type:	**Declaration under Section 5 of the Planning and Development Act 2000, as amended**
Proposal:	**Extension to the rear of an existing dwelling**
Date of Site Inspection:	**16/09/2026**
Due Date:	**04/11/2026**

Introduction

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 10 September 2026 and relates to an established single storey semi-detached dwelling at Shannagh, Mohill. The applicant wishes to ascertain if the construction of an extension, with a floor area of approximately 14m², to the rear of the existing dwelling is considered development and if so, whether it is considered exempted development.

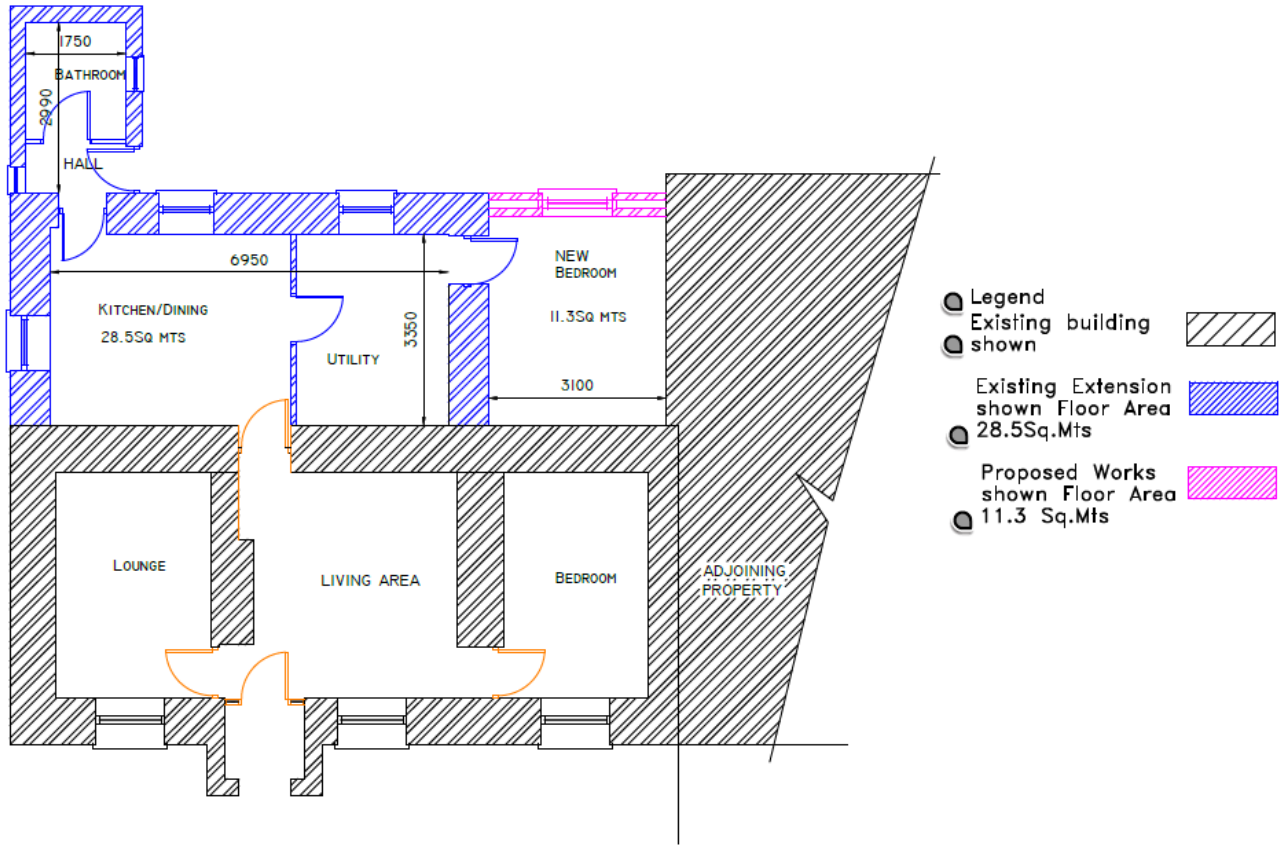


Fig. 1 – Floor plan

IntroductionFurther Information Request

A request for further information issued to the applicant on 22 September 2026, detailed as follows:

Having examined the application the Planning Authority have determined that the following further information is required in order to make a decision:

1. *The shared site boundary is not clearly defined on the ground, and the proposed extension will require the removal of a window on the neighbouring extension. You are requested to submit a site layout plan, to an appropriate scale, clearly identifying the site boundaries and provide clarity with regards the impact on the adjacent dwelling in terms of management of rainwater goods etc.*
2. *You are requested to provide detail on when the rear extension was constructed and submit a floor layout plan, to an appropriate scale, indicating the total internal floor area of the existing as-built rear extension in its entirety.*

Further Information Response

On 15 October 2026 the applicant submitted a site layout plan and floor layout plan denoting the proposed extension. The proposed extension has a stated floor area of 11.3m^2. The existing rear extension has a gross floor area of 28.5m^2. The applicant submits that they have come to agreement with the owner of the shared boundary stating that the owner of the adjoining dwelling has agreed to the relocation of the existing side window. The applicant states that *"water off the roof of the new extension will connect on to existing roof gutters and into the council surface water pipeline."*

Site Location and Context

The subject site is located in the townland of Shannagh, on the western side of Mohill at the entrance to the Shannagh Grove residential estate. The land is located within the development plan boundary for Mohill and is zoned 'Exiting Residential' in the Leitrim County Development Plan 2023-2029.

The subject site is not located within a landscape 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. There are no protected national monuments affected by the proposed development.

The nearest Natura 2000 site is Clooneen Bog Special Area of Conservation (SAC Site Code: 002348) which is located approximately 12km south of the subject site. The nearest nationally designated site is Lough Rinn proposed Natural Heritage Area (pNHA Site Code: 001417) which is located approximately 2km southeast of the subject site.



Fig. 2 – Site boundaries as per land registry



Fig. 3 – Front elevation of subject dwelling



Fig. 4 – West elevation of subject dwelling with flat roof extension



Fig. 5 –Rear extension

Planning History

There is no planning history associated with 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...'.

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 Schedule 2 Part 1 of the *Exempted Development –General* allows for the following exemption:
> *Description of Development:*
> *Development within the curtilage of a house*

CLASS 1 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 45 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 45 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.

8. This exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.

Final Assessment

The applicant has submitted a site layout plan and floor layout plan denoting the proposed extension. The proposed extension has a stated floor area of 11.3m^2. The applicant advises that the existing rear extension to the original dwelling has a floor area of 28.5m^2. The total floor area of the existing and proposed extension is 39.8m^2. The total floor area of the extension is therefore below the 45m^2 threshold set out in the recent planning exemption introduced under S.I. No. 338 of 2026 and commenced on 27 July 2026.

The rear extension of the neighbouring property is well established, and the side elevation contains a window. The proposed extension would require the removal of this window and may impact the maintenance of rainwater goods. The applicant submits that they have come to agreement with the owner of the shared boundary stating that the owner of the adjoining dwelling has agreed to the relocation of the existing side window. The applicant states that water from the new extension will connect to existing roof gutters and into the council surface water pipeline.

Referral Question

Having all of the documents relating to this referral, it is considered that the referral question is based simply on whether the construction of an extension, with a floor area of approximately 14m^2, to the rear of the existing dwelling at Shannagh, Mohill, County Leitrim N41 E192 is considered development and if so, whether it is considered 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 proposed construction of a house extension is considered 'works' in this regard and therefore 'development'.

Is or is not exempted development

The proposed construction of an extension, with a floor area of approximately 14m^2, to the rear of the existing dwelling at Shannagh, Mohill, County Leitrim N41 E192 is considered to be development that is exempted development, subject to conditions, pursuant to Class 1 of Schedule 2 Part 1 of the *Exempted Development – General* of the Planning and Development Regulations 2001 (as amended) which provides a specific exemption from the need to obtain planning permission for '*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.'*

The exemption is subject to the following conditions and limitations:

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 45 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 45 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.

8. This exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.

Appropriate Assessment

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The 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 development and the fact that the development 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 construction of an extension, with a floor area of approximately 14m², to the rear of the existing dwelling at Shannagh, Mohill, County Leitrim N41 E192, is 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 Sandra O'Connor on the 10 September 2026 with further information received on 15 October 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, and
(d) the documentation submitted as part of the referral;

AND WHEREAS Leitrim County Council has concluded that:

(a) The construction of an extension, with a floor area of approximately 14m², to the rear of the existing dwelling at Shannagh, Mohill, County Leitrim N41 E192 constitutes development within the meaning of Section 3 of the Planning and Development Act 2000 (as amended); and
(b) The construction of an extension, with a floor area of approximately 14m², to the rear of the existing dwelling at Shannagh, Mohill, County Leitrim N41 E192 satisfies the exemption at Class 1 of Part 1 Schedule 2 of the Planning and Development Regulations 2001, as amended.

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 an extension, with a floor area of approximately 14m², to the rear of the existing dwelling at Shannagh, Mohill, County Leitrim N41 E192, constitutes development that is exempted development subject to the following conditions and limitations:

1. The height of the walls of the extension shall not exceed the height of the rear wall of the house.
2. The height of the highest part of the roof of the 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.
3. Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.
4. The roof of the extension shall not be used as a balcony or roof garden.

Deirdre Lardner
Executive Planner
Date: 29/10/2026

_____
Liam Flynn
Senior Executive Planner
Date: 29/10/2026

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:	ED-26-67**Error! Reference source not found.Error! Reference source not found.**
(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
Clooneen Bog SAC (002348)	https://www.npws.ie/protected-sites/sac/002348	12km	None	No
Please Select				

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	No significant potential impacts.

• Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • 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 established nature and scale of the development, its distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the 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:**	29/10/2026

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

Establishing if the proposal is a *'sub-threshold development'*	
File Reference No:	ED-26-67**Error! Reference source not found.Error! Reference source not found.**
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:**	29/10/2026