

**Leitrim County Council**



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

**Leitrim County Council Reference Number: ED- 25-04**

**WHEREAS** a question has arisen as to whether proposed construction of a conservatory of circa 38 square metres (less than 40 square metres) to the ‘back side’ of the existing dwelling is exempted development

**AND WHEREAS** the said question was referred to Leitrim County Council by Jody Cox on the 16<sup>th</sup> of January 2025 in relation to a property/site at O’Hara’s Cottage, Lisnanorrus, Drumkeeran, Co. Leitrim, N41 X340.

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

- (a) Section 3(1) of the Planning and Development Act, 2000 (as amended)
- (b) Section 4(1) (h) of the Planning and Development Act, 2000 (as amended)
- (c) Class 1 of Schedule 2, Part 1 of Exempted Development *General*

**AND WHEREAS** Leitrim County Council has concluded that –

- a) The location of the proposed conservatory is inaccurately described as the ‘back side’ of the dwelling house.
- b) The development description should be more accurately described as the front side of the existing dwelling. Development of this nature to the front side is not exempted development.
- c) The proposal provides for the creation of additional floorspace to the side of the existing dwelling with any potential exemptions for this type of development restricted to the rear of the dwelling.

**NOW THEREFORE** Leitrim County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 Act, as amended, hereby declares that:

The proposed construction of a conservatory of circa 38 square metres (less than 40 square metres) to the ‘back-side’ of the existing dwelling constitutes development which **is not** exempted development.

**Signed:**

**Administrative Officer  
Planning Department**

**Dated this 11<sup>th</sup> February, 2025**