



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

**Leitrim County Council Reference Number: ED- 25-09**

**WHEREAS** a question has arisen as to whether the construction of a single storey extension with a floor area less than 40m<sup>2</sup> to the rear of the existing dwelling at 19 Errew Drive, Lough Rynn, Mohill, Co. Leitrim N41HH02 constitutes development which is exempted development

**AND WHEREAS** the said question was referred to Leitrim County Council by Gary Bohan on 18 March 2025

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

- (a) Section 3(1) and 4(2) of the Planning and Development Act, 2000 (as amended)
- (b) Article 6 (1) and Article 9 (1)(a) of the Planning and Development Regulations 2001 (as amended)
- (c) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended)

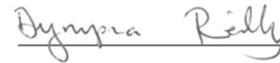
**AND WHEREAS** Leitrim County Council has concluded that –

- (a) the construction of a single storey dwelling extension constitutes development within the meaning of Section 3 of the Planning and Development Act 2000 (as amended)
- (b) the construction of a single storey extension with a floor area less than 40m<sup>2</sup> to the rear of the existing dwelling at 19 Errew Drive, Lough Rynn, Mohill, Co. Leitrim N41HH02 constitutes development within the meaning of Section 3 of the Planning and Development Act 2000 (as amended) and satisfies the exemption at Class 1 of Schedule 2 Part 1 of the *Exempted Development –General*
- (c) the proposed development will not materially affect the character of the area and the Area of High Visual Amenity in which it is situated and is considered exempted development

**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, as amended, hereby declares that:

The construction of a single storey extension with a floor area less than 40m<sup>2</sup> to the rear of the existing dwelling at 19 Errew Drive, Lough Rynn, Mohill, Co. Leitrim N41HH02 constitutes development which **is exempted development**.

**Signed:**



**Administrative Officer  
Planning Department**

**Dated this**

**8<sup>th</sup> April, 2025**

**Advice Note**

**Section 5 – Gary Bohan – 19 Errew Drive, Lough Rynn, Mohill, Co. Leitrim N41 HH02**

The following limitations as set out in Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) are applicable to the exemption issued in respect of the provision of the extension to the rear of the dwelling:

- Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.
- The height of the walls of any such extension shall not exceed the height of the rear wall of the house.
- 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.
- 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.
- Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.
- Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.
- 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.
- The roof of any extension shall not be used as a balcony or roof garden.