



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

**Leitrim County Council Reference Number: ED- 25-45**

**WHEREAS** a question has arisen as to whether the renovation of an existing derelict building for use as a residential dwelling at Dernageer, Ballinaglera, 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 Vincent McTiernan on the 6<sup>th</sup> of November 2025:

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

- (a) Sections 2(1), 3(1) and 4(1)(h) 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) Schedule 2 - Part 1, Part 2, Part 3 and Part 4 of the Planning and Development Regulations 2001 (as amended) and
- (d) the documentation submitted as part of the referral;

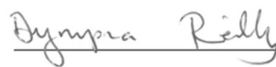
**AND WHEREAS** Leitrim County Council has concluded that:

- (a) In respect of the proposed renovation of an existing derelict building for use as a residential dwelling, the subject structure bears all the hallmarks of an agricultural structure rather than a former dwelling, as evidenced by the high ventilation openings to the rear elevation of the building;
- (b) the use of the structure for residential purposes, if ever such use was in place, has long since been abandoned by virtue of the extent of dereliction of the structure to the extent that the subject structure could not be considered to be an existing residential dwelling;
- (c) the proposed works and change of use are not considered to be exempted development under the provisions of Section 4(1) of the Planning and Development Act 2000, as amended and Schedule 2 - Part 1, Part 2, Part 3 and Part 4 of the Planning and Development Regulations 2001 (as amended); and
- (d) accordingly, it is considered that the works which are subject of this application under Section 5 of the Planning and Development Act 2000 and Article 6(1) of the Planning and Development Regulations 2001, is development and 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 renovation of an existing derelict building for use as a residential dwelling at Dernageer, Ballinaglera, Co. Leitrim, is development that is not exempted development.

**Signed:**



**Administration Officer  
Planning Department**

**Dated this**

**1<sup>st</sup> December, 2025**