Comhairle Chontae Liatroma | Leitrim County Council	**Leitrim County Council Planning Report**
Reference No:	**ED26-71**
Applicant:	**Michael O' Donnell**
Location:	**Leonagh, Drumkeeran, Co. Leitrim**
Application Type:	**Declaration under Section 5 of the Planning and Development Act 2000, as amended**
Proposal:	**The reconstruction, improvement/alteration of a structure for agricultural use: for dry storage of hay/ animal feeds and/or forestry. Comprising a gross floor area of 60m².**
Date of Site Inspection:	**19/10/2026**
Due Date:	**04/11/2026**

Introduction

This is a request for a Declaration under Part 1, Section 5 of the Planning and Development Act 2000, as amended. This referral case concerns the question as to whether the reconstruction of an agricultural shed is development or is not development and whether it is or is not exempted development at Leonagh, Drumkeeran, Co. Leitrim.

The proposed works which are the subject of this application are as follows: to reconstruct an agricultural shed 15 metres by 4 metres (60 m^2), for the storage of animal feed/forestry use.

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 8th of October 2026.

Site Location and Description

The subject site is located within the rural townland of Leonagh, approximately 10km south of Manorhamilton and 5km north of Drumkeeran. The subject site is accessed along a long gravel track from the L-42352 and the landholding extends to the shores of Belhavel Lough.

The subject site is well set back from the road (approximately 325 metres), and a large portion of the adjoining lands are under relatively young deciduous plantation - predominately oak and birch were visible from the track.

The subject shed to be reconstructed is located to the south of the track within the forestry and comprises of a ruinous structure in visible terms with partial remnants of a walled structure in situ, with roof in place.



Fig. 1 Site Location



Fig. 2 Subject structure viewed from the north.



Fig. 3 Structure viewed from the south

Natural Heritage

The nearest Natura 2000 site is Boleybrack Mountain SAC (Site Code: 002032) which is located approximately 3km northeast of site.

The nearest nationally designated site is Owengar Wood proposed Natural Heritage Area (pNHA Site Code: 001419) which is located approximately 5.62km southeast of the site.

The subject site is not located within any landscapes designated for amenity value in the Leitrim County Development Plan 2023-2029. However, the site is contained within a protected view- V19- views towards Belhavel Lake, located directly across the site from view spot- V19-547.

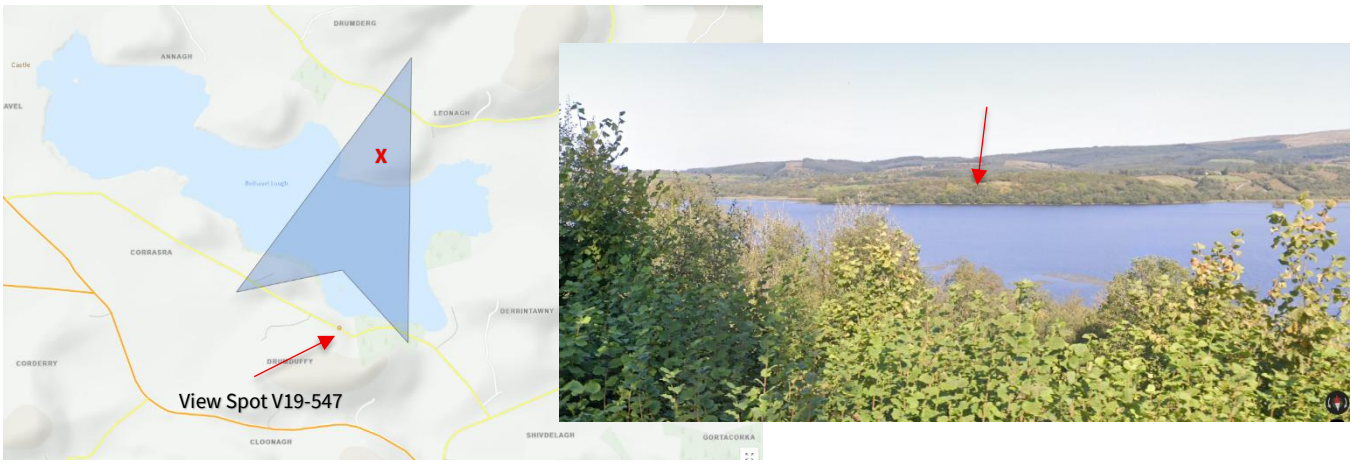


Fig.4 View spot V19-547 and subject site.

Archaeological and Architectural Heritage

There are no protected structures or structures listed in the National Inventory of Architectural Heritage (NIAH) located within the application site. Similarly, there are no Recorded Monuments or Zones of Archaeological Notification coinciding with the application site.

Planning History

There is no recorded planning history attached to 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...'. 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—

(a) development consisting of the use of any land for the purpose of agriculture and development consisting of the use for that purpose of any building occupied together with land so used;

(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.

Section 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 9 of Part 3, 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:

Agricultural Structures:
Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.

Conditions and Limitations:

1. *No such structure shall be used for any purpose other than the purpose of agriculture or forestry but excluding the housing of animals or the storing of effluent.*

2. *The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.*

3. *No such structure shall be situated within 10 metres of any public road.*

4. *No such structure within 100 metres of any public road shall exceed 8 metres in height.*

5. *No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*

6. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

Assessment

Proposed Development:

The re-construction/alterations of a structure to provide an agricultural shed, 15 metres by 4 metres (60m^2), for the dry storage of hay/animal feeds and use for forestry. The proposed shed is located off a gravel track and is setback in a forested area.

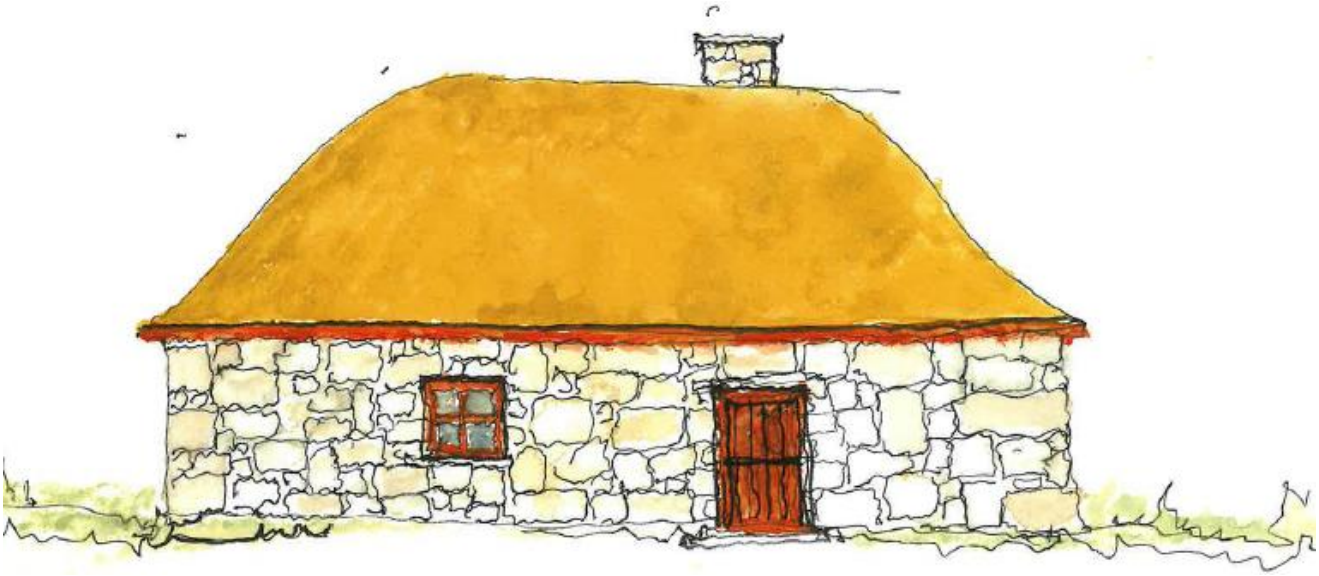


Fig.5 Proposed front elevation

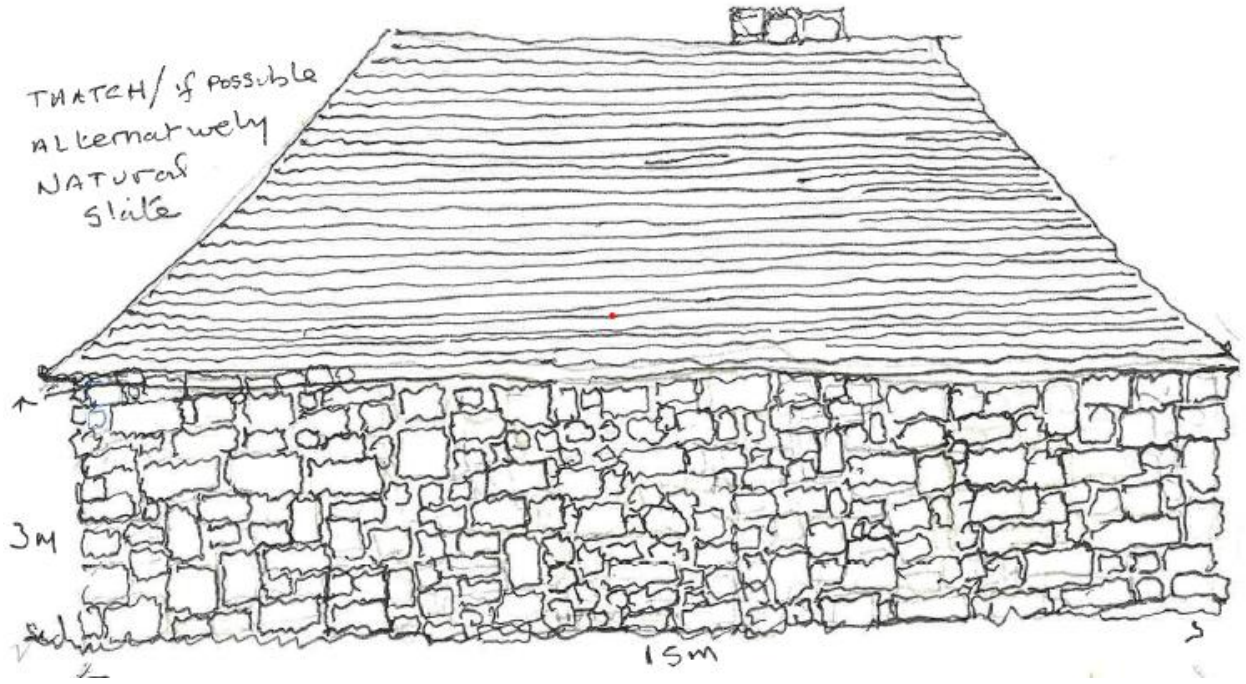


Fig. 6 Proposed rear elevation

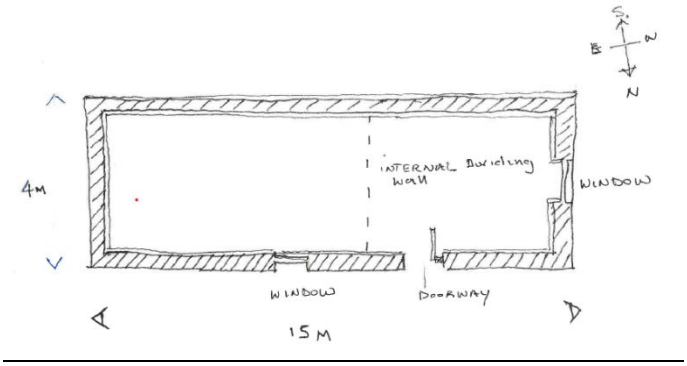


Fig. 7 Proposed floor plans

It was noted on day of the site inspection that there were three horses on site and from hoof ruttings it was clear that they can roam across the full landholding, including through the forestry. The forestry is deciduous and looks quite young, so there appears to be justification for the need to store forestry equipment and animal feeds in the vicinity. The sketches of the proposed shed would not be that of a typical storage shed, indeed use of thatch for the roof covering, the proposed doors , windows and the inclusion of a chimney on the sketch would give the appearance of a dwelling, nevertheless the information provided is that it is for agricultural use.



Fig. 8 Applicants landholding.

While the proposal is located within a protected view, it is well set back from the lake shore within a hollow and surrounded by forestry. It will therefore not be prominent in the landscape or visible from the viewpoint.

Referral Question

Upon inspection of the submitted application documentation relating to this referral, it is considered that referral question is based simply on whether the proposed works comprising the reconstruction, improvement/alteration of a structure for agricultural use: for dry storage of hay/ animal feeds and/or forestry comprising a gross floor area of 60m^2 at Leonagh, Drumkeeran, Co. Leitrim, is or is not development and whether it is or is not 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 issue of whether or not the proposed works constitute development is not disputed. Having regard to the definition of "works" as set out in Section 2 of the Planning and Development Act 2000, as amended, it is clear that the works constitute development within the meaning of the Act.

Is or is not exempted development

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 proposed development provides for the reconstruction of a structure to provide for an agricultural shed with a total floor area of 60 square metres with a wall height of 3 metres. It is proposed to utilise slate or thatch for the roof material. Class 9 of Schedule 2, Part 3 of Exempted Development applies to this application. Having regard to the proposed floor area and ridge height of the intended shed, the Planning Authority considers that the proposal would fall well under the threshold of 300 square metres. It is well screened from Belhavel Lough and as such will not impact on the protected view, it is considered that this allows the proposal to remain in accordance with the Conditions and Limitations of column 2 as identified in the Planning and Development Regulations, 2001 (as amended) and Article 9(1) of the Planning and Development Regulations 2001, as amended, and set out below.

Class 9
Agricultural Structures
Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.

Conditions and Limitations

1. *No such structure shall be used for any purpose other than the purpose of agriculture or forestry but excluding the housing of animals or the storing of effluent.*
   Proposed use indicated to be for storage of animal feed and forestry equipment.

2. *The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.*
   60 m²

3. *No such structure shall be situated within 10 metres of any public road.*
   Located 325 metres from nearest road.

4. *No such structure within 100 metres of any public road shall exceed 8 metres in height.*
   Not within 100 metres of any public road and less than 8 metres in height.

5. *No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building*

used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.
No dwelling within 100 metres of proposed shed.

6. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*
Slate or thatch are propped for the roof material.

Article 9(1) restrictions on exemptions :

(a) if the carrying out of such development would –

(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.

The subject proposal is limited in size, set into the landscape and is well screened by an embankment and forestry and will therefore not interfere with the protected view V19-547.

Appropriate Assessment

Given the limited nature and scale of the works, it is considered that the proposed development would not detrimentally affect any Natura 2000 sites. Accordingly, an Appropriate Assessment is not considered required.

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 reconstruction, improvement/alteration of a structure for agricultural use: for dry storage of hay/ animal feeds and/or forestry and comprising a gross floor area of 60m^2 at Leonagh, Drumkeeran, 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 Michael O' Donnell on the 8th of October 2026;

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

(a) Section 2(1), 3(1) and 4(1) of the Planning and Development Act, 2000 (as amended)
(b) Article 6 (1) of the Planning and Development Regulations 2001 (as amended)
(c) Article 9 (1)(a) of the Planning and Development Regulations 2001 (as amended)
(d) Class 9 of Schedule 2, Part 3 of Exempted Development Agricultural Structures of the Planning and Development Regulations 2001 (as amended) and,
(e) the documentation submitted as part of this referral;

AND WHEREAS Leitrim County Council has concluded that –

(a) the reconstruction, improvement/alteration of a structure for agricultural use: for dry storage of hay/ animal feeds and/or forestry comprising a gross floor area of 60 square metres at Leonagh, Drumkeeran, Co. Leitrim, is considered to be works and is, therefore, development within the meaning of the Planning and Development Act 2000, as amended;

(b) the proposed development constitutes development which is exempted development within the provisions of Class 9 of Part 3, Schedule 2 of the Planning and Development Regulations 2001, as amended, including the conformity of the subject proposal with the conditions/limitations for Class 9 of Part 3, Schedule 2 of the Planning and Development Regulations 2001, as amended; and

(c) the subject proposal would not 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 the Leitrim County Development Plan 2023-2029.

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 reconstruction, improvement/alteration of a structure for agricultural use: for dry storage of hay/ animal feeds and/or forestry comprising a gross floor area of 60m^{2}at Leonagh, Drumkeeran, Co. Leitrim constitutes development which is exempted development.



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Aileen Farrell
Assistant Planner
Date: 22 /10/2026



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Liam Flynn
Senior Executive Planner
Date: 23/10/2026

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:	ED26-71
(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
Boleybrack Mountain SAC (002032)	https://www.npws.ie/protected-sites/sac/002032	3km	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:**	22/10/2026

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

Establishing if the proposal is a *'sub-threshold development'*

File Reference No:	ED26-71
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:** 22/10/2026