

.....

**James Boyle. B.Sc.**



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Termon Upper,  
Killinkere,  
Co. Cavan.  
Mobile 086 8387062  
E-mail; neidiboyle78@gmail.com

Dear Sir/Madam,

A client has enquired to me that he wished to build an Agricultural Shed. I have drawn up his proposals and have seen that it is below the 300sqm exempt development guidelines.

The townland is Letterfad, Letterbarrow, Co. Donegal.

The nearest Eircode is F94 K270

I hereby apply for a Section 97 Certificate of exempt development.

A fee of €80 euro has been paid to the cash office for this application. The reference number I was given was 667166

We will await confirmation that everything is in order.

Thank you.

Yours Sincerely,

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James Boyle. B.Sc.

.....



**Comhairle Contae  
Dhún na nGall**  
Donegal County Council



**Comhairle Contae  
Dhún na nGall**  
Donegal County Council

Planning Services

RECEIVED DATE: 26/01/2026

## SECTION 5 APPLICATION

FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

**Completed application form & supporting documentation to be returned to the  
Planning Authority by email to [planning@donegalcoco.ie](mailto:planning@donegalcoco.ie)**

<b>Name of Applicant(s):</b>	
<b>Agent Name:</b> (if applicable)	
<b>Location of Proposed Development / Works:</b> (Townland or postal address as appropriate and Eircode if available)	
<b>Description of Proposed Development including details of works (where applicable):</b> (Only works listed below will be assessed under <u>this</u> section 5 application)	



<b>Is the development a Protected Structure or within the curtilage of a Protected Structure?</b>	<b>Yes</b>	<b>No</b>
<b>Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.</b>	<b>Yes</b>	<b>No</b>
<b>Applicant(s) Interest in the site:</b>		
<b>If not the Owner of the site, please provide the name of the Landowner:</b>		
<b>Please list types of plans, drawings etc. submitted with this application:</b>		
<b>Planning History - list any relevant planning application reference numbers:</b>		
<b>Are you aware of any enforcement proceedings connected to the site? If so, please supply details:</b>		

<b>I hereby certify that the information provided is true and accurate</b>	
<b>Signature of Applicant/Agent:</b>	
<b>Date:</b>	

Surveyed 2000  
Revised 2012  
Levelled

# Rural PLACE Map



59104  
887307

**ITM CENTRE PT COORDS**

590812,887092

**DESCRIPTION**

**MAP SHEETS**

Digital Map  
0476



Arna thionsú agus ama thollais ag Suirbhéireacht Ordnáis Éireann, Páirc an Fhionnaisce, Baile Átha Cliath 8, Éire.  
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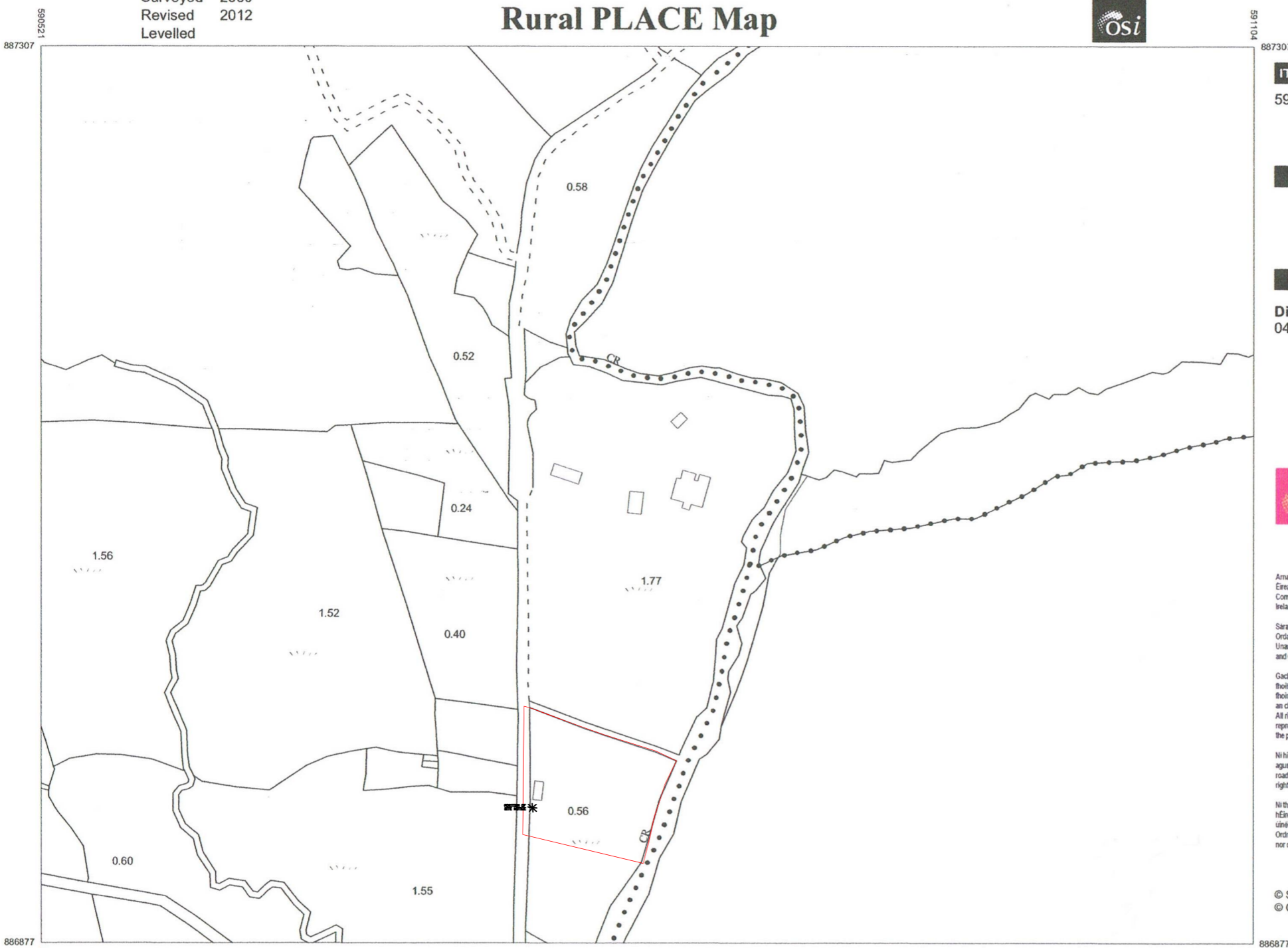
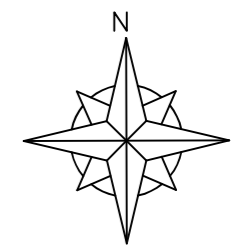
Gach cead ar cosnadh. Ní ceadmhach aon chuid den fhóiréar seo a chóipeáil, a atáirgeadh nó a tharckur in aon fhoirm ná ar aon bhealach gan cead i scríbhinn roimh ré ó úinéir an chóipeáil.  
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Ní hiomann bóthar, bealach nó cosán a bhíth ar an léarscáil seo agus fianaise ar chread síl. The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

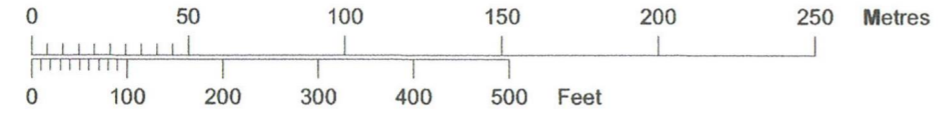
Ní thaispeánann léarscáil de chuid Ordnáis Shuirbhéireacht na hÉireann teorann phoiblí de thail de mhaoin riamh, ná úinéireacht de ghineithe fisiciúla.  
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- NOTES:-**
- GENERAL**
1. PLANNING DRAWINGS ONLY
  2. DO NOT SCALE FROM THESE DRAWINGS, USE FIGURED DIMENSIONS ONLY
  3. AREA - 0.37HA



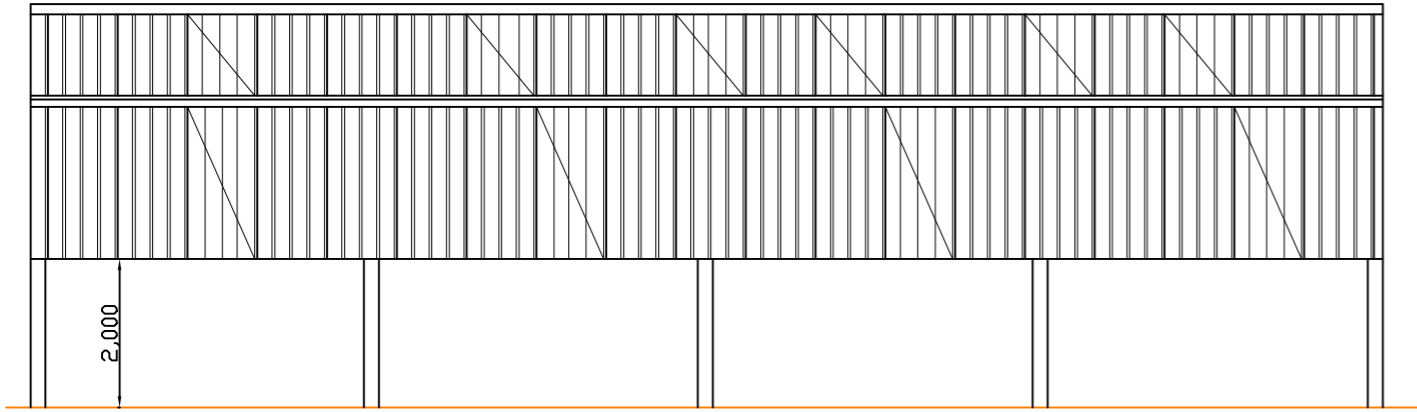
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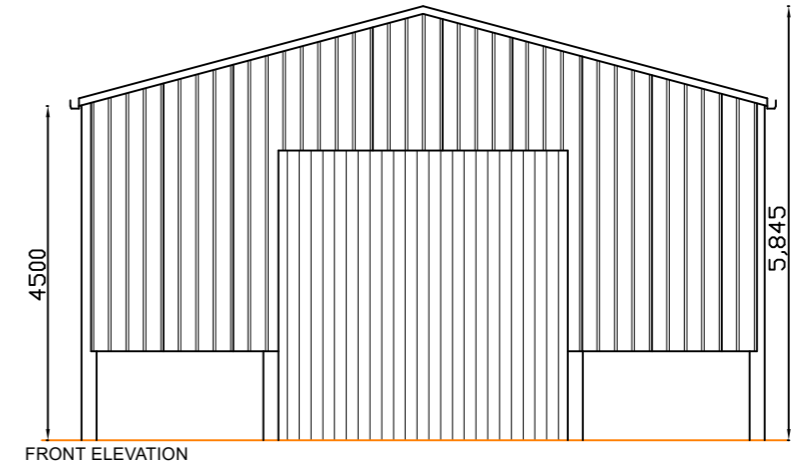
Plot Ref. No. 19689505\_1\_1  
Plot Date 09-JUL-2015

Crove, Carrick, **Co. DONEGAL**  
TEL: 074 92880 FAX: 074 92880  
Mobile: 086 287022  
E-Mail: neidboyne@gmail.com

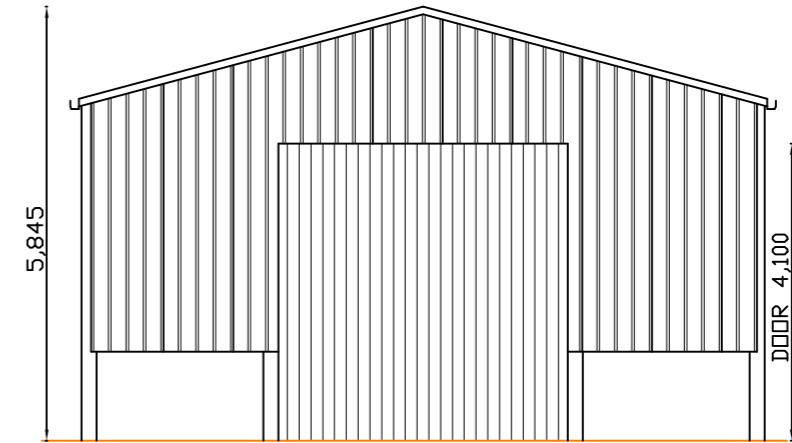
Client CARMEL WEIR & PAUL O NEILL	
Project: AGRICULTURAL SHED.	
Title: SITE LOCATION MAP	
Date: 21/01/26	Drawn By: JB
Scale: 1/500	Dwg No: CW2026/01/DWG-03



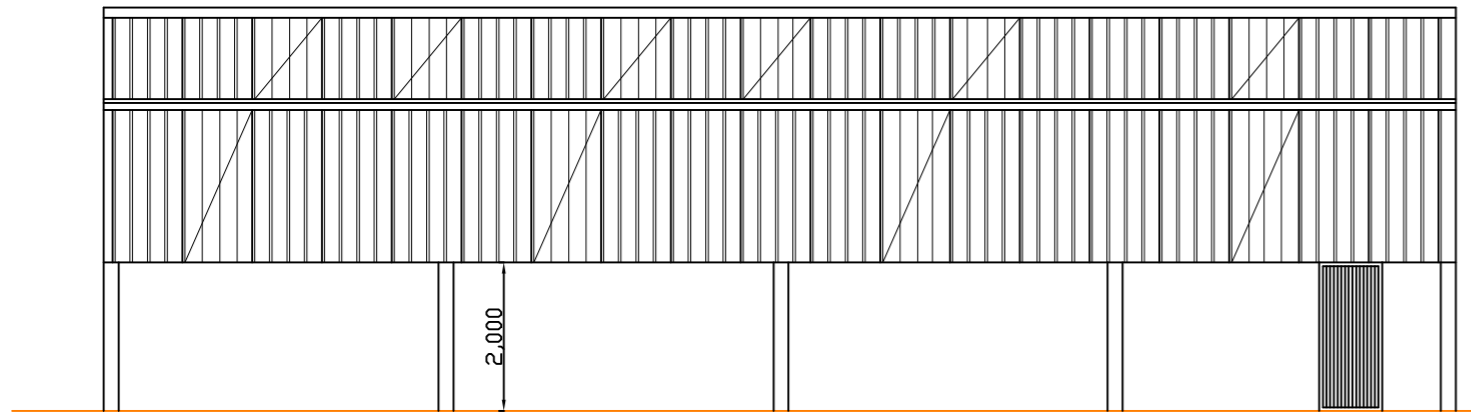
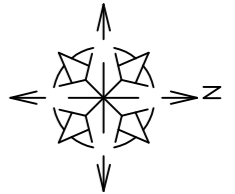
SIDE ELEVATION



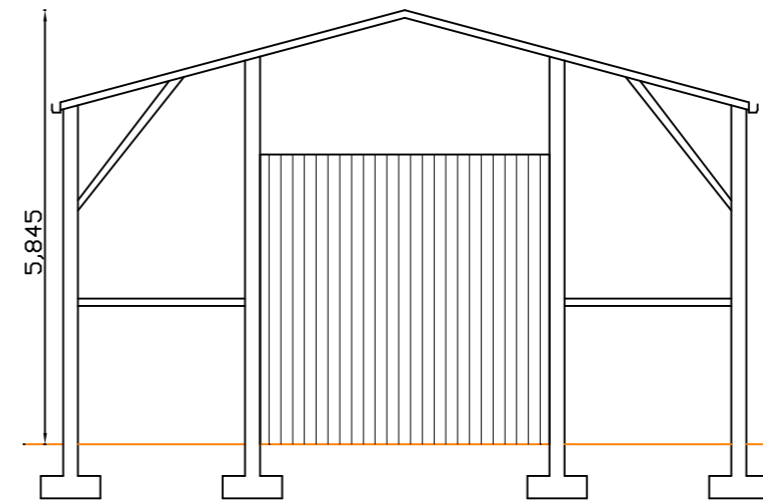
FRONT ELEVATION



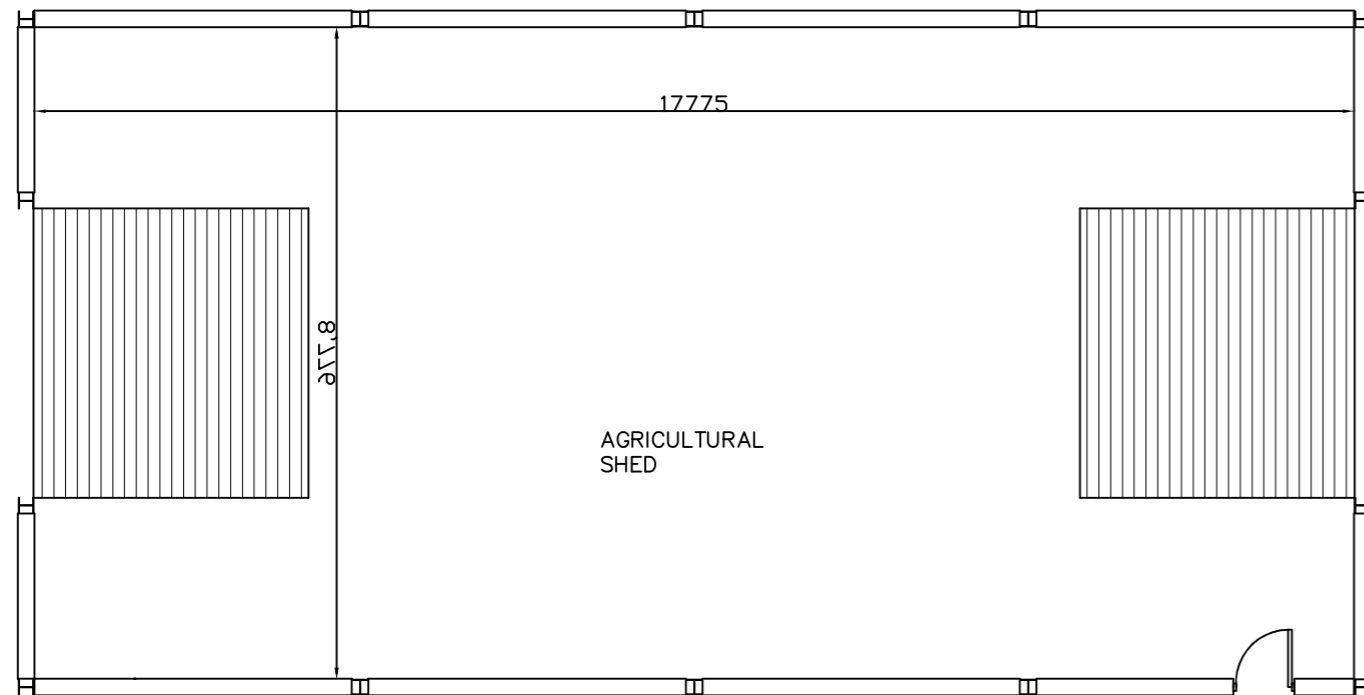
REAR ELEVATION



SIDE ELEVATION



SECTION



FLOOR PLAN

NOTES:-

- GENERAL**
1. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL AND ENGINEERING DRAWINGS AND SPECIFICATIONS.
  2. DO NOT SCALE FROM THESE DRAWINGS, USE FIGURED DIMENSIONS ONLY
  3. PLANNING DRAWINGS ONLY
  4. FLOOR AREA - 116sqm
  5. CONCRETE WALLS 1.2M HIGH, CLADDING TO BE AGRICULTURAL GREEN OR GREY IN COLOUR
  6. PERSPEX SHEETING FOR NATURAL LIGHT ON ROOF AND WALLS

Revision:	Date:
-----------	-------

JAMES BOYLE ARCHITECTURAL AND CIVIL ENGINEERING.

Crove, Carrick. **Co. Donegal**  
**TEL: 074 928890 FAX: 074 928890**  
**Mobiles 085 887662**  
**E-Mail: neidiboyle7@gmail.com**

Client CARMEL WEIR & PAUL O NEILL	
Project: AGRICULTURAL MACHINERY SHED	
Title: PLANS, ELEVATION AND SECTION	

Date: 19/01/2026	Drawn By: JB
Scale: AS SHOWN	Dwg No: CW2026/001



**Comhairle Contae  
Dhún na nGall**  
Donegal County Council

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Leifear,  
Contae Dhún na nGall, F93 Y622

County House,  
Lifford,  
County Donegal, F93 Y622

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**W:** www.ccdhunnangall.ie

**Planning Services**  
**E:** planning@donegalcoco.ie

**E-mail:** neidiboyle78@gmail.com

**Our Ref: S526/09**

27<sup>th</sup> January, 2026

Carmel Weir & Paul O'Neill  
C/o James Boyle  
Termon Upper  
Killinkere  
Co Cavan

**Re: Application to determine if the construction of an agricultural shed at Letterfad, Letterbarrow, Co Donegal, F94 K270 is “exempted development” or not.**

A Chara,

I wish to acknowledge receipt of your application received on 26<sup>th</sup> January 2026 in relation to the above.

Yours sincerely,

*Martina Parke*

Donegal County Council  
Planning Services



## **SECTION 5 REFERRAL REPORT – Ref.No: 26/09**

### **Donegal County Council**

#### **1.0 COMMENTS**

The subject site is located in the rural area of Letterfad to the northeast of Letterbarrow. There is a derelict building at the roadside with a dwelling and ancillary development to the north. The proposed works constitute one element as follows:

1. Erection of an agricultural shed. The floor area has not been stated but is measured to be c.155sqm.

The existing buildings are not on the Council's Record of Protected Structures nor is it included on the National Inventory of Architectural Heritage. The entire site is located in an area designed as a 'Structurally Weak Rural Area' in the County Donegal Development Plan 2018-2024 (as varied). Meenaguse/Ardbane Bog SAC is c.30m to the west of the site area.



The subject site in relation to the SAC.

#### **2.0 EVALUATION**

In preparing the assessment for this reference, regard has been had to the following statutory provisions:

### **3.0 Planning and Development Act, 2000 (as amended)**

#### Section 2(1)

In this Act, except where the context otherwise requires –

**"structure"** means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and

(a) where the context so admits, includes the land on, in or under which the structure is situate ...

**"works"** includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ...

#### Section 3(1)

**"Development"** in this Act means, except where the context otherwise requires, 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 177U(9)

"In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct screening for appropriate assessment in accordance with the provisions of this section".

### **4.0 Planning and Development Regulations, 2001 (as amended)**

#### Article 9 (1) (viiB)

Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—  
(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

### CLASS 6

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

1. No such structure shall be used for any purpose other than the purpose of agriculture.
2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 450 square metres gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.
5. No such structure within 100 metres of any public road shall exceed 8 metres in height.
6. No such structure shall be situated, and no effluent from such structure shall be stored, 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.
7. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.
8. No such structure shall be within 60 metres of a public or private water source.

9. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility.

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

11. The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.

12. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.

## **5.0 PLANNING HISTORY**

N/A

## **6.0 ASSESSMENT**

### **6.1 Consideration of Proposed Development:**

- (i) The proposed shed is located to the south of an existing dwelling house but there are no other agricultural buildings in the area. There is no planning history noted for agricultural land use at this location.
- (ii) The proposed development has a floor area of 155sqm.
- (iii) The site area is approximately 30m from Meenaguse/Ardbane Bog SAC and is in proximity to the Sruell River.
- (iv) The agent has confirmed that the shed is to be dry floor and used for sheep and machinery storage. No provision has been made for manure storage or disposal. There is no supporting information given of the applicants' agricultural business, overall landholding and there are no existing agricultural structures in proximity to the site.
- (v) On the basis of the information submitted the proposed development is not considered to be exempt under Article 9 (1) (viiB) and Class 6 (3) & (9)

## **7.0 Conclusion:**

It is considered that:

The proposed erection of an agricultural shed constitutes “development” within the meaning of the Act, being works, but is not exempted development coming within the scope of Article 9 (1) (viiB) and Class 6 (3) & (9) of the Planning & Development Regulations 2001 (as amended).

It should also be noted that in determining the subject section 5 referral regard was had to recent Section 5 referrals to An Bord Pleanála for determination.

## **8.0 RECOMMENDATION**

IT IS HEREBY RECOMMENDED THAT A DECLARATION BE MADE THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE -

**IS Development**

**&**

**IS NOT Exempted Development**

**WITHIN THE MEANING OF THE ABOVE ACT**

**The proposal for:**

(i) Construction of an agricultural shed

**The Planning Authority, in considering this referral, had regard particularly to:**

(a) Sections, 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and Article 9 (1) (viiB) and Class 6 (3) & (9) of Schedule 2 Part 1 the Planning & Development Regulations 2001 (as amended).

**And concluded that:**

The proposal is development and is **NOT** exempted development on the basis that the construction of an agricultural shed does not fall within the exemptions set out under Article 9 (1) (viiB) and Class 6 (3) & (9) of the Planning & Development Regulations 2001 (as amended).

Signed: *A. Quinn*

Position: Executive Planner

Date: 16/02/2026.



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Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
20/02/2026

**Chief Executive's Order No: 2026PH0501**

**Planning and Development Acts 2000 (as amended)**

**SECTION 5:-**

Request received 26<sup>th</sup> January 2026 from Carmel Weir and Paul O'Neill, C/o James Boyle, Termon Upper, Killinkere, Co. Cavan, A82 Y5X0 in relation to the construction of an agricultural shed at Letterfad, Letterbarrow, Co. Donegal, F94 K270.

**SUBMITTED:-**

Written request received 26<sup>th</sup> January 2026 as above and report dated 16<sup>th</sup> February 2026 from the Executive Planner (Ref. No: S5 26/09 refers).

**ORDER:-**

Having considered the said request, the report of the Executive Planner, and the record forwarded to the Council by An Coimisiún Pleanála in compliance with Sub-Section 6(c) of the said Section I have concluded that a declaration on the questions in the said request should be made in the terms of that in the Schedule to this Order, the main reasons and considerations therefore being detailed therein. I therefore Order that the declaration issue to the said requester and the owners/occupiers of the land concerned and, further, that it be entered in the Council's Planning Register in compliance with Sub-Section (5) of the said Section.

  
SENIOR EX. PLANNER

DATED THIS 20<sup>th</sup> DAY OF FEBRUARY 2026

SS

**Chief Executive's Order No: 2026PH0501**

**Ref.No: S5 26/09**

**SCHEDULE**

**IT IS HEREBY DECLARED THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE**

**IS** Development

**IS** Not Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

**The Planning Authority in considering this referral, had regard particularly to:**

- Sections 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and
- Article 9 (1) (viiB) and Class 6 (3) & (9) of Schedule 2 Part 1 the Planning & Development Regulations 2001 (as amended).

**And concluded that:**

The proposal **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT** on the basis that the construction of an agricultural shed does not fall within the exemptions set out under Article 9 (1) (viiB) and Class 6 (3) & (9) of the Planning & Development Regulations 2001 (as amended).

*JS 20/02*



**Comhairle Contae  
Dhún na nGall**  
Donegal County Council

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Leifear,  
Contae Dhún na nGall, F93 Y622

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County Donegal, F93 Y622

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**Planning Services**  
**E:** planning@donegalcoco.ie

**Ref. No:** S526/09

20<sup>th</sup> February 2026

Carmel Weir and Paul O'Neill,  
C/o James Boyle,  
Termon Upper,  
Killinkere,  
Co. Cavan,  
A82 Y5X0

**Re: Construction of an agricultural shed at Letterfad, Letterbarrow, Co. Donegal, F94  
K270**

A Chara,

I refer to your request received on 26<sup>th</sup> January 2026 under Section 5 of the Planning and Development Act, 2000 (as amended). Same has now been decided and I now issue to you herewith the Council's Declaration thereon. You are now advised that, in accordance with Section 5 (3) (a) of the Planning & Development Act, 2000 (as amended) where a Declaration is issued, any person issued with such a Declaration may, on payment to An Coimisiún Pleanála of such fee as may be prescribed, refer a Declaration for review by the Coimisiún within 4 weeks of the date of issuing of the Declaration.

Mise, le meas,

**For Senior Ex. Planner  
Planning Services**

/j/p

**Planning and Development Acts, 2000 (as amended)**  
**(Declaration and Referral on Development and Exempted Development)**

**DECLARATION**

**Chief Executive's Order No:** 2026PH0501

**Reference No:** S526/09

**Name of Requester:** Carmel Weir and Paul O'Neill,  
C/o James Boyle,  
Termon Upper,  
Killinkere,  
Co. Cavan,  
A82 Y5X0

**Summarised Description of development the subject matter of request:**

Construction of an agricultural shed

**Location:** Letterfad, Letterbarrow, Co. Donegal, F94 K270

**IT IS HEREBY DECLARED THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE**

**IS** Development

**IS** Not Exempted Development

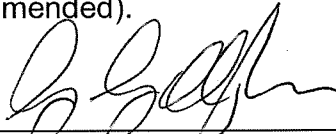
**WITHIN THE MEANING OF THE ABOVE ACT**

**The Planning Authority in considering this referral, had regard particularly to:**

- Sections 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and
- Article 9 (1) (viiB) and Class 6 (3) & (9) of Schedule 2 Part 1 the Planning & Development Regulations 2001 (as amended).

**And concluded that:**

The proposal **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT** on the basis that the construction of an agricultural shed does not fall within the exemptions set out under Article 9 (1) (viiB) and Class 6 (3) & (9) of the Planning & Development Regulations 2001 (as amended).



---

**For Senior Ex. Planner**  
**Planning Services**

**Dated this 20<sup>th</sup> day of February 2026**