

**From:** [CARMEL KELLY](#) on behalf of [planning mailbox](#)  
**To:** [MARTINA PARKE \(PLANNING\)](#)  
**Subject:** Section 5 application  
**Date:** 21 January 2026 14:19:50  
**Attachments:** [20260118\\_115631.heic](#)  
[Section 5 application 2026.pdf](#)  
[Site Layout Plan.pdf](#)  
[Site Location Map \(1\).pdf](#)  
[Side Elevation Plan.pdf](#)  
[Letter of concsent.pdf](#)  
[Floor Plan.pdf](#)

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**From:** Colm O' Dwyer <colmodwyer40@gmail.com>  
**Sent:** 21 January 2026 14:10  
**To:** planning mailbox <Planning@Donegalcoco.ie>  
**Subject:** Fwd:

You don't often get email from [colmodwyer40@gmail.com](mailto:colmodwyer40@gmail.com). [Learn why this is important](#)

**CAUTION: This email originated from outside of Donegal County Council. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.**

To whom it concerns,

Please find attached a Section 5 application for increase in size of existing cattle slatted shed. The existing shed has a roof area of 150m<sup>2</sup>. The existing shed with proposed extension will have a total roofed area of 266.4m<sup>2</sup>. My understanding is that new regulations introduced in December will allow a cattle shed of less than 300m<sup>2</sup> roofed area be exempt from planning. The proposed extension will include an underground slurry tank giving me an additional 180m<sup>3</sup> slurry storage.

In support of application please also find attached:

Photo of existing shed to be extended.

Letter of consent from joint owner.

Site location map.

Site layout map.

Floor plan

Site elevation plans.

I have today paid the application fee of €80. Receipt number: 667146

Should you require any further info, please don't hesitate to contact me.



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

Planning Services

RECEIVED DATE: 21/01/2026



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

## SECTION 5 APPLICATION

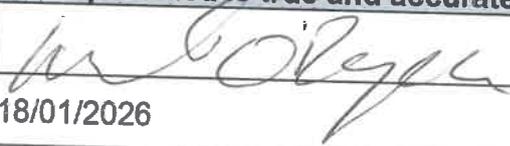
FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

**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>	Marlene O' Dwyer
<b>Agent Name:</b> (if applicable)	
<b>Location of Proposed Development / Works:</b> (Townland or postal address as appropriate and Eircode if available)	Meenavoy Lower Stranorlar Co. Donegal  Adjacent house post code F93W9TT
<b>Description of Proposed Development including details of works (where applicable):</b> (Only works listed below will be assessed under this section 5 application)	
<p>Modify and extend existing 3 bay slatted shed with creep area and canopy over feed area. Roof area of existing shed is 150m<sup>2</sup>. Existing shed was deemed exempt from planning in 2016 (Section 5-Ref.No.S516/18) and was erected during 2017.</p> <p>I now wish to extend this shed. The extension will involve a new slatted area that will be located on the opposite side of the feeding passage that serves the existing 3 bay tank. The canopy that presently partially covers the feeding area will be removed and the new shed will have a new A type roof that will cover the new slatted area and all of the feeding passage. The present shed is 5.1m at the pitch. The new pitch will be 5.5m.</p> <p>The new tank shall be underground. The tank will extend beyond the roofed area. Outside the roofed area the tank will be covered by concrete slabs with agitation points located in them. New tank will be 19.2m long, 3.9m wide, 2.4m deep giving a volume of 179.7m<sup>3</sup>.</p> <p>The completed shed will have a total roof area of 266.4m<sup>2</sup>.</p>	



<b>Is the development a Protected Structure or within the curtilage of a Protected Structure?</b>	<b>Yes</b>	<b>No</b>
		X
<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>
		X
<b>Applicant(s) Interest in the site:</b>	Joint owner with husband, Colm O' Dwyer	
<b>If not the Owner of the site, please provide the name of the Landowner:</b>	Joint owner with husband, Colm O' Dwyer	
<b>Please list types of plans, drawings etc. submitted with this application:</b>	Location Map Site Layout Map Elevation map & Floor area Photograph of existing shed	
<b>Planning History - list any relevant planning application reference numbers:</b>	Section 5-Ref.No.S516/18	
<b>Are you aware of any enforcement proceedings connected to the site? If so, please supply details:</b>	No	

<b>I hereby certify that the information provided is true and accurate</b>	
<b>Signature of Applicant/Agent:</b>	
<b>Date:</b>	18/01/2026



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

**Planning Services**

**RECEIVED DATE: 21/01/2026**

Dooish

Ballybofey

Co. Donegal

F93 PEV7

18<sup>th</sup> Jan, 2026

Planning Section

Donegal Co. Council.

To whom it concerns,

I as joint owner of lands at Meenavoy, Stranorlar, Co Donegal in Folio DL78371F consent to my wife Marlene O' Dwyer submitting a section 5 application for modification and extension to existing cattle shedd

Yours sincerely,

*Colm O' Dwyer.*

Colm O' Dwyer.

LOCATION MAP

# Land Registry Compliant Map

## SITE LOCATION MAP.



615738

899541

### ITM CENTRE PT COORDS.

615323,899234

### DESCRIPTION

### MAP SHEETS

Digital Map  
0376



Arma thionsú agus ama fhoilsú ag Suirbhéireacht Ordanáis Éireann, Páirc an Fhionnuisce, Baile Átha Cliath 8, Éire.  
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The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

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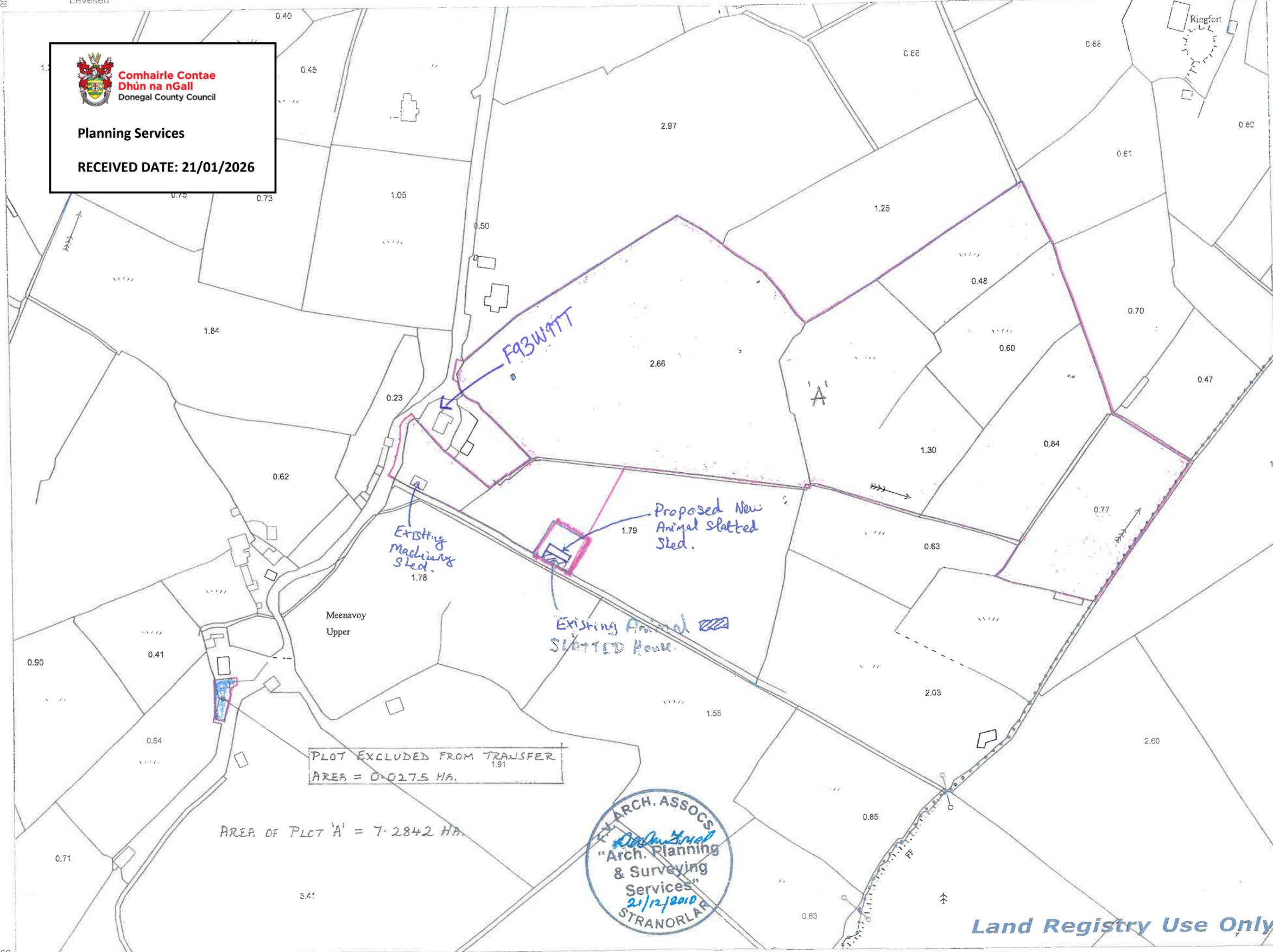


Surveyed 2000  
Revised 2010  
Levelled

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Donegal County Council

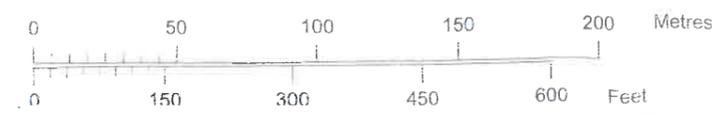
**Planning Services**

**RECEIVED DATE: 21/01/2026**



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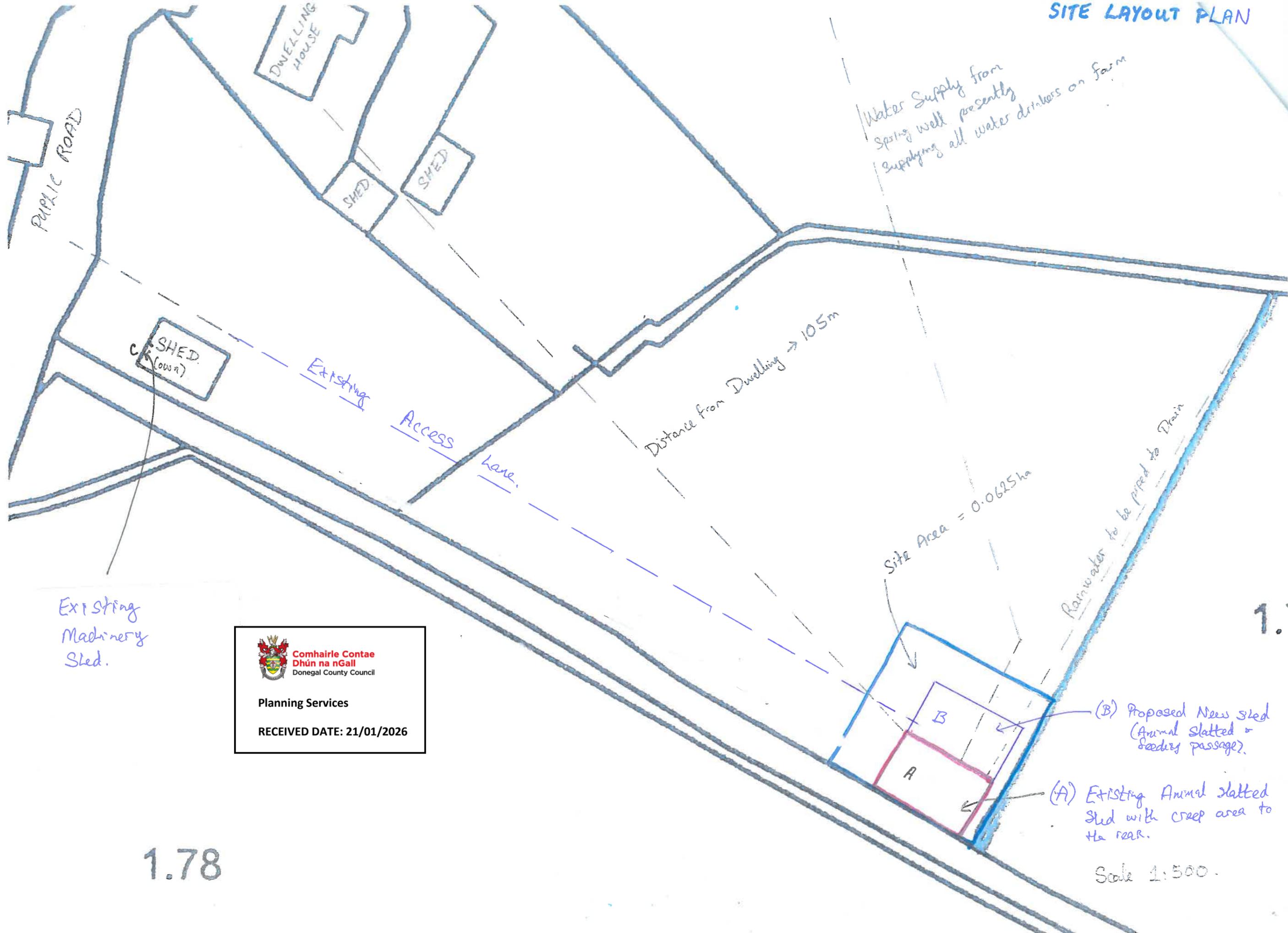
Scale:- 1:2,500  
Scála:- 1:2,500



Plot Ref. No. 25068823\_1\_2  
Plot Date 16-DEC-2010

Land Registry Use Only

# SITE LAYOUT PLAN



Existing Machinery Shed.

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

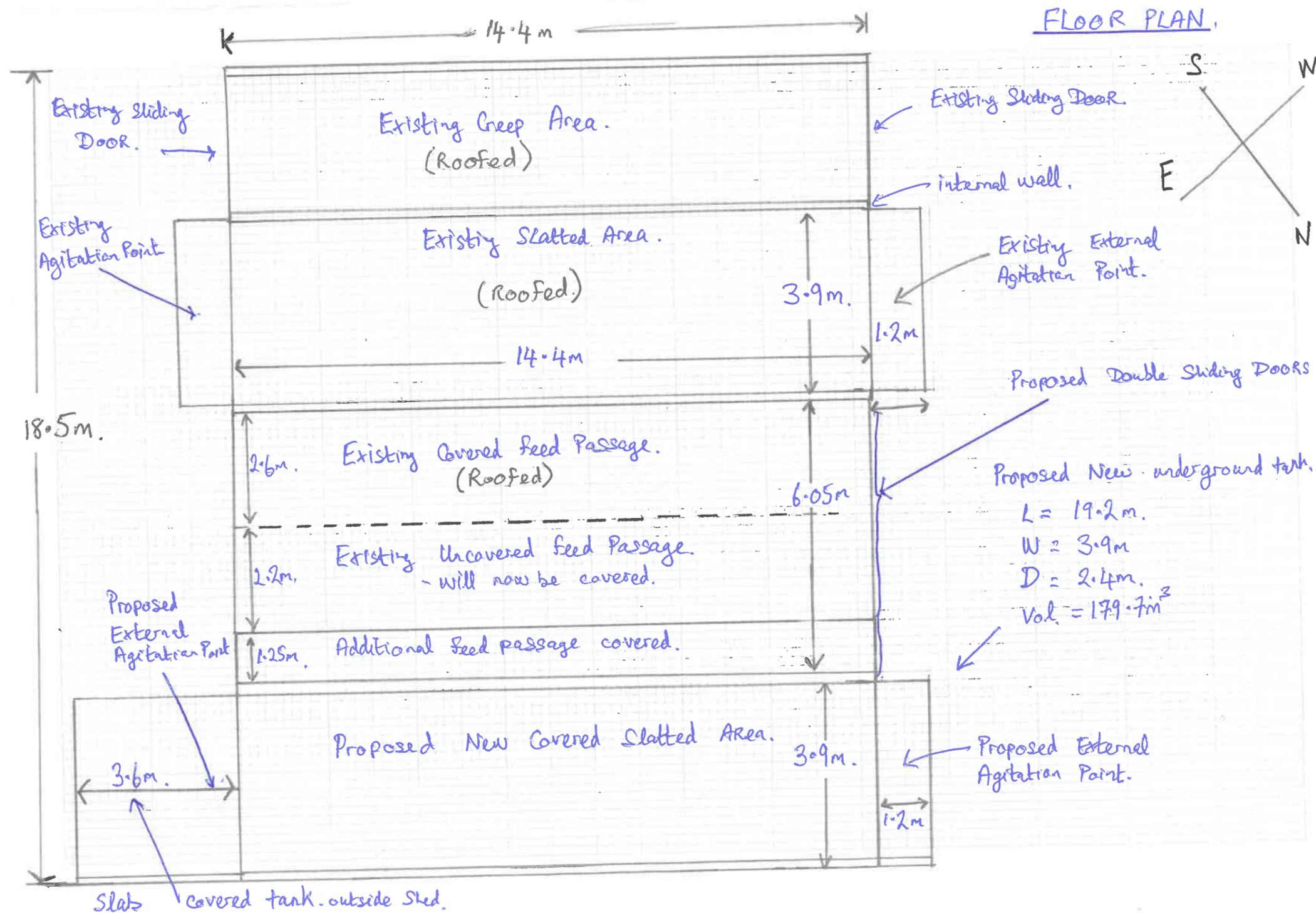
Planning Services

RECEIVED DATE: 21/01/2026

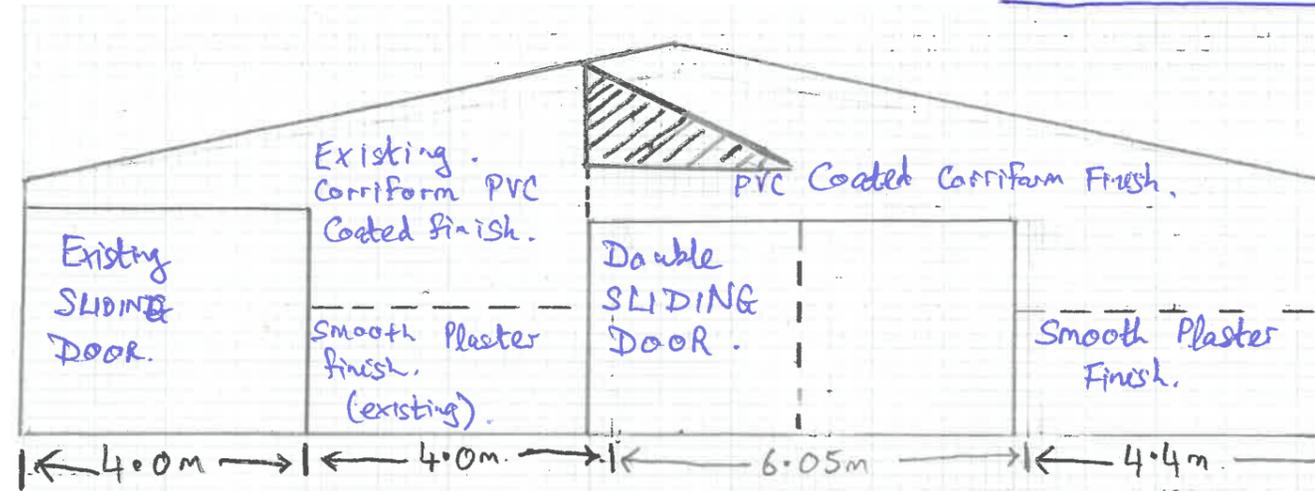
1.78

Scale 1:500.

# FLOOR PLAN



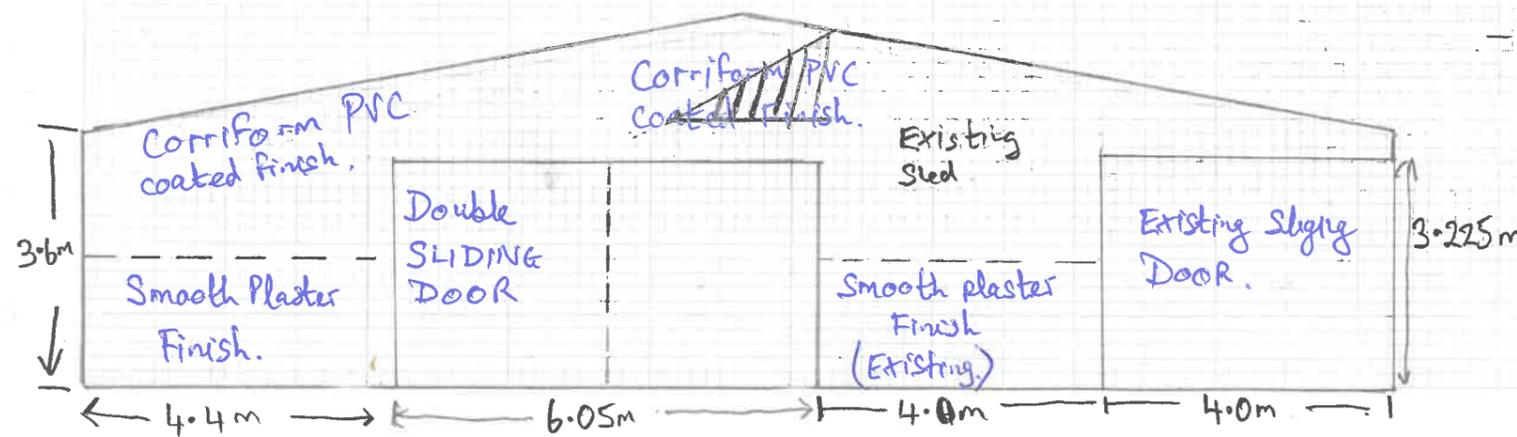
Side Elevation - Eastern Side.

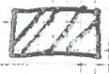


Scale: 1:2.0m

 Existing Canopy to be removed and replaced with A roof.

Side Elevation - Western Side.



 Existing Canopy over feed passage to be removed.



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

Áras an Chontae,  
Leifear,  
Contae Dhún na nGall, F93 Y622

County House,  
Lifford,  
County Donegal, F93 Y622

**T:** 074 91 53900  
**E:** info@donegalcoco.ie  
**W:** www.donegalcoco.ie  
**W:** www.ccdhunnangall.ie

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

**E-mail:** colmodwyer40@gmail.com

**Our Ref: S526/04**

22<sup>nd</sup> January, 2026

Marlene O'Dwyer



**Re: Section 5 – Application to modify & extend existing 3 bay slatted shed with creep area & canopy over feed area at Meenavoy Lower, Stranorlar, Co Donegal**

A Chara,

I wish to acknowledge receipt of your application received on 21<sup>st</sup> January 2026 in relation to the above.

Yours sincerely,

*Martina Parke*

Donegal County Council  
Planning Services



## **SECTION 5 REFERRAL REPORT – Ref. No: S5 26/04**

### **1.0 BACKGROUND**

#### **1.1 Location:**

Meenavoy Lower, Stranorlar, Co. Donegal, Adjacent F93 W9TT

#### **1.2 Site Description:**

The site is located within a remote rural area consisting of agricultural lands which adjoin an existing agricultural complex and dwelling to the northwest

It is noted that no consent is required from third party homeowners considering they are in excess of 105m of the subject site.



#### **1.3 Planning History:**

-S5 16/18 -Construction of a 146.88sqm. slatted shed for cattle

Written request received 23<sup>rd</sup> May, 2016 as above and report dated 17<sup>th</sup> June, 2016 from the Executive Planner (Ref.No: S5 16/18 refers).

The proposal is development within the meaning of the Planning and Development Act, 2000 (as amended), by virtue of the subject development coming within the definition of “works” and is exempted development as it comes within the scope of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) and is therefore exempted development

### **2.0. THE QUESTION**

Marlene O’Dwyer, has made a submission to Donegal County Council requesting that a Declaration be made under Section 5 of the Planning and Development Act, 2000 (as amended) as to whether the erection of an extension to an existing agricultural shed (150sqm) with an additional floor area of 116.4 sqm for the

purposes of housing animals. 266.4sqm in total (as depicted on the plans and elevations accompanying the referral) is or is not development and is or is not exempted development within the meaning of the Planning Acts.

### **3.0 EVALUATION**

#### **3.1 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 maybe, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this Section.”

#### **3.2 Planning & Development Regulations 2001 (as amended)**

##### **Article 6(3)**

Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

##### **Article 9(1)**

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 -  
(i) – (xii) (inclusive)

**Class 6 of Part 3 of Schedule 2 (Exempted Development - Rural)**  
**SI 649/2025 P&D Act (Exempted Development (Act of 2000)) (No.2)**  
**Regulations 2025:**

- Agricultural exemptions:  
Schedule 2, Part 3, **Class 6**, - increases the provision for animal housing to 300sqm (with total aggregated housing to 450sqm)

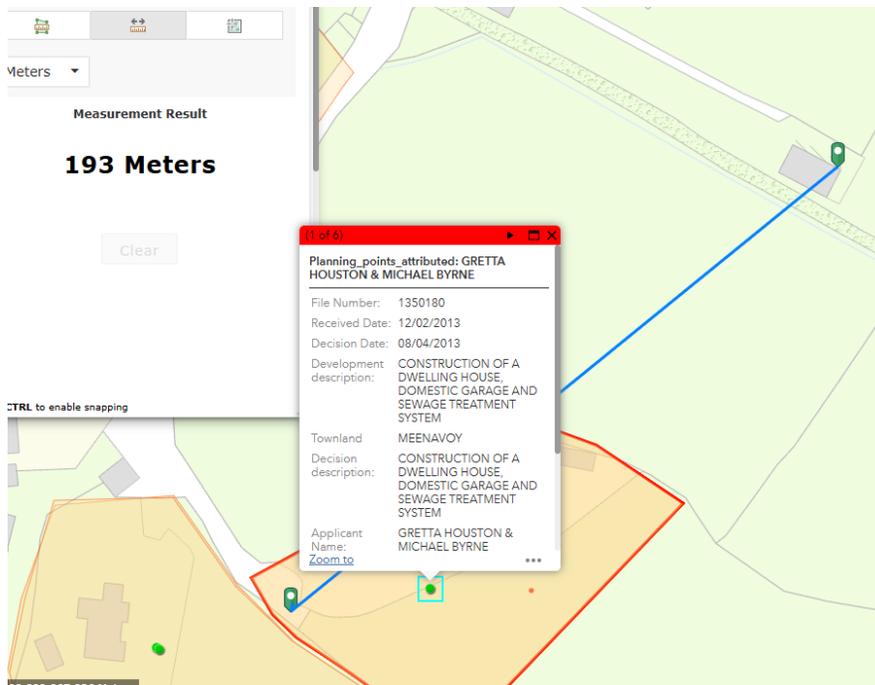
Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

Conditions and Limitations:

1. No such structure shall be used for any purpose other than the purpose of agriculture. **Housing of Cattle indicated in submitted documentation.**
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. **(gross floor area extension and existing shed totals 266.4sqm) I note a machinery shed within 85m northwest of the site with a approx. floor area of 102.2sqm (7m x 14.6m) which is below the 450sqm combined. The sheds associated with the Eircode F93 W9TT are deemed to be storage use associated with said dwelling within 70m of the site (pictured below).**







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 (Watercourse/sheough in excess of 53m north and 20 metres south)

10. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. **(To be advised)**

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. **Application made**

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. **(To be advised)**

#### **4.0. ASSESSMENT**

4.1 County Donegal Development Plan, 2024-2030 applies. The subject site is located within a rural area zoned as Structurally Weak Rural Area.

The Planning Authority is satisfied that the erection of a dry shed would constitute 'works' and would constitute 'development', as defined in Sections 2 & 3 of the Act respectively.

On the basis of the information submitted with the referral the Planning Authority is satisfied that the proposed extension to an existing agricultural shed comes within the scope of **Class 6 of Part 3 of Schedule 2 (Exempted Development - Rural) SI 649/2025 P&D Act (Exempted Development (Act of 2000)) (No.2) Regulations 2025**

#### **4.3 Scenic Amenity Designations**

The subject site also falls within an area of 'High Scenic Amenity', No concerns regarding visual impact of the same

4.4 No archaeological monuments are within the subject site.

4.5 The subject site is not located within a Natura 2000 site or within proximity to same. It is considered that screening for Appropriate Assessment is not required in this instance.

4.6 Therefore, as the Planning Authority can rule out the possibility of the proposal having an adverse impact on the conservation objectives of the SAC– the restriction on exemption set out under Article 9(1) (a.)(viiB) of the Regulations are therefore not applicable in this case and hence the proposed extended shed is considered to be exempt from the requirement to obtain planning permission.

#### **Recommendation:**

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

#### **IS Development**

&

#### **IS Exempted Development**

#### **WITHIN THE MEANING OF THE ABOVE ACT**

#### **The proposal:**

The erection of an extension to an existing agricultural shed for the purposes of housing animals. 266.4sqm in total (as depicted on the plans and elevations accompanying the referral) at Meenavoy Lower, Stranorlar, Co. Donegal,.

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

- a. Section 2, 3 and 177U of the Planning and Development Act, 2000 (as amended),
- b. Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) and;
- c. Article 9(1)(a.)(viiB) of the Planning and Development Regulations, 2001 (as amended).

#### **And concluded that:**

The proposal IS DEVELOPMENT within the meaning of the Planning and Development Act, 2000 (as amended) and is EXEMPTED DEVELOPMENT as it comes within the scope of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

**Applicant is advised of the following:**

**-The onus is on the applicant to ensure that 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.**

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

**-Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution.**

**-The onus is on the applicant to ensure that the extended structure is not within 60 metres of a private water source serving the dwelling at F93 W9TT**

*Donna Callagher*

---

Executive Planner  
Development Applications Unit  
16/02/2026

*FS*

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Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
17/02/2026

**Chief Executive's Order No: 2026PH0467**

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

**SECTION 5:-**

Request received 21<sup>st</sup> January 2026 from Marlene O'Dwyer, [REDACTED] in relation to the erection of an extension to an existing agricultural shed with an additional floor area of 116.4 sqm for the purpose of housing animals at Meenavoy Lower, Stranorlar, Co. Donegal.

**SUBMITTED:-**

Written request received 21<sup>st</sup> January 2026 as above and report dated 16<sup>th</sup> February 2026 from the Executive Planner (Ref. No: S5 26/04 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 <sup>Ln</sup> 17 DAY OF FEBRUARY 2026



Chief Executive's Order No: 2026PH0467

Ref.No: S5 26/04

SCHEDULE

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

**IS** Development

**IS** Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

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

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

**And concluded that:**

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it comes within the scope of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

**Applicant is advised of the following:**

- The onus is on the applicant to ensure that 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.
- No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
- Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution.
- The onus is on the applicant to ensure that the extended structure is not within 60 metres of a private water source serving the dwelling at F93 W9TT.

JS 17/02



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

Áras an Chontae,  
Leifear,  
Contae Dhún na nGall, F93 Y622

County House,  
Lifford,  
County Donegal, F93 Y622

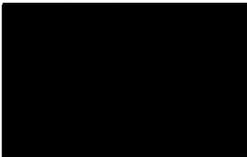
**T:** 074 91 53900  
**E:** info@donegalcoco.ie  
**W:** www.donegalcoco.ie  
**W:** www.ccdhunangall.ie

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

Ref. No: S526/04

17<sup>th</sup> February 2026

MARLENE O'DWYER



**Re: Erection of an extension to an existing agricultural shed with an additional floor area of 116.4 sqm for the purpose of housing animals at Meenavoy Lower, Stranorlar, Co. Donegal.**

A Chara,

I refer to your request received on 21<sup>st</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 Commission within 4 weeks of the date of issuing of the Declaration.

Mise, le meas,

**For Senior Ex. Planner  
Planning Services**

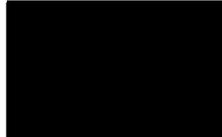
/jmcc



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

**DECLARATION**

**Chief Executive's Order No:** 2026PH0467  
**Reference No:** S526/04  
**Name of Requester:** MARLENE O'DWYER



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

Erection of an extension to an existing agricultural shed with an additional floor area of 116.4 sqm for the purpose of housing animals.

**Location:** Meenavoy Lower, Stranorlar, Co. Donegal.

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

**IS** Development

**IS** Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

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

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

**And concluded that:**

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it comes within the scope of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

**Applicant is advised of the following:**

- The onus is on the applicant to ensure that 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.
- No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
- Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government

and Heritage requirements and shall have regard to the need to avoid water pollution.

- The onus is on the applicant to ensure that the extended structure is not within 60 metres of a private water source serving the dwelling at F93 W9TT.



For Senior Ex. Planner  
Planning Services

Dated this 17<sup>th</sup> day of February 2026