



Comhairle Contae
Dhún na nGall
Donegal County Council

Planning Services

RECEIVED DATE: 17/06/2025



Ms Aideen Quinn
Executive Planner
Planning Department
Donegal County Council
County House
Lifford
Co. Donegal

12th June 2025

Re: Section 5 Application (Declaration on Exempted Development)

Applicant: Amanda Mc Grath - Dwelling at Trumman East, Laghey, Co. Donegal

Dear Aideen,

We refer to the above application and enclose the following;

- 1 no. Section 5 Application Form
- Planning Fee: € 80 - **Receipt no: 665443.**
- 1 no. copy the following drawing;
 - Drawing no. **BMC/BD/25/015/01/P.I** – Floor plans and elevations illustrating conversion of the existing attic space and the provision of 3 no rooflights to the front pitched roof elevation and 2 no rooflights to the rear elevation.

The applicant requires a playroom at ground floor level for her young children and is proposing to create a playroom within one of the existing ground floor bedrooms and undertake an attic conversion to create 2 bedrooms at first floor level. While the attic conversion works within the existing roof space generally fall within exempted development, the provision of rooflights on the front facing pitched roof elevation as we understand do not.

In our opinion given that the rooflights do not detract from the dwelling house design or risk impact on third parties rather than seek a formal Planning Permission we hoped these works may be considered under a Section 5 Application.

The foul effluent system installed has been designed and permitted under the original Planning Application ref: 21/50783 for a population of 5 persons and therefore remains adequate in terms of design and specification for a four bedroomed dwelling house and therefore does not require upgrading as a result of the proposed works.

GLENFINN ROAD
BALLYBOFEY
Co. DONEGAL

T: 074 9132994

F: 074 9130971

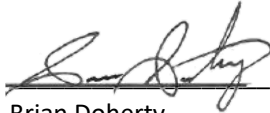
E: INFO@MCCULLAGH.IE

W: WWW.MCCULLAGH.IE

A R C H I T E C T U R E
A N D
S U R V E Y I N G

Should you have any queries or require any further information please don't hesitate to contact the undersigned, we await your decision in due course.

Many thanks
Yours sincerely



Brian Doherty
McCullagh Architecture and Surveying Ltd
Encl

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SECTION 5 APPLICATION

FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

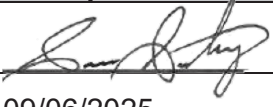
Completed application form & supporting documentation to be returned to the Planning Authority by email to planning@donegalcoco.ie

Name of Applicant(s):	Amanda Mc Grath
Agent Name: (if applicable)	McCullagh Architecture & Surveying
Location of Proposed Development / Works: (Townland or postal address as appropriate and Eircode if available)	Trumman East, Laghey, Co Donegal
Description of Proposed Development including details of works (where applicable): (Only works listed below will be assessed under <u>this</u> section 5 application)	
<p>Proposed conversion of existing roofspace and the provsion of 3 no roof lights to the front elevation and 2 no roof lights to the rear elevation (pitched roof).</p>	



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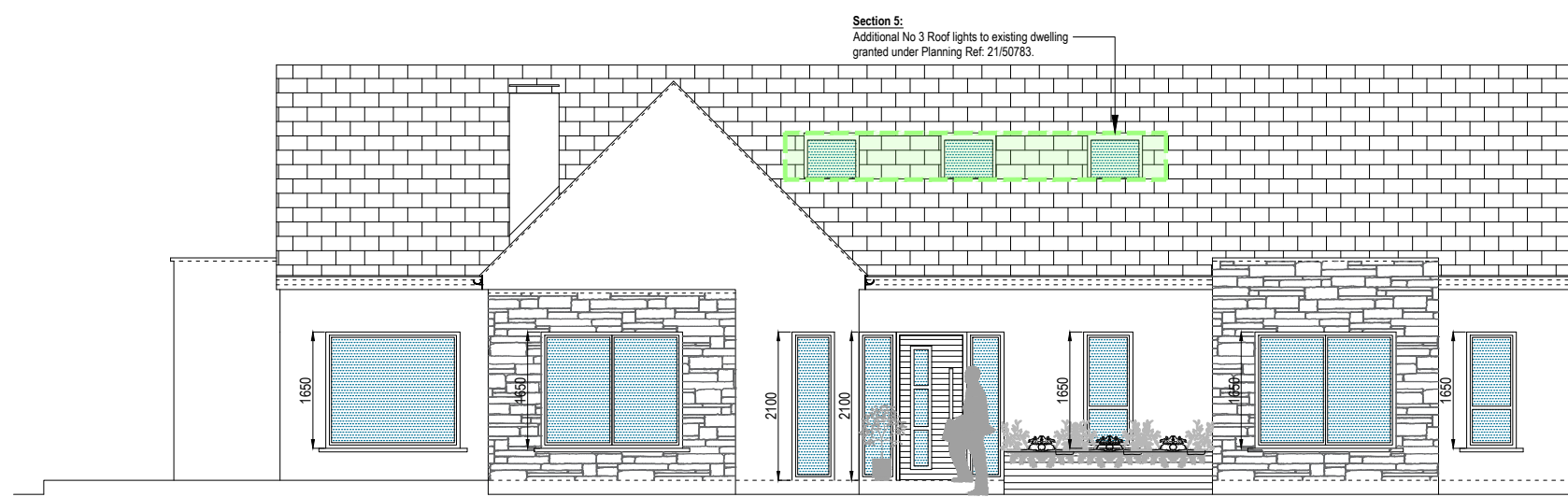
Is the development a Protected Structure or within the curtilage of a Protected Structure?	Yes	No
		X
Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.	Yes	No
		X
Applicant(s) Interest in the site:	Landowner.	
If not the Owner of the site, please provide the name of the Landowner:		
Please list types of plans, drawings etc. submitted with this application:	Plan, Section, Elevations, Site Layout and Site Location Map.	
Planning History - list any relevant planning application reference numbers:	21/50783 & 22/50363	
Are you aware of any enforcement proceedings connected to the site? If so, please supply details:		

I hereby certify that the information provided is true and accurate	
Signature of Applicant/Agent:	
Date:	09/06/2025



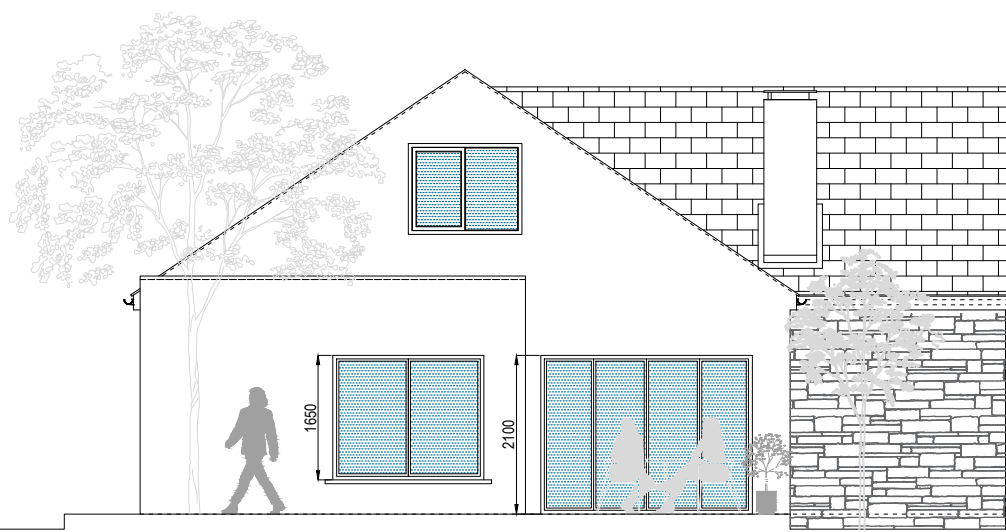
Planning Services

RECEIVED DATE: 17/06/2025



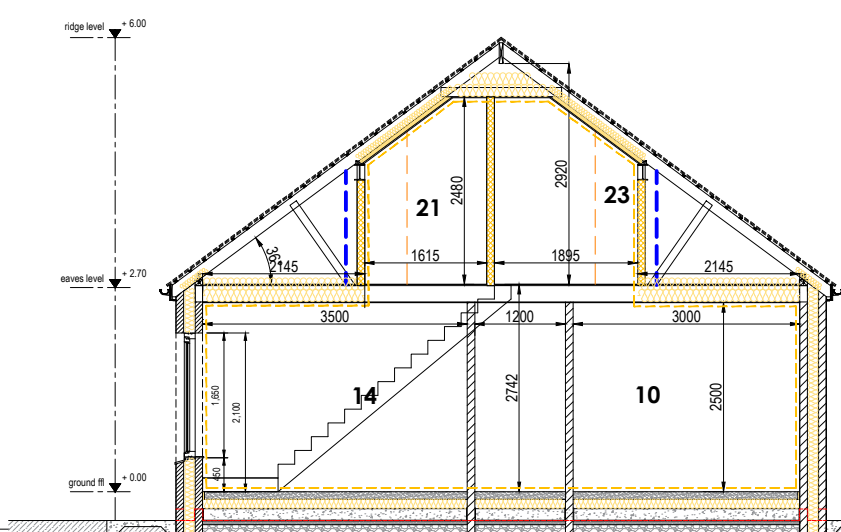
front (south east) elevation.

1:100.



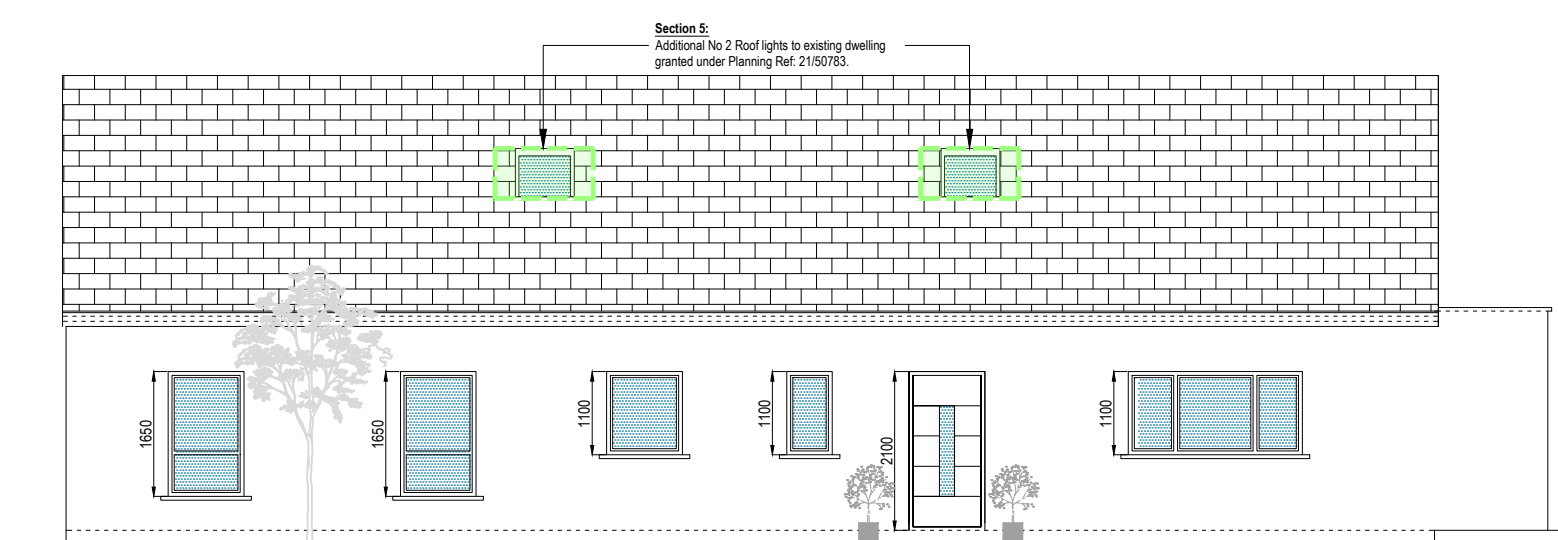
side (south west) elevation.

1:100.



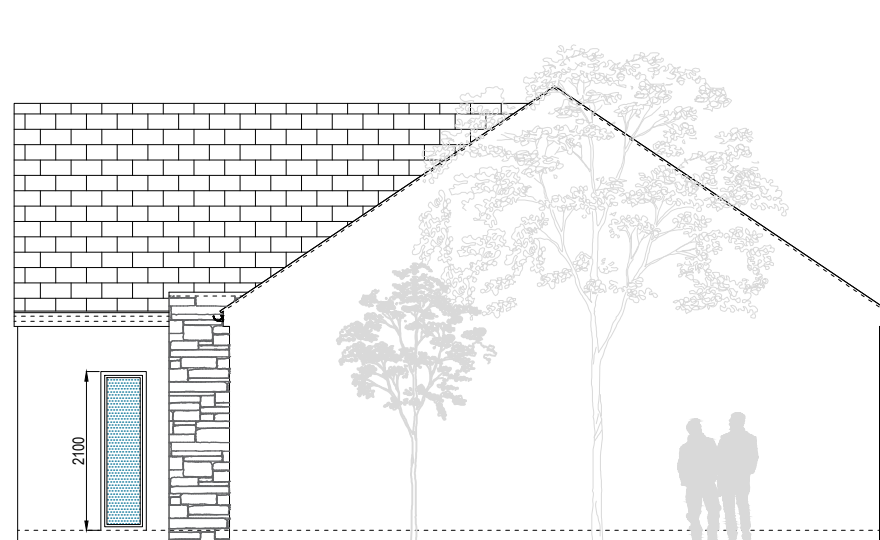
section b - b (bedroom wing)

scale 1 : 50



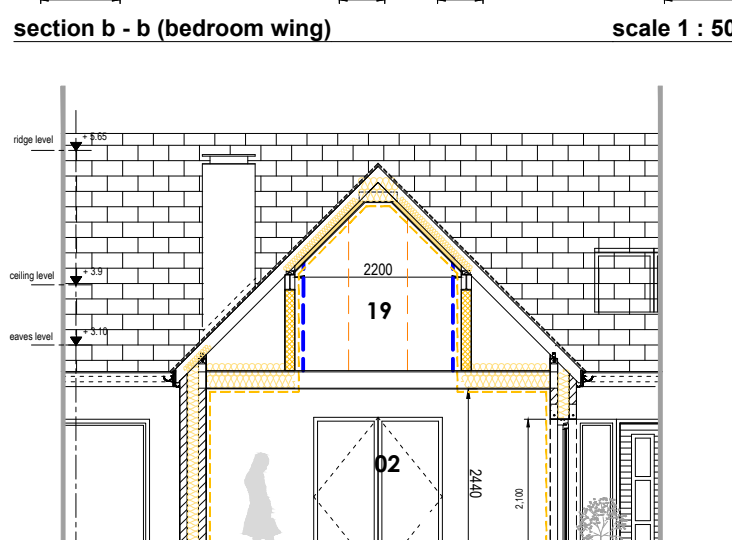
rear (north west) elevation.

1:100.



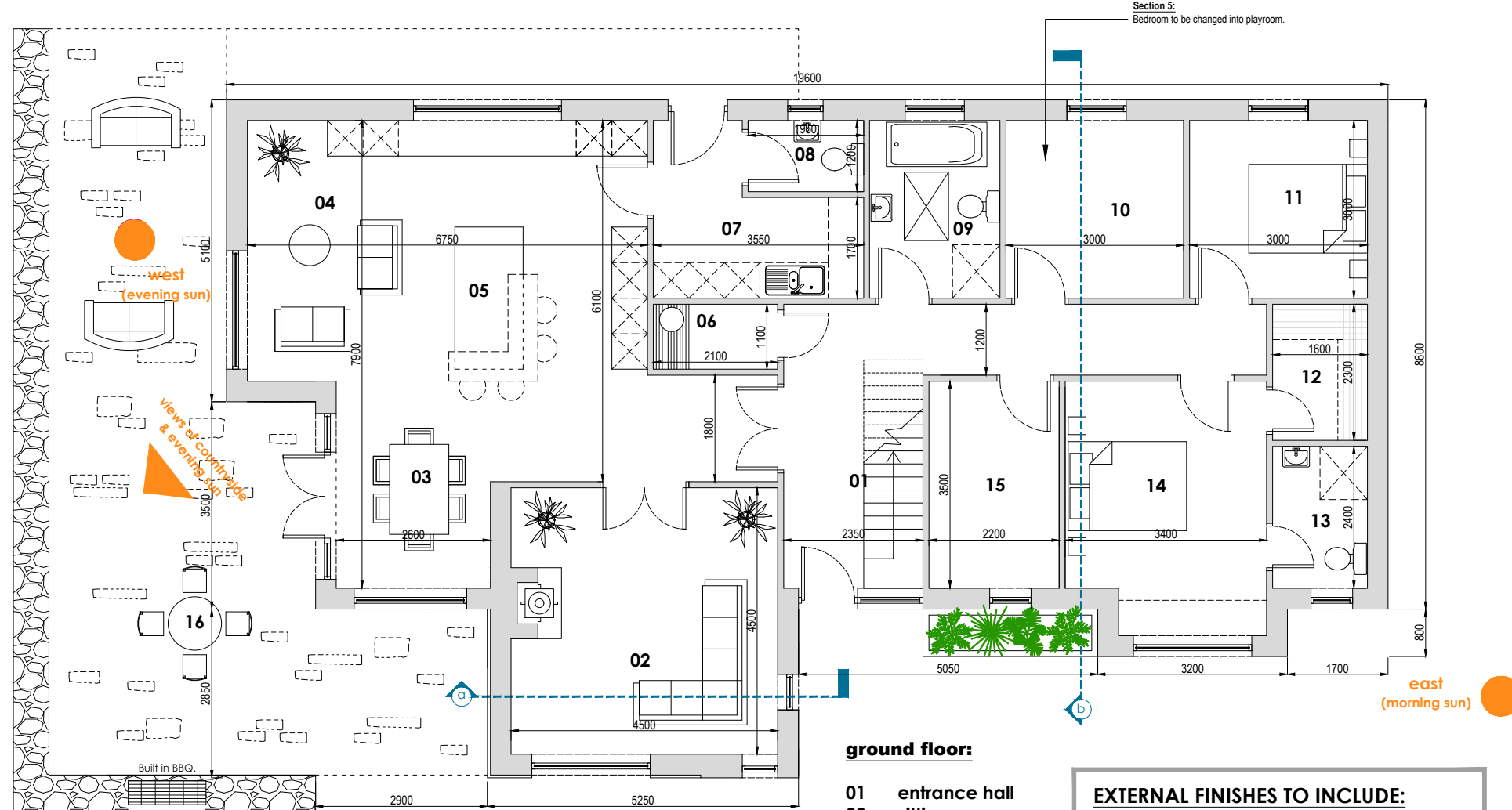
side (north east) elevation.

1:100.



section a - a (vaulted ceiling)

scale 1 : 50



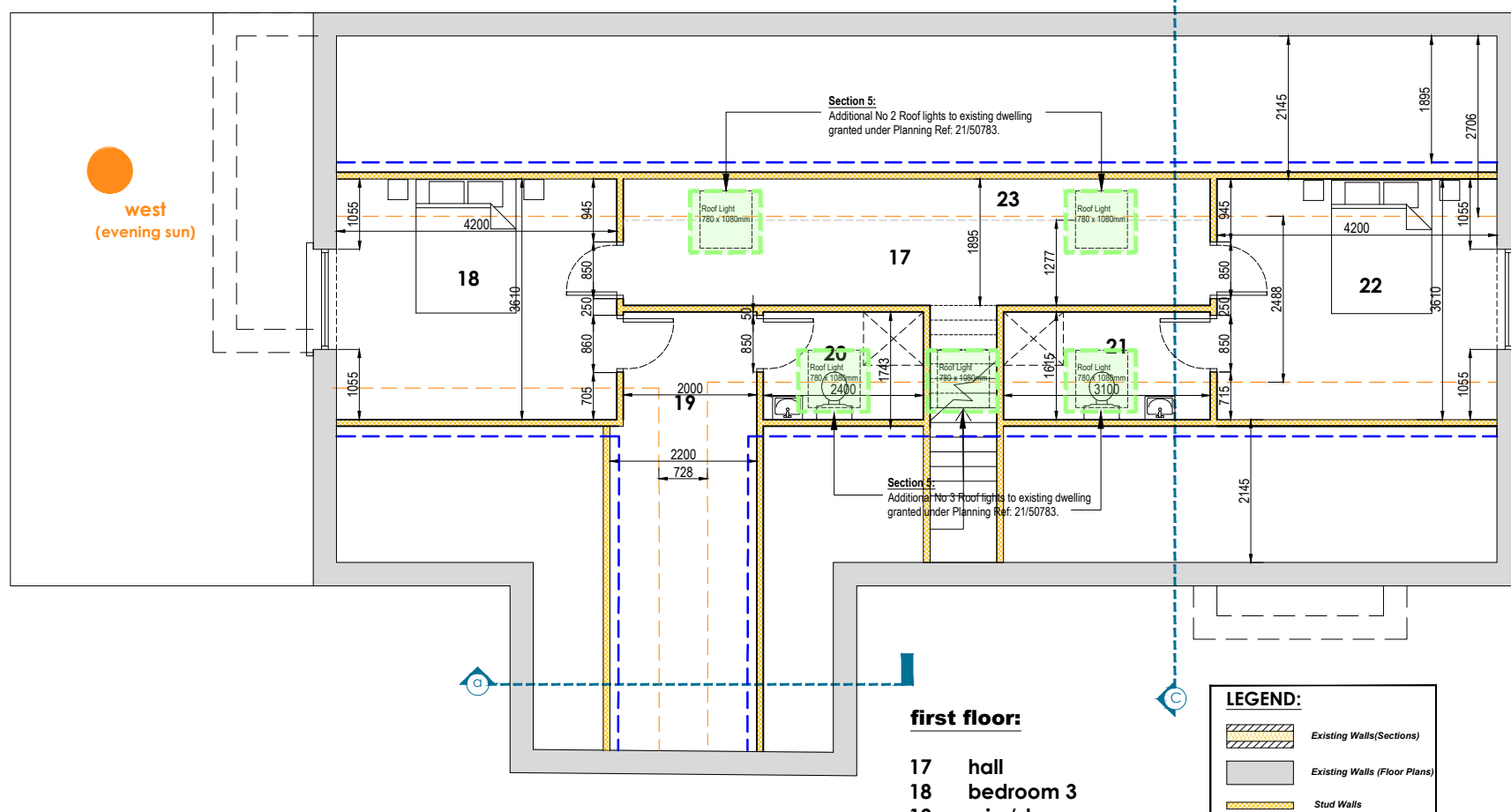
proposed house:
proposed ground floor plan. 1:100.
ground floor area: 157m² (1690sq/ft).

ground floor:

- 01 entrance hall
- 02 sitting room
- 03 dining room
- 04 living room
- 05 kitchen
- 06 hp / cloaks
- 07 utility
- 08 toilet
- 09 bathroom
- 10 playroom
- 11 bedroom 2
- 12 w/robe
- 13 en-suite
- 14 master bedroom
- 15 office/study
- 16 patio

EXTERNAL FINISHES TO INCLUDE:

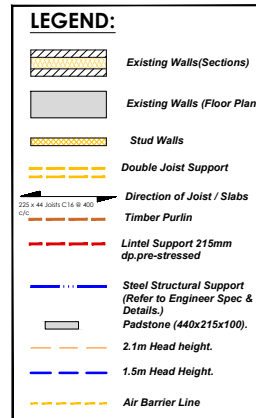
- Blue black slates to roof.
- Pvc fascia & soffit.
- Pvc rainwater goods, round downpipes, half round gutters.
- Triple glazed black pvc windows.
- Timber front and back door, colour to be decided.
- Smooth render to be painted, colour to be decided.
- Stone cladding as indicated, stone to be blue/grey quartzite, with dry built type finish.



proposed house:
proposed first floor plan. 1:100.
first floor area: 73.9m² (795.45sq/ft).

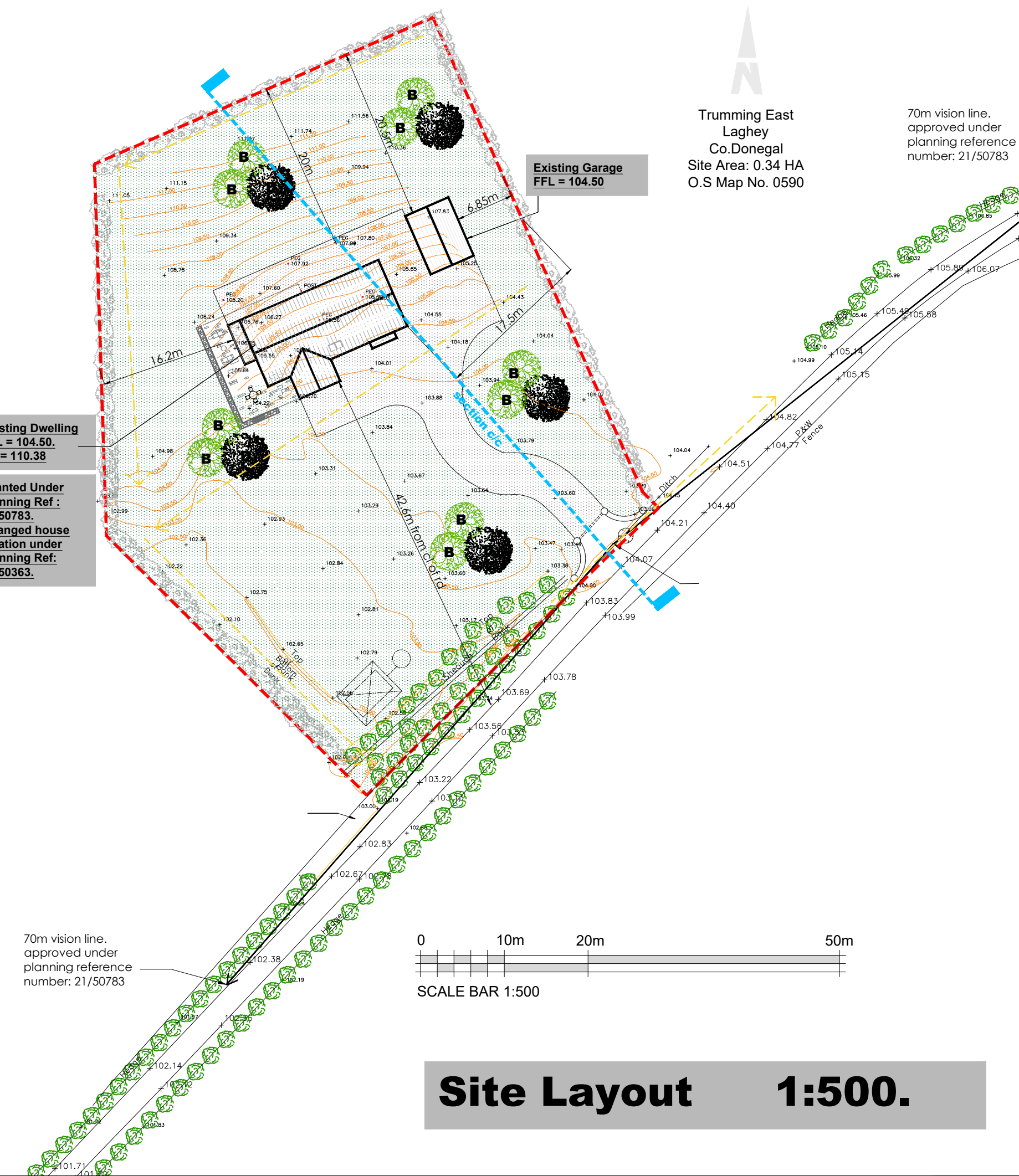
first floor:

- 17 hall
- 18 bedroom 3
- 19 wiv/storage
- 20 en-suite
- 21 en-suite
- 22 bedroom 4
- 23 built in storage

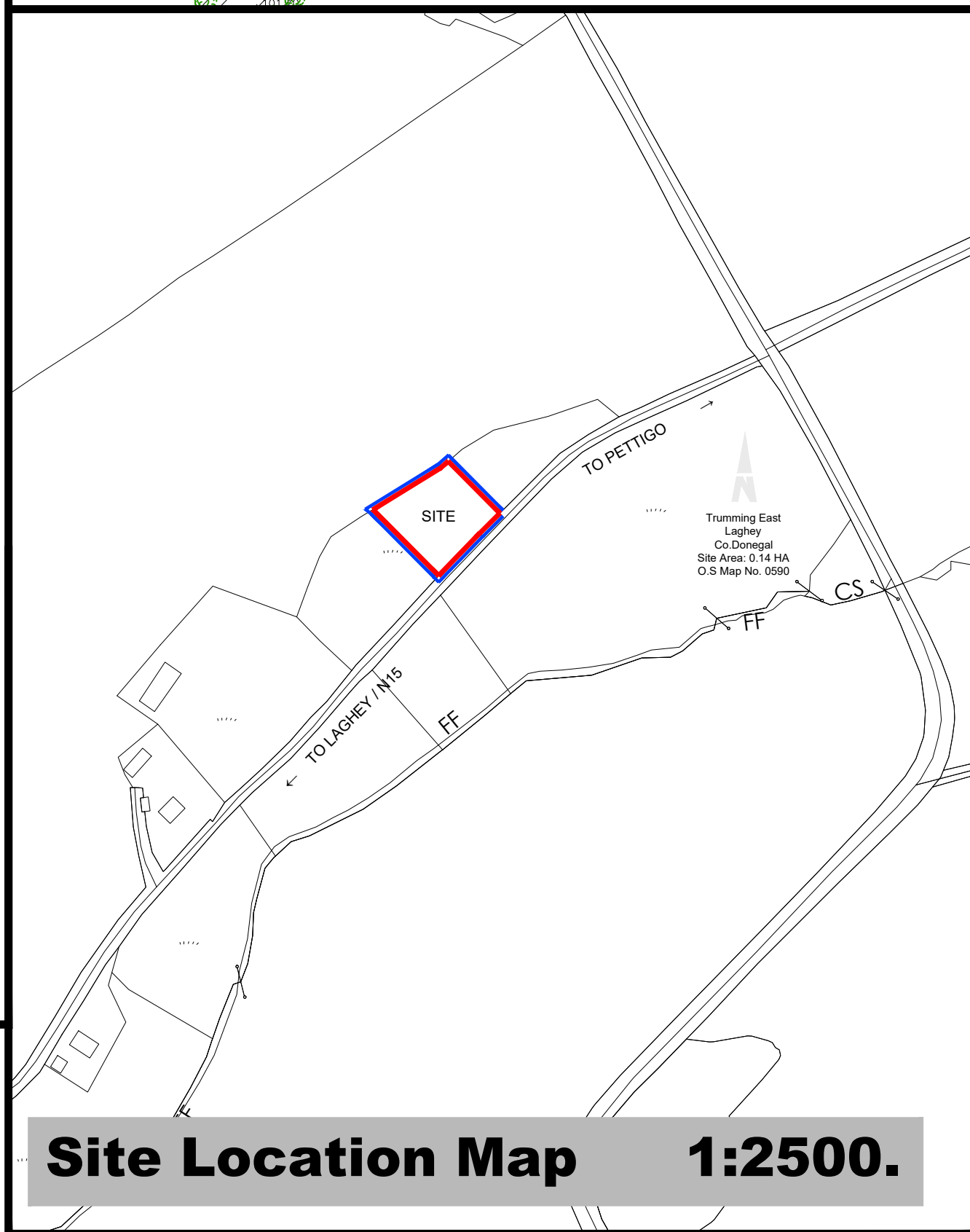


Elevations, Plans & Sections 1:100.

Existing Dwelling
FFL = 104.50.
RL = 110.38
Granted Under
Planning Ref :
21/50783.
Changed house
location under
Planning Ref :
22/50363.



Site Layout 1:500.



Site Location Map 1:2500.

Rev.	Date	Details	Revisions
A			
B			
C			
D			
E			

Planning Issue.

Project:		Proposed First Floor Layout at Trumman East, Laghey, Co. Donegal.	
Client:		AMANDA MC GRATH	
Drawing Title:		Elevations, Floor Plans, Sections, Site Layout & Site Location Map.	
Date:		Jan 2025	Scale: 1:50
Job Ref:		BMC / BD / 25 / 015 / 01 P.I	
Ordnance Survey Ireland Licence No:		CYAL50164659	



**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: brian@mccullagh.ie

Our Ref: S525/58

17th June, 2025

Amanda McGrath
C/o McCullagh Architecture & Surveying Ltd.

Re: Section 5 - Application for proposed conversion of existing roofspace & the provision of 3no. roof lights to the front elevation & 2no. roof lights to the rear of the elevation at Trumman East, Laghey, Co Donegal.

A Chara,

I wish to acknowledge receipt of your application received on 17th June, 2025 in relation to the above.

Yours sincerely,

Martina Parke

Donegal County Council
Planning Services



SECTION 5 REFERRAL REPORT – Ref.No: 25/58

Donegal County Council

1.0 COMMENTS

The subject site is located in the rural area of Trumman East to the south of Laghey. The existing dwelling was granted permission under application 21/50783. The proposed works constitute the following elements:

- Proposed conversion of the roof 2150space
- Provision of 3 no. roof lights to the front elevation & 2 no. roof lights to the rear elevation

The entire site is located in an area designed as 'Structurally Weak Rural Area' in the County Donegal Development Plan 2024 – 2030.

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 Act, 2000 (as amended)

Section 4.1.(h)

The following shall be exempted development for the purposes of this Act –
Development consisting of the carrying out of works for the maintenance, Improvement of 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.

5.0 PLANNING HISTORY

21/50783 – permission granted for the dwelling.

6.0 ASSESSMENT

6.1 Consideration of Proposed Development:

- (i) The proposed alterations that include the provision of 2 no. bedrooms within the attic space and installation of 3 no. roof lights to the front elevation and 2 no. to the rear elevation are all considered to be minor in scale and fall within the scope of section 4.1.(h) and will not alter the character, mass and scale of the permitted building.
- (ii) There is no additional loading on the capacity of the permitted wastewater treatment system.
- (iii) There are no third party properties in proximity to the subject site.
- (iv) Appropriate assessment is not a consideration in the assessment of this referral.

6.2 Conclusion:

It is considered that:

The proposed alterations to a dwelling house constitute “development” within the meaning of the Act, being works, but is exempted development coming within the scope of section 4.1.(h) 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 Pleanala for determination.

7.0 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 for:

- (i) Proposed alterations to a permitted dwelling house

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

- (a) Sections, 2, 3, and 177U of the Planning and Development Act, 2000 (as amended) and section 4.1.(h) of the Planning & Development Act 2000 (as amended).

And concluded that:

The proposal is development and is exempted development coming within the scope of Section 4.1.(h) of the Planning & Development Act 2000 (as amended).

Signed: 

Position: Executive Planner

Date: 05/07/2025.



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
17/07/2025

Chief Executive's Order No: 2025PH2128

Planning and Development Acts 2000 (as amended)

SECTION 5:-

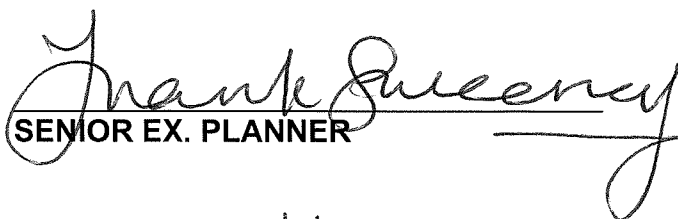
Request received 17th June 2025 from Amanda McGrath c/o McCullagh Architecture & Surveying, Glenfin Road, Ballybofey, Co. Donegal, F93 A520 in relation to the conversion of existing roof space and the provision of 3 no. roof lights to the front elevation and 2 no. roof lights to the rear elevation (pitched roof) at Trumman East, Laghey, Co. Donegal.

SUBMITTED:-

Written request received 17th June 2025 as above and report dated 5th July 2025 from the Executive Planner (Ref. No: S5 25/58 refers).

ORDER:-

Having considered the said request, the report of the Executive Planner, and the record forwarded to the Council by An Bord 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 17th DAY OF JULY 2025

AME

Chief Executive's Order No: 2025PH2128

Ref.No: S5 25/58

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:

- Sections, 2, 3, and 177U of the Planning and Development Act, 2000 (as amended)
- Section 4.1.(h) of the Planning & Development Act 2000 (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 Section 4.1.(h) of the Planning & Development Act 2000 (as amended).

YB 17/07



**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: S525/58

17th July 2025

AMANDA MCGRATH
C/O MCCULLAGH ARCHITECTURE & SURVEYING
GLENFIN ROAD
BALLYBOFEY
CO. DONEGAL
F93 A520

Re: Conversion of existing roof space and the provision of 3 no. roof lights to the front elevation and 2 no. roof lights to the rear elevation (pitched roof) at Trumman East, Laghey, Co. Donegal.

A Chara,

I refer to your request received on 17th June 2025 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 Board within 4 weeks of the date of issuing of the Declaration.

Mise, le meas,

**For Senior Ex. Planner
Planning Services**

/RMcC

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

DECLARATION

Chief Executive's Order No: 2025PH2128

Reference No: S5 25/58

Name of Requester: AMANDA MCGRATH
C/O MCCULLAGH ARCHITECTURE & SURVEYING
GLENFIN ROAD
BALLYBOFEY
CO. DONEGAL
F93 A520

Summarised Description of development the subject matter of request:

Conversion of existing roof space and the provision of 3 no. roof lights to the front elevation and 2 no. roof lights to the rear elevation (pitched roof)

Location: Trumman East, Laghey, 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:

- Sections, 2, 3, and 177U of the Planning and Development Act, 2000 (as amended)
- Section 4.1.(h) of the Planning & Development Act 2000 (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 Section 4.1.(h) of the Planning & Development Act 2000 (as amended).



For Senior Ex. Planner
Planning Services

Dated this 17th day of July 2025