

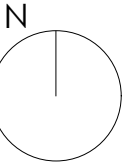


SECTION 5 APPLICATION

FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

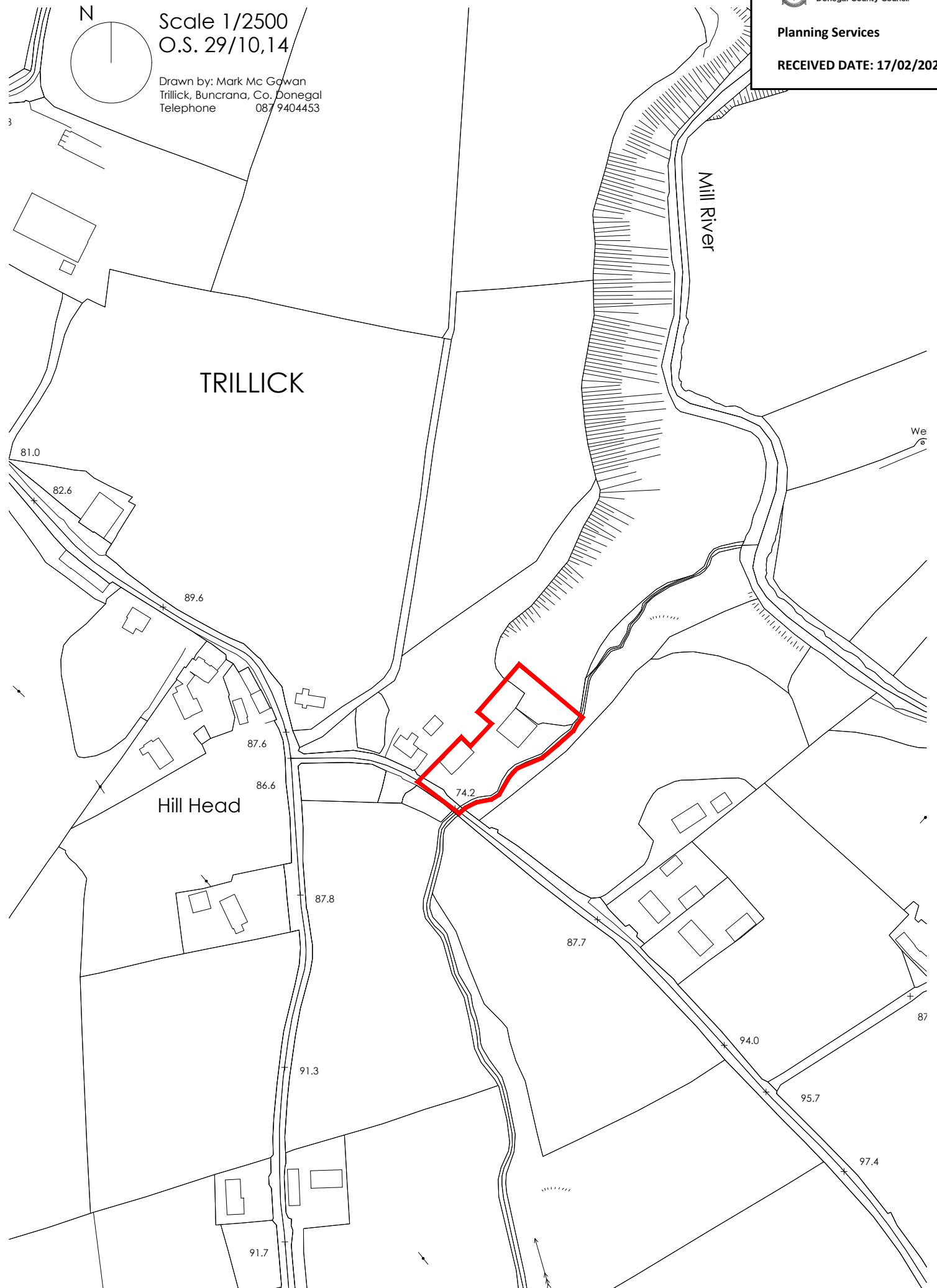
Completed application form & supporting documentation to be returned to the Planning Authority by email to planning@donegalcoco.ie

Name of Applicant(s):	Shawn Mc Gonagle.
Agent Name: (if applicable)	Mark Mc Gowan
Location of Proposed Development / Works: (Townland or postal address as appropriate and Eircode if available)	Trillick Boncrana Co Donegal.
Description of Proposed Development including details of works (where applicable): (Only works listed below will be assessed under this section 5 application)	
<p>Client is seeking clarification regarding proposed maintenance on an existing slated shed. The existing metal roof on the structure has rotted and requires replacement. It is intended to replace the roof with new cladding of the exact same profile, colour and specifications as the original. As this is a like for like replacement intended for repair and maintenance, we believe planning permission is not required.</p>	



Scale 1/2500
O.S. 29/10,14

Drawn by: Mark Mc Gowan
Trillick, Buncrana, Co. Donegal
Telephone 087 9404453

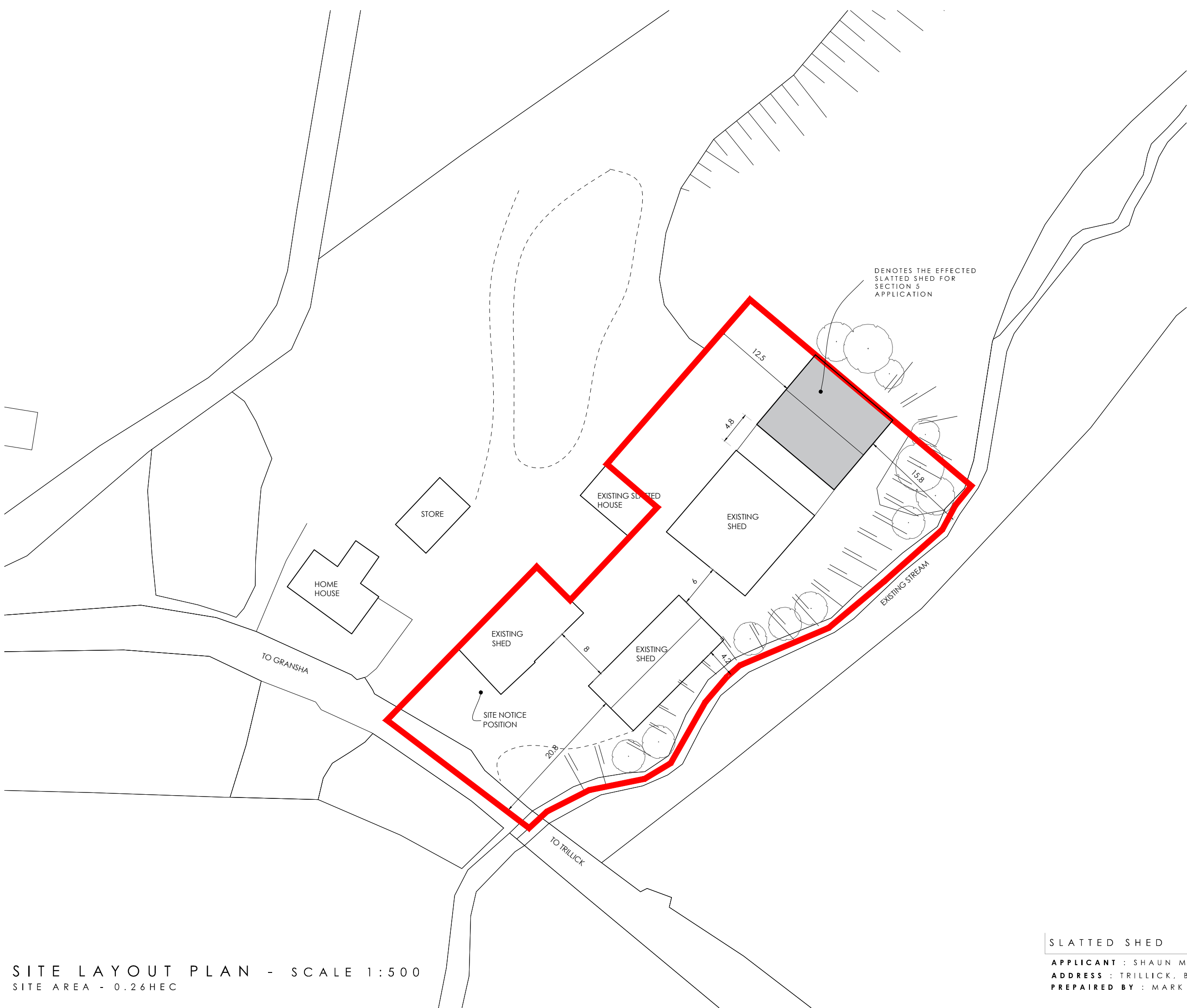




Comhairle Contae
Dhún na nGall
Donegal County Council

Planning Services

RECEIVED DATE: 17/02/2026



DENOTES THE EFFECTED
SLATTED SHED FOR
SECTION 5
APPLICATION

TO GRANSHA

TO TRILICK

EXISTING STREAM

STORE

HOME HOUSE

EXISTING SLATTED HOUSE

EXISTING SHED

EXISTING SHED

EXISTING SHED

SITE NOTICE POSITION

12.5

4.8

15.8

20.8

8

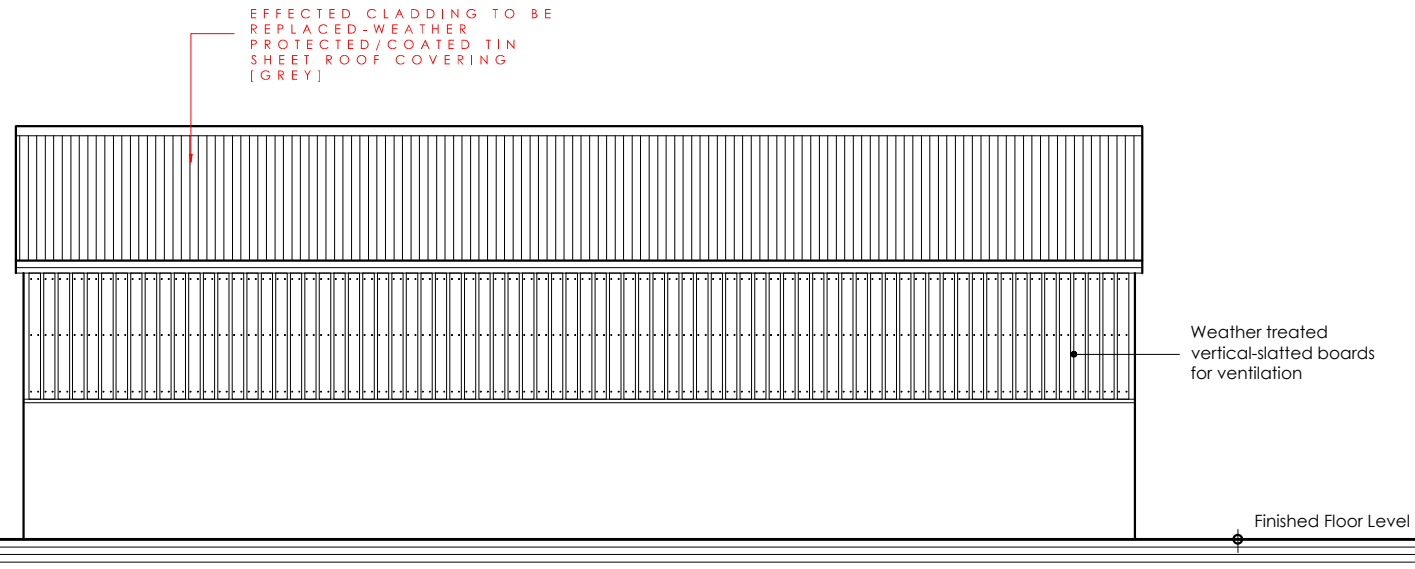
4.2

6

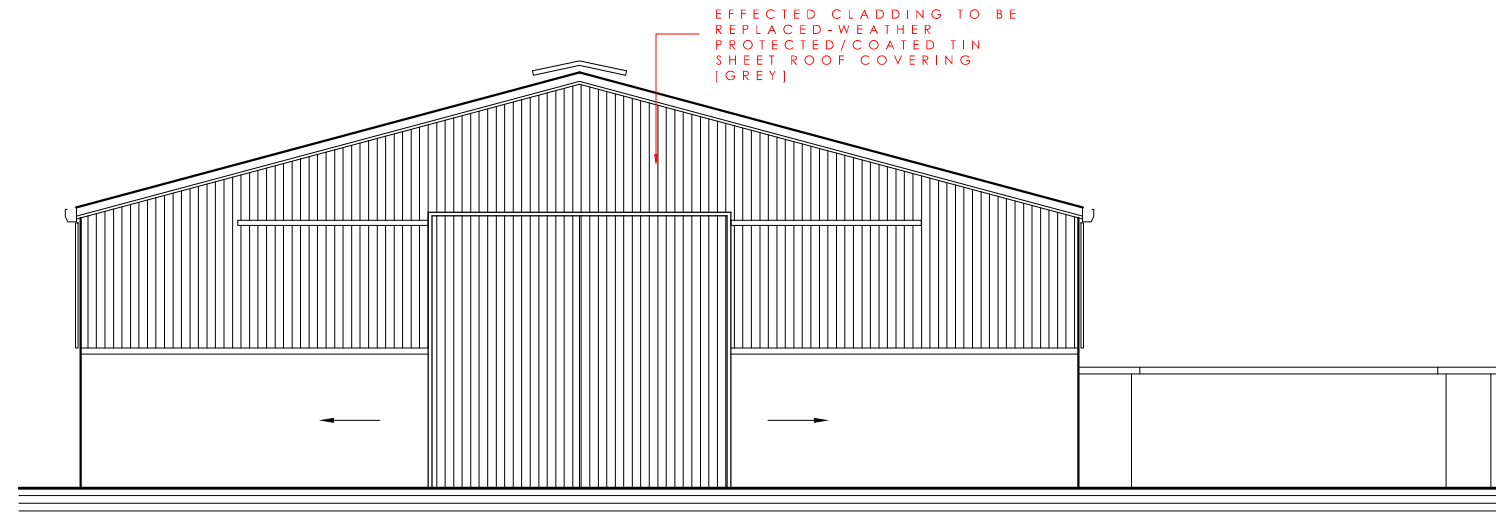


SLATTED SHED
APPLICANT : SHAUN MC GONAGLE
ADDRESS : TRILICK, BUNCRANA, CO.DONEGAL
PREPARED BY : MARK MC GOWAN

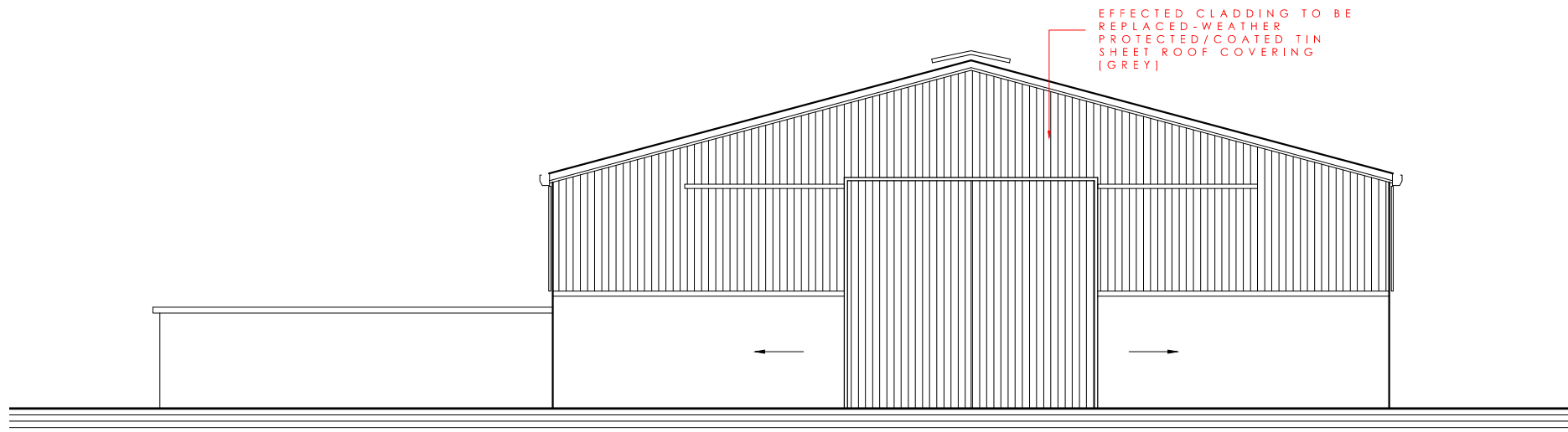
SITE LAYOUT PLAN - SCALE 1:500
SITE AREA - 0.26HEC



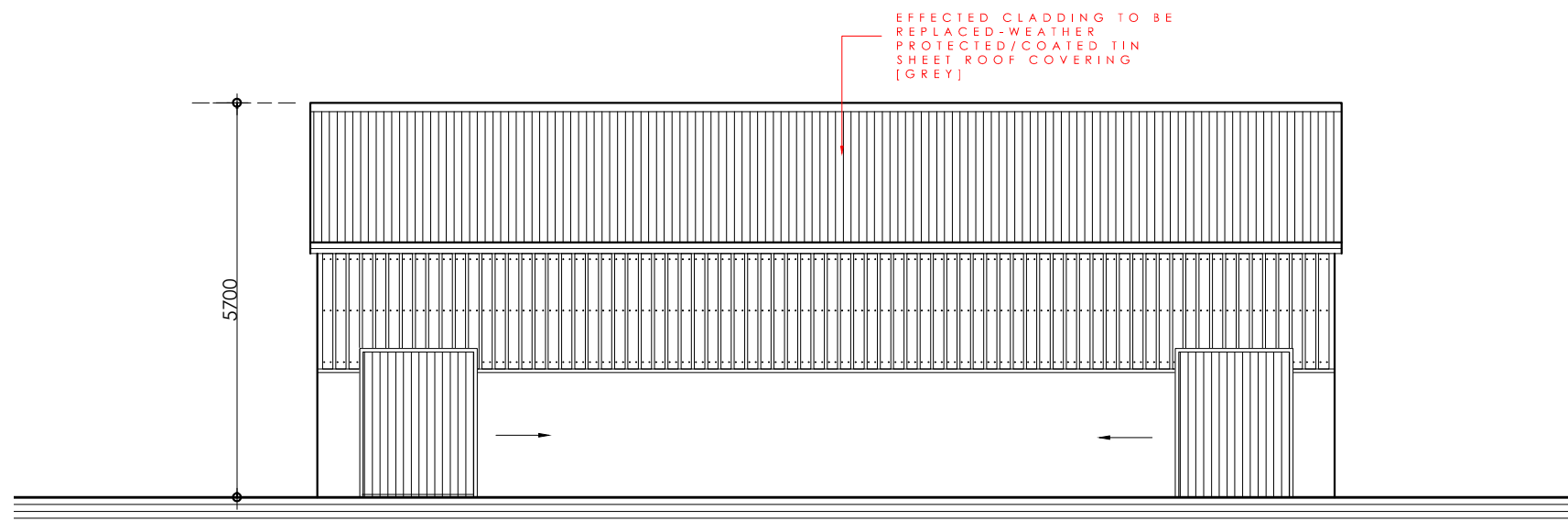
End Elevation
Scale 1:100



Front Elevation
Scale 1:100



Rear Elevation
Scale 1:100



End Elevation
Scale 1:100



Planning Services

RECEIVED DATE: 17/02/2026

SLATTED SHED

APPLICANT : SHAUN MC GONAGLE
ADDRESS : TRILICK, BUNCRANA, CO.DONEGAL
PREPARED BY : MARK MC GOWAN

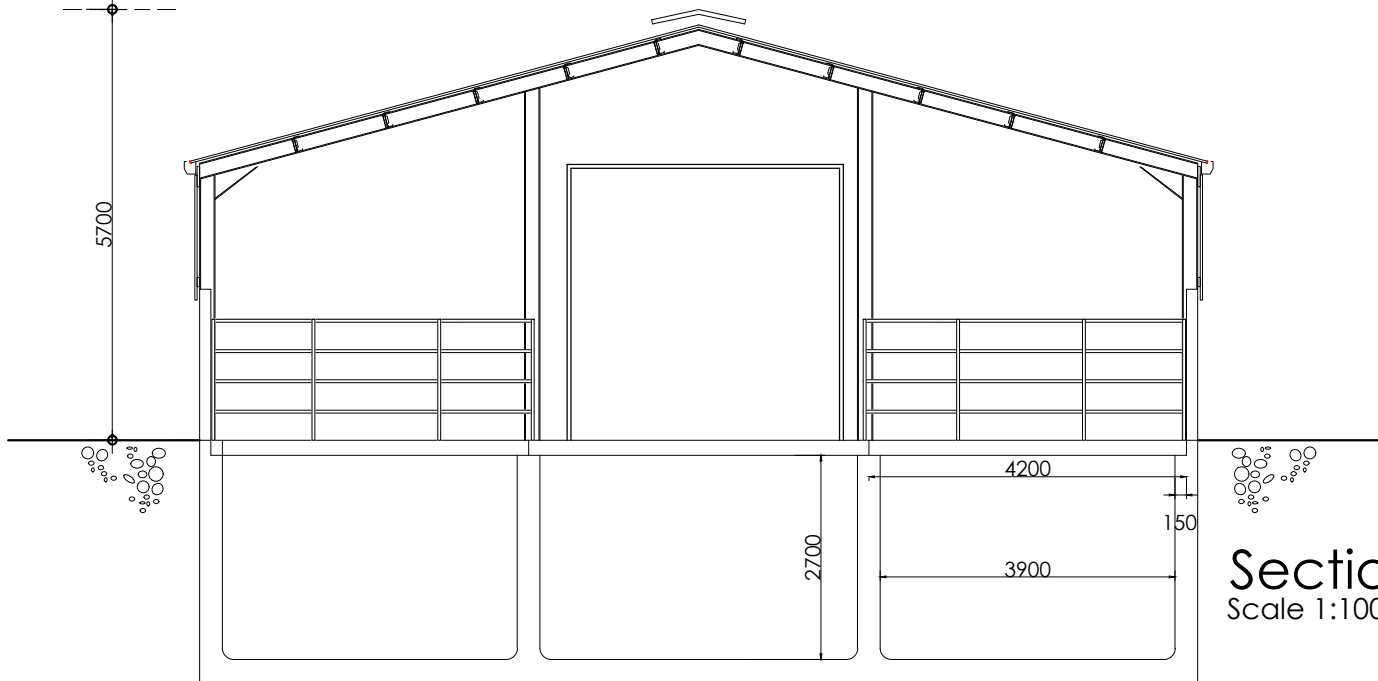
SLATTED SHED

APPLICANT : SHAUN MC GONAGLE
ADDRESS : TRILICK, BUNCRANA, CO. DONEGAL
PREPARED BY : MARK MC GOWAN

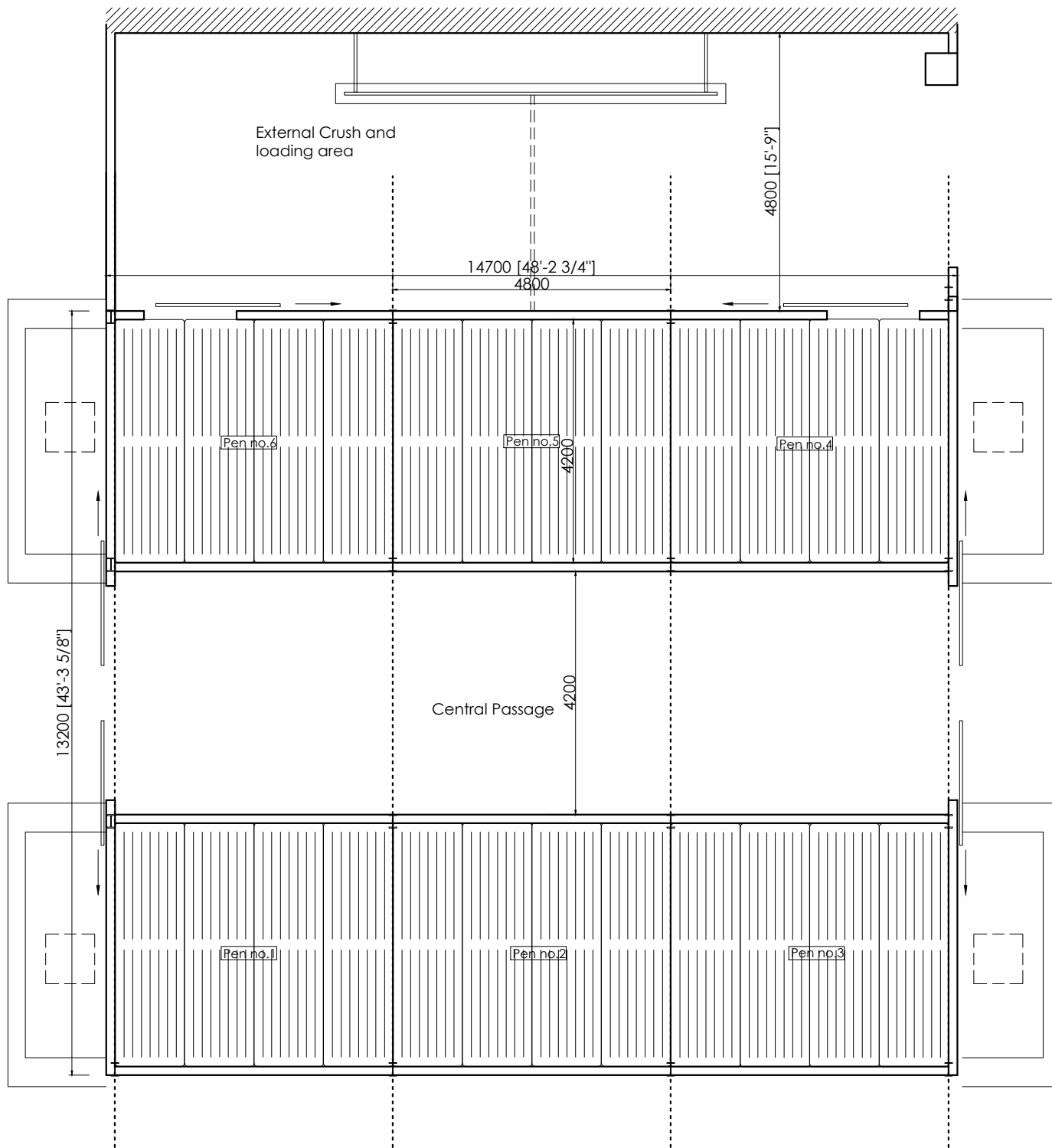


Planning Services

RECEIVED DATE: 17/02/2026



Section A-A
Scale 1:100



Ground Floor Plan

Floor area 185m²
Scale 1:100





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

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

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Planning Services
E: planning@donegalcoco.ie

E-mail: markmcgowanbsc@gmail.com

Our Ref: S526/22

17th February 2026

Shaun McGonagle,
C/o Mark McGowan,
Trillick,
Buncrana,
Co. Donegal

Re: Application to determine if replacement of roof on existing slatted shed at Trillick, Buncrana, Co. Donegal is “exempted development” or not.

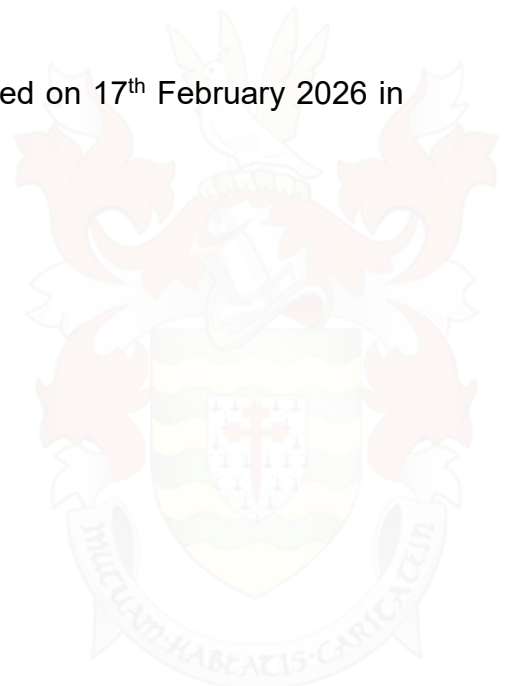
A Chara,

I wish to acknowledge receipt of your application received on 17th February 2026 in relation to the above.

Yours sincerely,

Jade Pearson

Donegal County Council
Planning Services



SECTION 5 REFERRAL REPORT – Ref. No: S5 26/22

1.0 BACKGROUND

1.1 Location:

Trillick, Buncrana, Co Donegal.

1.2 Site Description:

This is a plot of land to the rear of an existing farmyard complex which contains a number of sheds. Access to the site is provided to the south of the existing sheds.



1.3 Planning History

07	71765	Application Finalised	Conditional		SHAUN MCGONAGLE	TRILLICK BUNCRA NA CO. DONEGAL	AGRICULTURAL SHED
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06	71521	Application Finalised	Conditional		SHAUN MCGONAGLE	TRILLICK BUNCRA NA LIFFORD CO	ERECTION OF A SLATTED HOUSE AND AGRICULTURAL SHED
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						DONEGA L	TOGETHER WITH ASSOCIATED WORKS
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1.4 Proposed Development:

Replacement of metal shed roof (like for like). New roof is required due to dilapidation of the existing roof. The building was granted under 0671521 for a slatted house and agricultural shed.

2.0. THE QUESTION

The applicant, Shaun McGonagle, has made a submission to Donegal County Council seeking a Declaration of Exemption in relation to the construction of a replacement of metal shed roof (like for like).

3.0 EVALUATION

3.1 Planning and Development Act, 2000

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 4

Section 4 of the Act refers to 'Exempted Development' and Subsection (1) sets out categories of development that shall be exempted development for the purposes of this Act. Subsection (1) (h) states the following:

- *'Development consisting of the carrying out of works for the maintenance, improvement or alteration of any structure, being works which only affect the interior of the structure or which do*

not materially affect the external appearance so as to render it inconsistent with the character of the structure or neighbouring structures.'

Section 177U

“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 and Development Regulations, 2001

Article 3: Interpretation

“gross floor space” means the area ascertained by the internal measurement of the floor space on each floor of a building (including internal walls and partitions), disregarding any floor space provided for the parking of vehicles by persons occupying or using the building or buildings where such floor space is incidental to the primary purpose of the building;

“unauthorised development” means, in relation to land, the carrying out of any unauthorised works (including the construction, erection or making of any unauthorised structure) or the making of any unauthorised use;

“unauthorised structure” means a structure other than—

- (a) a structure which was in existence on 1 October 1964, or
- (b) a structure, the construction, erection or making of which was the subject of a permission for development granted under Part IV of the Act of 1963 or deemed to be such under section 92 of that Act (or under section 34 , 37G or 37N of this Act), being a permission which has not been revoked, or which exists as a result of the carrying out of exempted development (within the meaning of section 4 of the Act of 1963 or section 4 of this Act);

“unauthorised works” means any works on, in, over or under land commenced on or after 1 October 1964, being development other than—

- (a) exempted development (within the meaning of section 4 of the Act of 1963 or section 4 of this Act), or
- (b) development which is the subject of a permission granted under Part IV of the Act of 1963 F21 (or under section 34, 37G or 37N of this Act), being a permission which has not been revoked, and which is carried out in compliance with that permission or any condition to which that permission is subject;

Article 5(2): Interpretation for Exempted Development

In Schedule 2, unless the context otherwise required, an reference to the height of a structure, plant or machinery shall be construed as a reference to its height when measured from ground level, and for that

purpose “ground level” means the level of the ground immediately adjacent to the structure, plant or machinery or, where the level of the ground where it is situated or is to be situated is not uniform, the level of the lowest part of the ground adjacent to it.

Article 6(1)

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

Restrictions on Exemption include inter alia:- .

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) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,
 - (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,
 - (iii) endanger public safety by reason of traffic hazard or obstruction of 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,
 - (vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological 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, save any excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),
 - (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

4.0 ASSESSMENT

4.1 Is or is not development

Having regard to sections 2 and 3 of the Planning and Development Act 2000, as amended the construction of a replacement roof on an agricultural slatted building constitutes development.

4.2 Is or is not exempted development

The replacement (like for like) of a rotten roof on a building which was previously granted planning permission would materially affect the external appearance of the structure but does not render the appearance of the structure inconsistent with the character of the structure or neighbouring structures. The building will retain the same height as that granted under 0671521.

The works come within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) and can be considered to be exempted development by virtue of this section.

5.0 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 to:

Replacement of metal agricultural shed roof (like for like) at Trillick, Buncrana, Co Donegal.

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 concluded that:

The proposal **IS DEVELOPMENT** within the meaning of Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as

it falls within the scope of within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).



Executive Planner
10/03/2026.



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
10/03/2026

DONEGAL COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED)

**Chief Executive
Order No:**

2026PH0679

Ref Number:

S526/22

Section 5:

Request received 17th February 2026 from Shaun McGonagle C/o Mark McGowan Trillick, Buncrana, Co. Donegal in relation to a replacement metal shed roof (like for like) at Trillick, Buncrana, Co. Donegal.

Submitted:

Written request received 17th February 2026 as above and report dated 10th March 2026 from the Planner (Ref. No: S5 26/22 refers).


STAFF OFFICER

Order:

Having considered the said request, the report of the 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 EXECUTIVE PLANNER

DATED THIS 13th DAY OF MARCH 2026

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, 4 and 177U of the Planning and 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 falls within the scope of within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

JS 13/03



**Comhairle Contae
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W: www.ccdhunnangall.ie

Planning Services
E: planning@donegalcoco.ie

Ref. No: S526/22

13th March 2026

SHAUN MCGONAGLE
C/O MARK MCGOWAN
TRILLICK
BUNCRANA
CO. DONEGAL

Re: Replacement metal shed roof (like for like) at Trillick, Bunrana, Co. Donegal.

A Chara,

I refer to your request received on 17th February 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 Executive Planner
Planning Services**

/jmcc

Planning and Development Acts, 2000 (as amended)

(Declaration and Referral on Development and Exempted Development)

DECLARATION

Chief Executive Order No: 2026PH0679
Reference No: S526/22
Name of Requester: SHAUN MCGONAGLE
C/O MARK MCGOWAN
TRILLICK
BUNCRANA
CO. DONEGAL

Summarised Description of development the subject matter of request:

Replacement metal shed roof (like for like).

Location: Trillick, Buncrana, Co. Donegal.

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

IS Development

IS Exempted Development

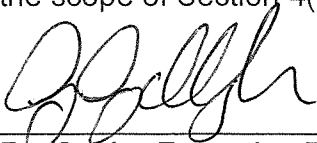
WITHIN THE MEANING OF THE ABOVE ACT

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

- Sections 2, 3, 4 and 177U of the Planning and 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 falls within the scope of within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).



For Senior Executive Planner
Planning Services

Dated this 13th day of March 2026

From: [JESSICA McCLURE](#)
To: ["markmcgowanbsc@gmail.com"](mailto:markmcgowanbsc@gmail.com)
Subject: S526.22 Response
Date: 13 March 2026 12:12:00
Attachments: [S52622 Cover Letter & Dec.PDF](#)
[image001.png](#)

A Chara,

Please find attached section 5 declaration for S526.22

Kind Regards,
Jessica

Jessica McClure
Community Development & Planning Services
County House | Lifford | Co. Donegal
E: jmcclore@donegalcoco.ie



Comhairle Contae
Dhún na nGall
Donegal County Council