



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):	
Agent Name: (if applicable)	
Location of Proposed Development / Works:	
(Townland or postal address as appropriate and Eircode if available)	
appropriate and Encode in available)	
Description of Proposed Development in (Only works listed below will be assessed upon the control of the contr	ncluding details of works (where applicable): under this section 5 application)



Is the development a Protected	Yes	No			
Structure or within the curtilage of a Protected Structure?					
Has a declaration under Section 57 of	Yes	No			
the Planning and Development Act					
2000 (as amended) been requested or					
issued in respect of the property.					
Applicant(s) Interest in the site:					
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:					
Planning History - list any relevant					
planning application reference numbers:					
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					

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



Area for which

Front Elevation Scale 1/100

Existing Dwelling Granted under Ref. No. 02/4462 Outlined Blue



Rear Elevation Scale 1/100

Existing Dwelling Granted under Ref. No. 02/4462 **Outlined Blue**



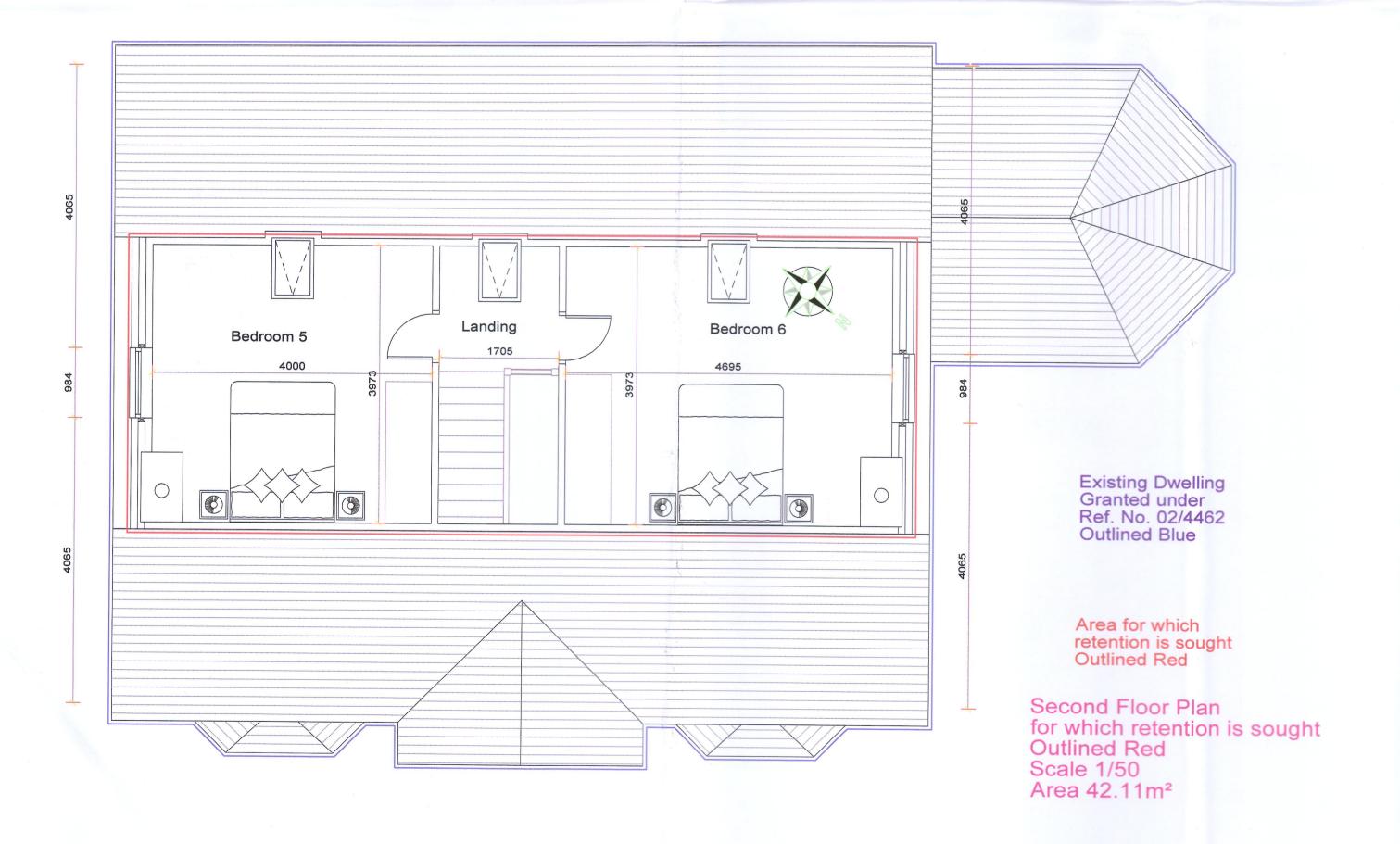
Side Elevation Scale 1/100

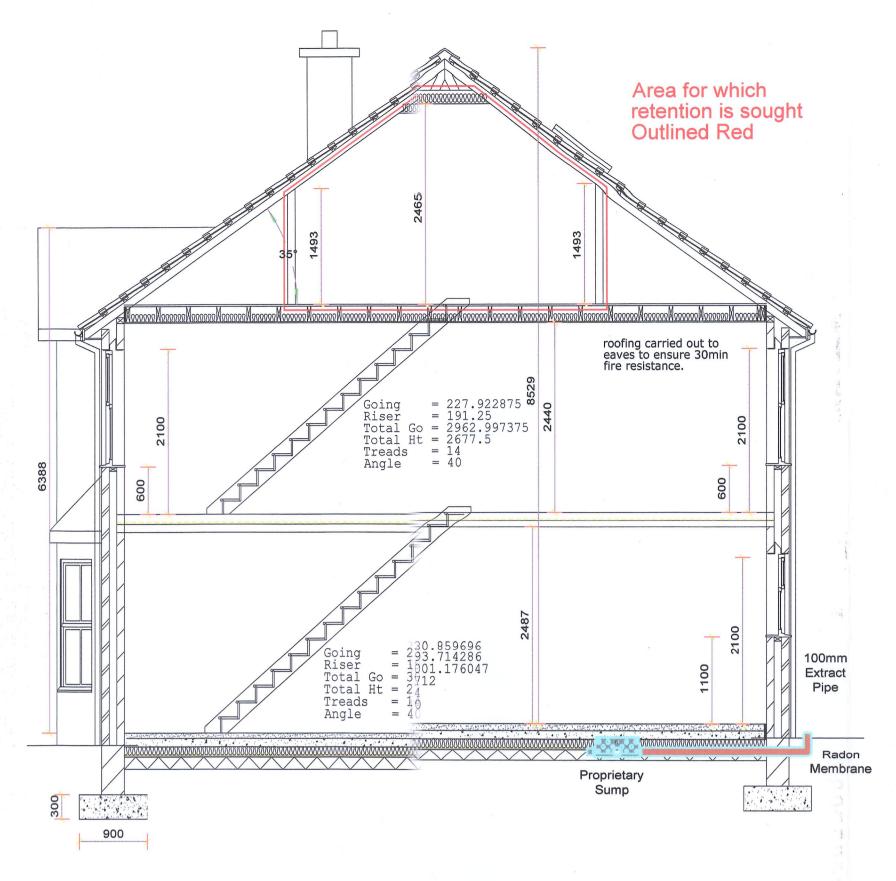
Existing Dwelling Granted under Ref. No. 02/4462 Outlined Blue



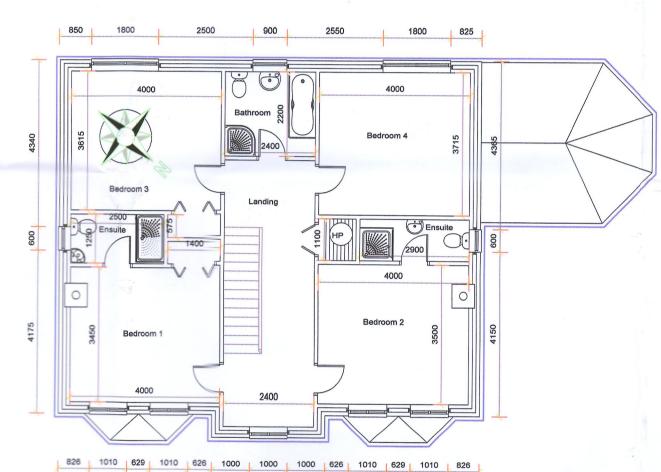
Side Elevation Scale 1/100

Existing Dwelling Granted under Ref. No. 02/4462 **Outlined Blue**





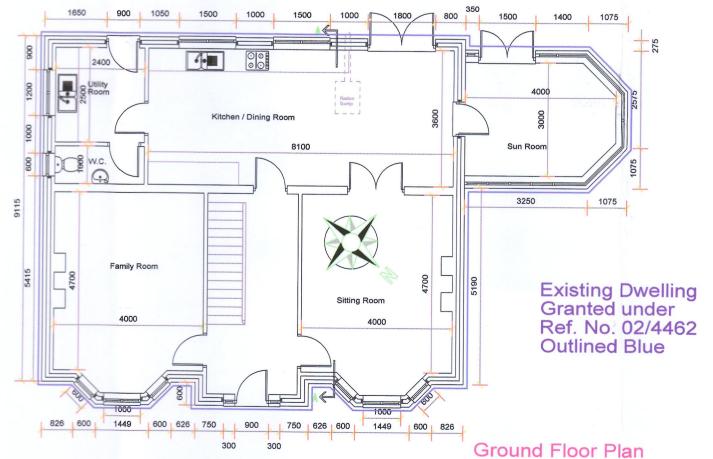
Section A-A Scale 1/50



Existing Dwelling Granted under Ref. No. 02/4462

Outlined Blue

First Floor Plan Scale 1/100 Area 91.68m²



Scale 1/100 Area 105.96m²

WALLS:

Smooth render walls and smooth render quoins & plinth to match main house finishes on 100mm concrete block outer leaf on 150mm cavity with 100mm thermal insulation (thermal conductivity 0.023 W/mK) fixed to inside leaf of 100mm concrete block inner leaf with 13mm sand/ce part plaster with a smooth gypsum plaster skimmed finish. If completed in Timber 1/4.939 = 0.20 W/m²K (wall ties can bring it below 0.21). as set out in the Technicrame Construction then all U values to meet the regulation referencing paragraph Acal Guidance Document Booklet L with reference to Diagram A2 All necessary informatio 2.2. All necessary information 2.2. allow building to have am to be provided to Complete Sap & Energy Calculations & to current standards. In Air Tightness Test & Certificate of compliance to meet the Use vertical twist stainles 750mm horizontally, was steel wall ties 225mm long at 450mm centres vertically and Provide DPC at min 150 mm above ground level.

Solid Blockwork up to ground level.

Close all cavities at eaves and verge using 12mm mineral fibre board. Use vertical twist stainles

DOORS:

BUILT CHIMNEYS:

All ground floor doors to be 1000mm wide doorsets allowing full clear opening of 940mm min.
All first floor room doors to be 900mm wide doorsets. All masonry built chimneys shall be constructed in complete compliance with Diagram 10 as defined in Booklet A within The Technical Guidance Document taking External door openings to be 90011111 wide doorsets.

External door openings to be min 1022mm min 950mm clear.

All main door entrys to be level access with DPC level with floor on inner leaf & 150mm above ground level on outer leaf & fully wrapped around threshold blocks. reference to Part 4 Paragraph 1.1.4.1

CONSTRUCTION NOTES:

All Details to be Robust Details to avoid cold bridging & Air Leakage with minimum 40mm insulated jambs & 150mm overlap of floor insulation at perimeter edge with insulation on horizontal.

FOUNDATIONS:

The foundations have been designed to be adequate if bearing on sub-soil type 3 or better as defined in the Table 5 of the Technical Guidance Document A 9h Structure. If Sub-soil of this type is not found at normal depths, an alternative foundation design based on soil investigation report, an alternative foundation design based on Minimum Depth of foundations to be 900mm below finished ground level. 900mm x 300mm min, dations to be 900mm below finished ground level. walls and 600mm x 300mm min foundations to 350mm & 215mm wide Diagram 11, Diagram 12, and Diagram 13.

A layer of A393 mesh to be placed in bottom section of all founds.

ECO-FRIENDLY REQUIREMENTS:

All insulation materials to be CFC & HCFC free
All main building elements of timber to be 95% PEFC Certified
& remaining timber temperate.
All Finishing Elements of Timber to be 50% PEFC Certified &
remaining under temperate.
Certificates confirming rate.
Main Contractor from the above are to be provided by the
is suppliers.

DRAINAGE:

Lay 110mm diameter pexisting drainage levels prior to commencement of the works. per Diagram 8 & 9 of Two foul and storm drains laid at 1:80 fall bedded in pea gravel as paragraph 1.3.7.2 and be Technical Guidance Document Booklet H with reference to All drainage pipes to BS aragraph 1.3.7.3. Provide polypropylene in 4514 and BS 4660. m.s. covers, heavy duty spection chambers and build manholes as shown with Galv. road authority standard covers when positioned on driveways or roads to meet the Provide 100mm dia.pvc and details. plastic mesh balloon. Where a length of branch pipe cannot be accessed by a trap, All drainage lines within provided. 1m of foundations to be encased in concrete or pea gravel connected to vbigt's & to new manholes.

FLUES AND CHIMNEYS

1. Any room or space containing an appliance (other than a room-sealed appliance) shall have a permanent ventilation opening of free area at least 550sqmm, plus an additional 550sqmm for each kw of rated output above 6kw. 2.Sizes of flues: a)The flue pipe size shall be at least the same as for the flue outlet on the appliance. b)The chimney size shall be 100mm dia for an appliance with a rated output up to 20kw: 125mm dia with a rated output between 20kw & 32kw: 150mm dia for a rated output between 32kw & 45kw. 3)Factory made flues shall be: a)constructed & tested to meet the relevant recommendations given in BS 4543:Part 1:1990 & Part 3: 1976 Specification for Chimneys for oil fired appliances and b)Installed so as to meet the requirements of BS 6461: 1984:Part 2 4)Unless the appliance complies with the relevant recommendations of the appropriate Parts of BS 5386 the back, tops & sides of appliances, any draught-diverters shall be separated from any a) A shield of non-combustible material at least 25mm thick or b) An air space of at least 75mm.

GENERAL NOTES:

All workmanship and materials to Irish standards and Irish agrement approved. Contractor to ensure compliance with TGD and CDM Health & Safety regulations including all workforce allowing all necessary weather protection & security & to inform the D.E.D of the project. Contractor to ensure that all necessary works are included to allow building to be completed & used for which it was designed.

Lead to be laid in maximum lengths of 1500mm & stepped to falls. Treat all exposed lead with patination oil. All timbers to be preservative treated to meet current ECO Friendly Product Standards. Structural timber be C14 - C27 Grade in accordance with Technical Guidance Document Booklet A.

Contractor is respobsible for setting out ensuring no trespass occurs into adjoining property & to make good work disturbed.

Contractor to ensure that Building Control inspect at set stages of construction & request a Completion Certificate at end of project.

All jambs to be fitted with minimum 40mm thermal insulation.

Clean out after completion of all works.

All new timbers built into blockwork to have ends treated as recommended by specialists. Contractor must be familiar with all the regulations prior to commencement of the works All details to ensure no damp penetrates building to include stepped DPCs, cavity trays & all normal good standard building practices.

Floor joists to be laid level with no packers underneath & to be built solidly between joists to ensure full bridging at supports. joists to ensure full bridging at supports.

Owner to be advised to ensure that all works are allowed to dry out for a minimum of 6 months prior to any painting & to ensure that ventilation & heating balance is maintained to minimise condensation issues.

ROOF DETAIL:

38 X 100mm rafters @ 400mm centres on 44 x 225mm ceiling joists @ 400mm centres & 100 x 50mm supports from joists to rafters. 100 x 38mm ties every 3rd rafter. 200 x 38mm ridgeboard.

All timbers must refer to Technical Building regulations Booklet A paragraph 1.1.2.7.

Code no.6 lead flashings & valley boards & gutters 50 x 100mm wallplate anchored at 1800 centres to wall with 30 x 2.5 galvanised m.s. straps. 400mm fibre-glass insulation between joists (200mm over & 200mm between). over & 200mm between).

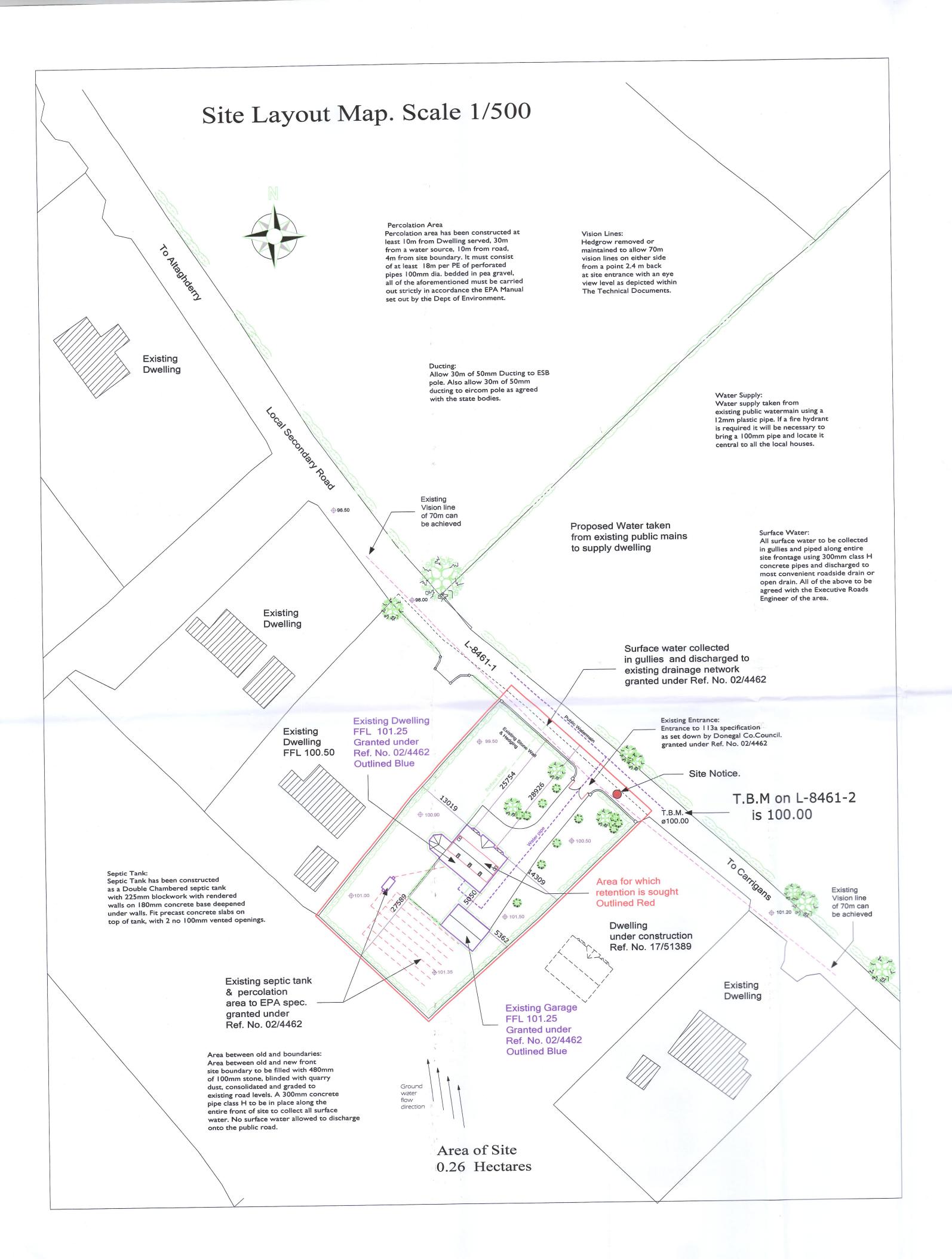
Trim out and form insulated trap door.
Ceilings to be 12.5mm plaster lath bonded and skimmed.
uPVC Eaves & pointed barges 225 x 25mm fascia 9mm
upvc soffit with continuous vents 100mm dia upvc gutter
& 68mm upvc downpipes connected to vbigt's & new
manholes & to 100mm dia storm line.

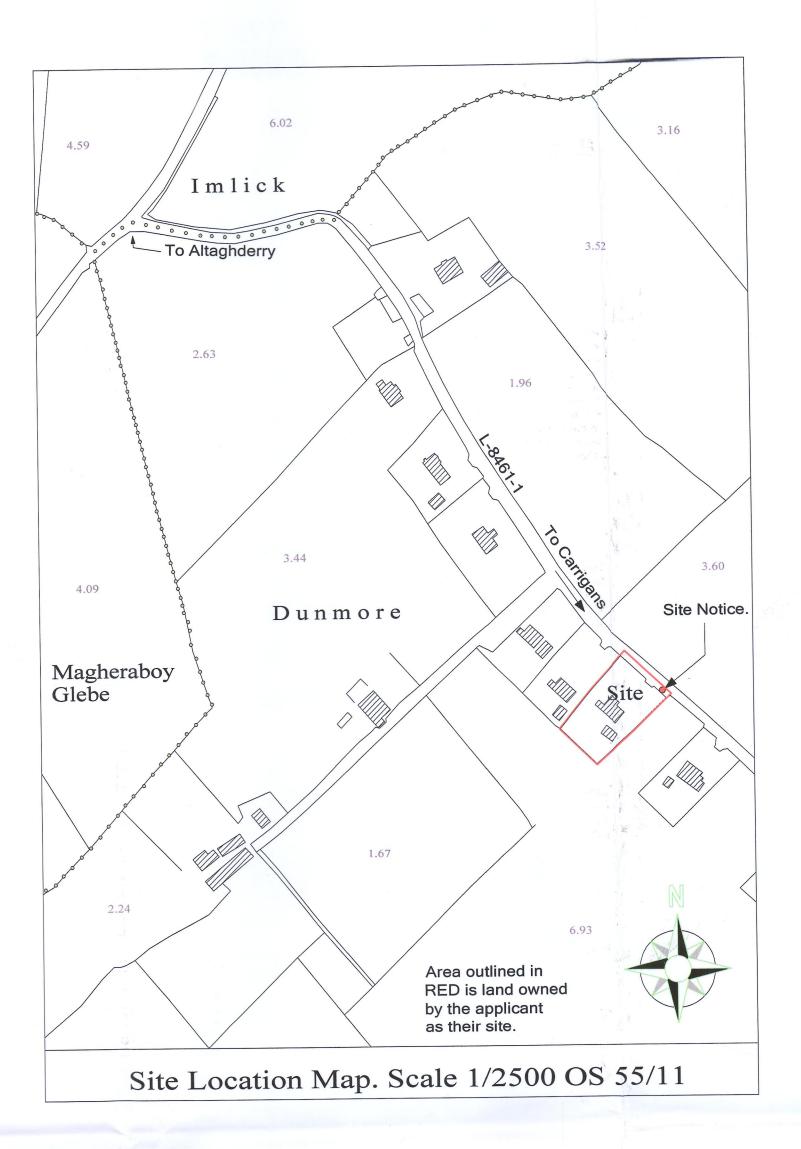


Client: Geraldine & Laurence Black Project: Retention of Existing Bedrooms At Dunmore, Carrigans, Co. Donegal Scale: 1:50, 1:100 Floor Area 42.11m² 453 sq.ft. Date: 28th April 2023

Drawn By
Patrick Canning Architectural Services
Patrick Canning Architectural Services
Patrick Canning Architectural Services









Radar Speed Gun located at existing Traffic Survey Report Bushnell 101911 Radar Speed Gun with +/- 2kph accuracy Method of Measurement Dunmore, Carrigans, Co.Donegal Site Location L-8461-1 Road No. 28th April 2023 Survey Date & Time Planning Ref No: Speed measured from / of Entrance Vehicle Left Right Left Right Time Type Jeep 11:48 Car 45kph 49kph Car 12:40 8:52 Car 43kph 8:56 Van 47kph 51kph 9:07 Car 45kph 9:12 Van 9:33 Car 50kph 10:54 Car 42kph 40kph 11:22 Jeep

Average speed from Left is 45.83kph Average speed from Right is 44.5 kph

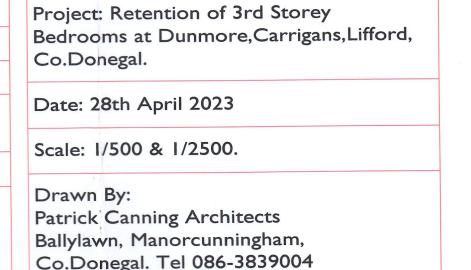
Overall average speed is 45.3 km/hr

As per Table 3 Appendix 3 of the Development Guidlines & Technical Standards of the Donegal County Development Plan 2018-2024 The required vision line easement is 70m.

I can confirm that these vision lines are achievable and have permission to obtain them.

Taking Account of the 85th Percentile Speed Analysis and allowing the 4 second headway filter, the physical features (undesirable geometrics, poor sight distance, or surface conditions), the small amount of vehicles using this remote rural road, the average speed can be assumed to be below 50km/hr thus the required vision splays are 70m in either direction.

Site Location Map	Client: Geraldine & Laurence Black		
Scale 1/2500	Project: Retention of 3rd Storey		
Ordnance Survey No55/11	Bedrooms at Dunmore, Carrigans, Life Co. Donegal.		
Date 28th April 2023	Co.Donegai.		
Location Dunmore, Carrigans, Lifford, Co.Donegal.	Date: 28th April 2023 Scale: 1/500 & 1/2500.		
Client:G. & L. Black.	Scale: 1/500 & 1/2500.		
Drawn By: Patrick Canning. Architects. Ballylawn, Manorcunningham, Co.Donegal.	Drawn By: Patrick Canning Architects Ballylawn, Manorcunningham, Co.Donegal. Tel 086-3839004		
	Scale 1/2500 Ordnance Survey No55/11 Date 28th April 2023 Location Dunmore, Carrigans, Lifford, Co.Donegal. Client:G. & L. Black. Drawn By: Patrick Canning. Architects. Ballylawn, Manorcunningham,		







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

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W: www.ccdhunnangall.ie

Planning Services

E: planning@donegalcoco.ie

E-mail:sara@annschildrenscare.ie

Our Ref: S525/105

19 November 2025 Patrick McQuade

Re: Section 5 - Development consisting of a change of use as a house to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

A Chara,

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

Yours sincerely,

Donegal County Council Planning Services

1.0 INTRODUCTION

1.1 A Section 5 Declaration is sought by Patrick McQuade. The question posed under the Section 5 referral is as follows:

Is to seek a Section 5 exemption for development consisting of a change of use as a house to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. No change to the structure or design of the property.

2.0 SITE

2.1 The site is located in the rural area (F93 HH21) in the town land of Dunmore approx. 1.2km NE of Carrigans within an area of High Scenic Amenity. On site exists a 2-storey detached dwelling with attic accommodation and existing detached shed.

2.2 Planning History

<u>02</u>	4462	Application Finalised	Conditional	MARTIN MEEHAN	DUNMORE CARRIGANS	ERECTION OF TWO STOREY DWELLING HOUSE AND DETACHED GARAGE WITH SEPTIC TANK
<u>2</u> <u>3</u>	<u>5063</u> <u>9</u>	Applicatio n Finalised	Conditiona I	LAURENCE & GERALDIN E BLACK	CARRIGAN	CONVERSIO N OF ATTIC SPACE TO TWO BEDROOMS WITHIN DWELLING

3.0 EVALUATION

3.1 Planning and Development Act, 2000 (as amended)

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(1) sets out development which shall be exempted development.

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."

Definition of 'house' as set down in Part 1, Preliminary and General, 2; Interpretations; (1) is :- "a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building"

3.2 Planning and 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

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.

Schedule 2 Part 1 Exempted Development - General Change of Use Class 14

Development consisting of a change of use:-

(f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

Relevant Conditions and Limitations:

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

4.0 ASSESSMENT

The applicant has submitted accompanying information with the section 5 application. The total number of young people housed at the centre will be 6no. and the number of full-time staff will be 2no. The individuals housed at the facility require ongoing care due to mental health diagnosis, intellectual disabilities and physical disabilities. A such the proposal would fall under Schedule 2 Part 1 Exempted Development General Change of Use Class 14 iof the Planning & Development Regulations 2001 (as amended). The Planning authority had regard to Section 5 determinations made by An Bord Pleanála.

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:

Operation as a Residential Centre for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

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

Section 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1) and Schedule 2 Part 1 Exempted Development – General, Change of Use Class 14 of the Planning & 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 14 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

Signed:

Position: Executive Planner

Ryen Nolon

Date: 01/12/2025

Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
11/12/2025

Chief Executive's Order No: 2025PH3648

Planning and Development Acts 2000 (as amended)

SECTION 5:-

Request received 17th November 2025 from Patrick McQuade CEOL NA MARA, Newry Street, Carlingford, Co. Louth A91 HK07 in relation to the change of use from a house to use as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such at Dunmore, Carrigans, Co. Donegal F93 HH21.

SUBMITTED:-

Written request received 17th November 2025 as above and report dated 1st December 2025 from the Executive Planner (Ref. No: S5 25/105 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 DAY OF DECEMBER 2025



Chief Executive's Order No: 2025PH3648

Ref.No: S5 25/105

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, 4 and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1) and Schedule 2 Part 1 Exempted Development – General, Change of Use Class 14 of the Planning & 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 14 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

J512/12



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

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Planning Services

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Ref. No: S525/105

12th December 2025

PATRICK MCQUADE CEOL NA MARA NEWRY STREET CARLINGFORD CO. LOUTH A91 HK07

Re: Change of use from a house to use as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such at Dunmore, Carrigans, Co. Donegal F93 HH21.

A Chara.

I refer to your request received on 17TH November 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 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:

2025PH3648

Reference No:

S525/105

Name of Requester:

PATRICK MCQUADE CEOL NA MARA

NEWRY STREET CARLINGFORD CO. LOUTH A91 HK07

Summarised Description of development the subject matter of request:

Change of use from a house to use as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such

Location: Dunmore, Carrigans, Co. Donegal F93 HH21.

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, 4 and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1) and Schedule 2 Part 1 Exempted Development – General, Change of Use Class 14 of the Planning & 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 14 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

For Senior Ex. Planner Planning Services

Dated this 12th day of December 2025