

17.10.2025

Planning Department
Donegal County Council
County House
Lifford
Co. Donegal



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

Planning Services

RECEIVED DATE: 18/10/2025

RE Section 5 Application for declaration on development and exempted development on behalf of Michael Ryan at Dromore, Letterkenny, Co. Donegal for a sunroom extension to existing detached dwelling house.

Dear Sir/Madam

In connection with the above Section 5 application, we are of the opinion that Class 1 of Part 1 of Schedule 2 of the Planning Regulations for Exempted Development for domestic extensions applies to the sunroom extension onto the existing detached dwelling house at Dromore, Letterkenny and we kindly seek your declaration of same. We enclose the following documentation to include when considering this application;

1. Completed Section 5 Application Form (application fee €80.00 paid 17.10.2025 receipt ref: 666391)
2. Photo of existing detached dwelling house with sunroom extension
3. Drawings comprising;
 - P001 Site Location Map Scale 1:1000
 - P002 Site Layout Plan Scale 1:500
 - P003 Elevations, Plans & Section Scale 1:100

I trust the above is satisfactory and I look forward to hearing from you.

Yours faithfully

Patrick Gallagher MArch PGDip MRIAI(IRE) ARB
Director
Studio Gallagher



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

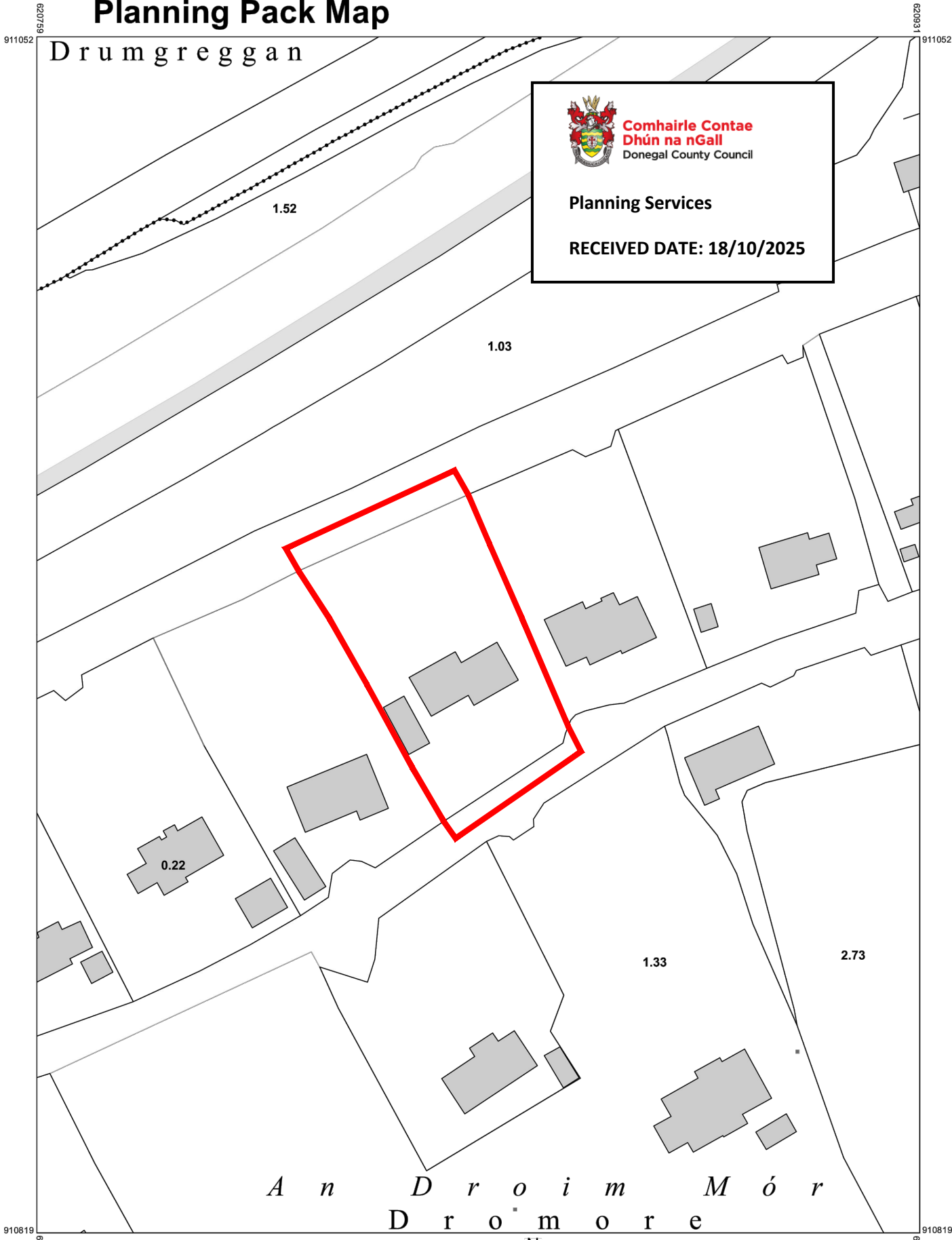
Name of Applicant(s):	
Agent Name: (if applicable)	
Location of Proposed Development / Works: (Townland or postal address as appropriate and Eircode if available)	
Description of Proposed Development including details of works (where applicable): (Only works listed below will be assessed under <u>this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



Is the development a Protected Structure or within the curtilage of a Protected Structure?	Yes	No
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
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	
Signature of Applicant/Agent:	
Date:	

Planning Pack Map





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

Planning Services

RECEIVED DATE: 18/10/2025

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
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D08F6E4

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**CENTRE
COORDINATES:**
ITM 620845,910936

PUBLISHED:
17/10/2025

MAP SERIES:
1:2,500

ORDER NO.:
50496942_1

MAP SHEETS:
0284-A

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
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LEGEND: To view the legend visit
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1. All boundaries, dimensions and levels are to be checked on site before construction and any discrepancies are to be reported to the Architect.
2. Partial Service: Any discrepancies with site or other information is to be advised to the Architect and direction or approval is to be sought before the implementation of the detail.
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5. For the purpose of coordination, all relevant parties must check this information prior to implementation and report any discrepancies to the Architect.

LEGEND.

INDICATES SITE BOUNDARY

PLANNING

Studio Gallagher

CL300, CoLab, Port Road, Letterkenny, Co. Donegal. F92 C5XK
t: 087 392 7840
w: studiogallagher.ie

Project
Sunroom Extension onto Existing Dwelling
House at Dromore, Letterkenny

Client
Michael Ryan

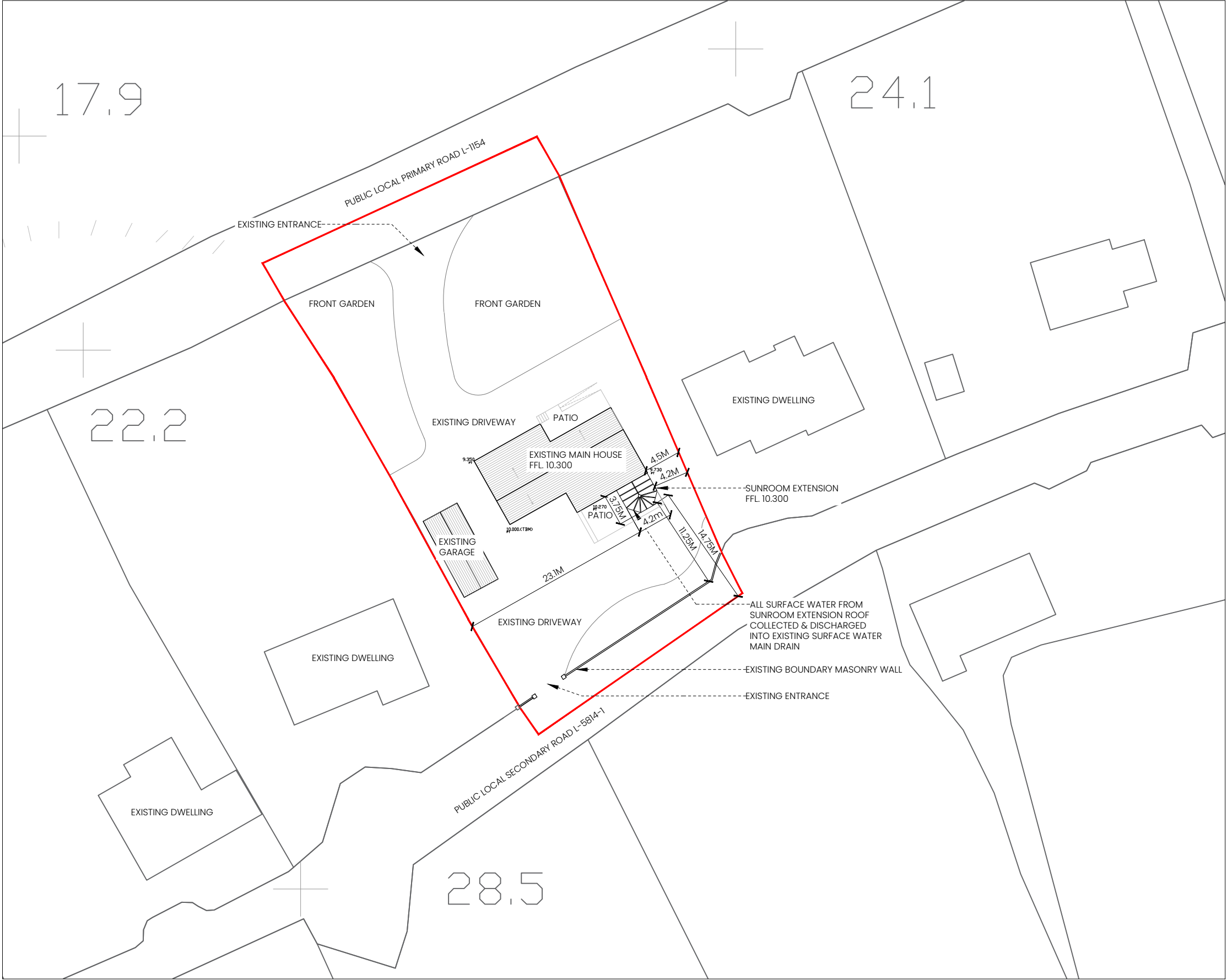
Drawing
SITE LOCATION MAP

Job No	Reg No	Rev No	Status
1023	(P)001	00	PLANNING
Scale	Date	Drawn by	Checked by
1:1000@A3	Oct-25	FB	PG



Planning Services

RECEIVED DATE: 18/10/2025

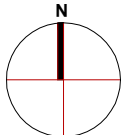


SITE LAYOUT PLAN
SCALE 1:500

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LEGEND.

INDICATES SITE BOUNDARY



PLANNING

Revisions	REV No	DATE	NOTE
	00	17.10.25	PLANNING

Studio Gallagher

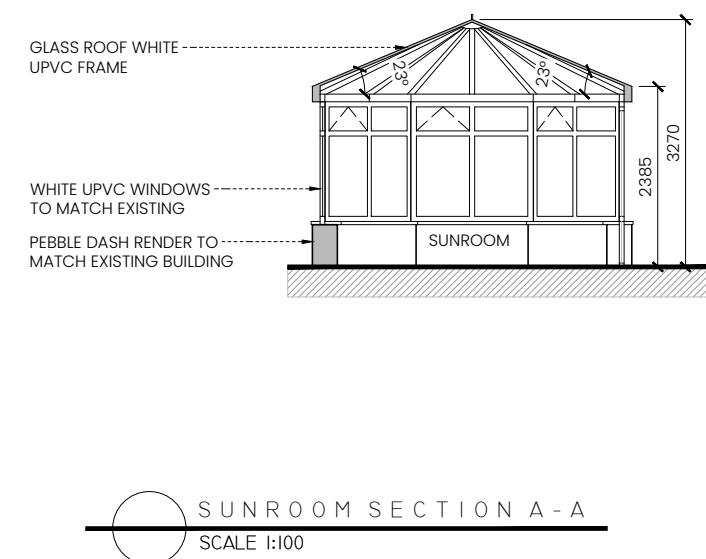
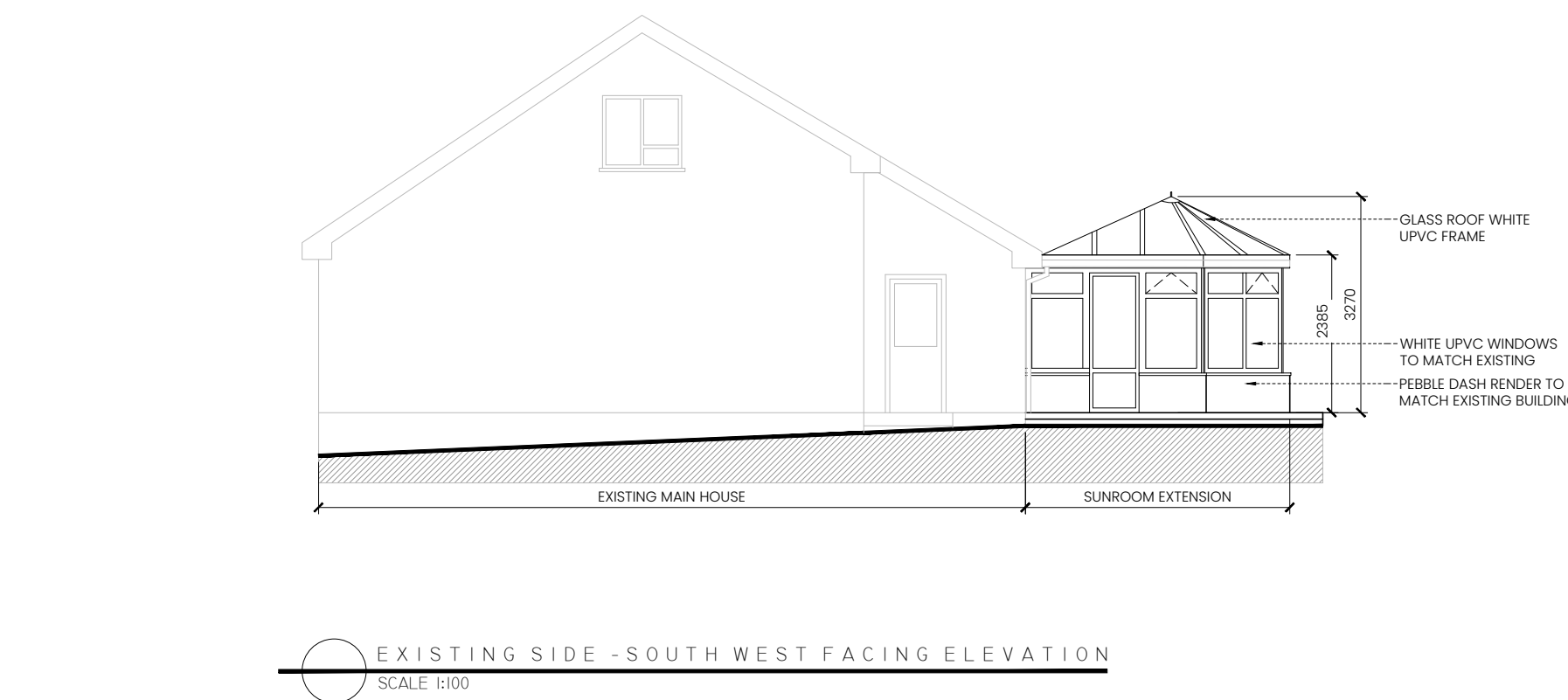
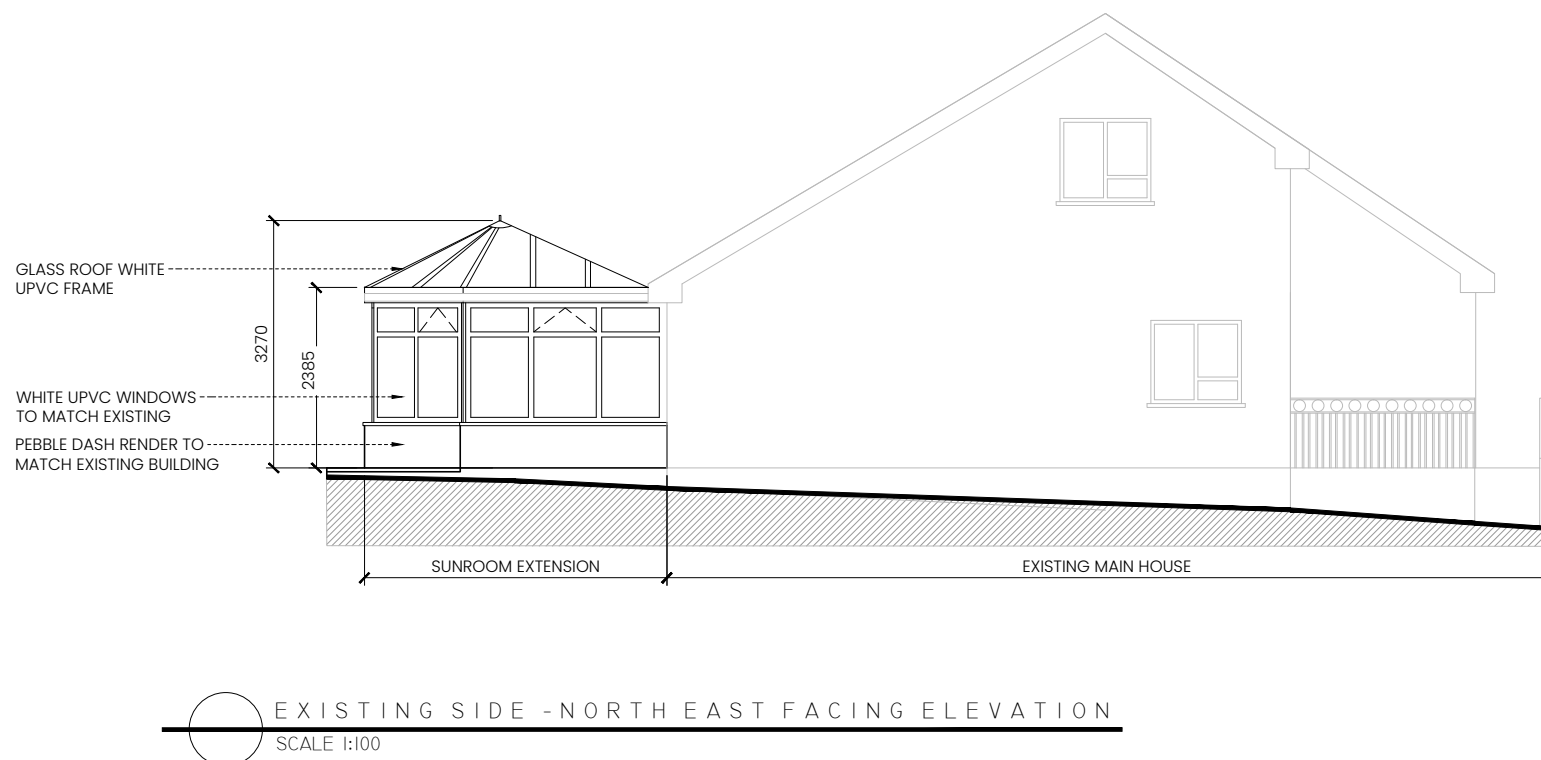
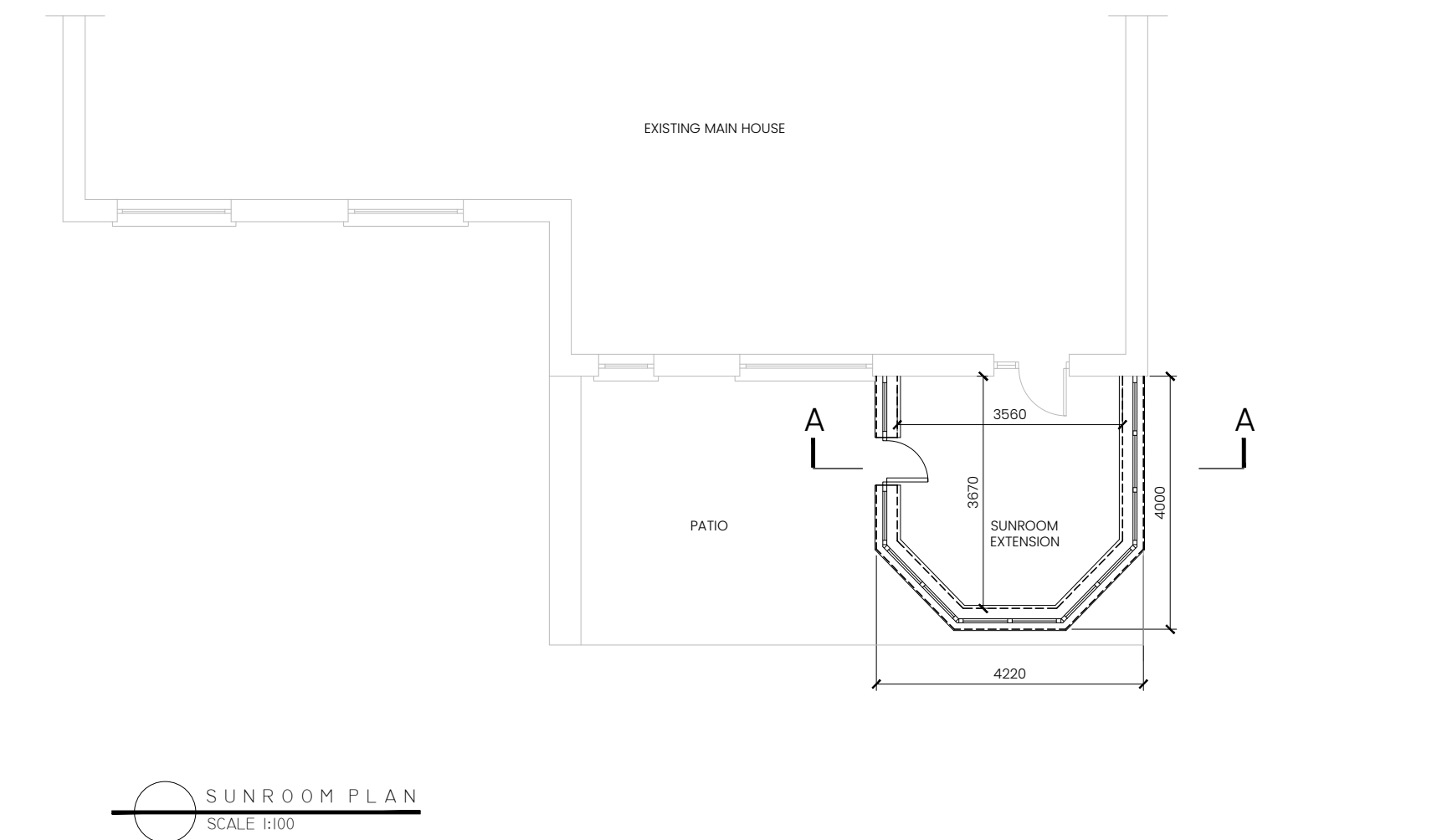
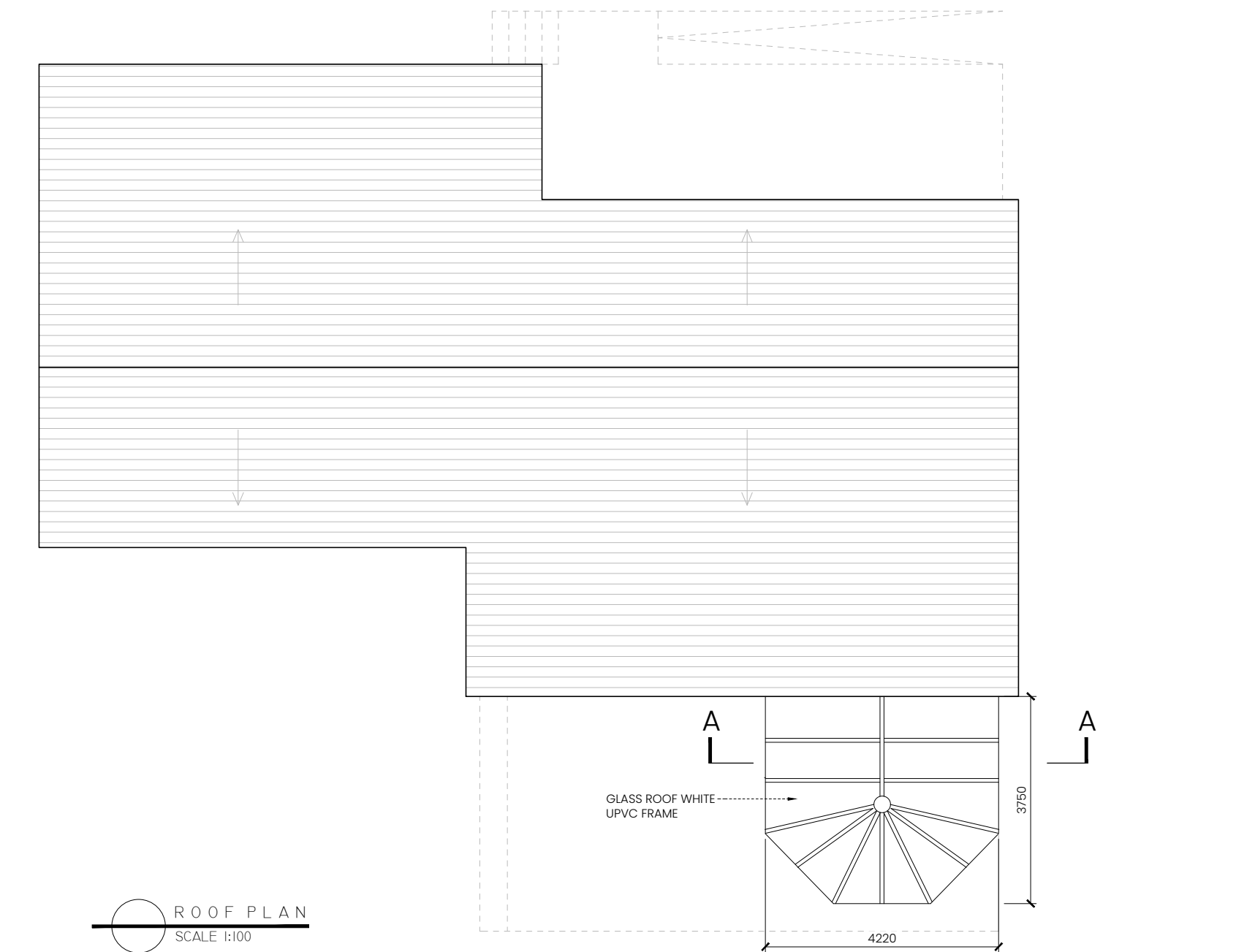
CL300, CoLab, Port Road, Letterkenny, Co. Donegal. F92 C5XK
t: 087 392 7840
w: studiogallagher.ie

Project
Sunroom Extension onto Existing Dwelling House at Dromore, Letterkenny

Client
Michael Ryan

Drawing
SITE LAYOUT PLAN

Job No	Reg No	Rev No	Status
1023	(P)002	00	PLANNING
Scale	Date	Drawn by	Checked by
1:500@A3	Oct-25	FB	PG



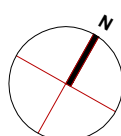
Planning Services

RECEIVED DATE: 18/10/2025

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AREA SCHEDULE			
SUNROOM EXTENSION FLOOR AREA	SQ.M	SQ.FT	SQ.M
	12.25	132.9	

PLANNING



0 1 2 4 5M
1/100 @ A1

Revisions	REV No	DATE	NOTE
	00	17.10.25	PLANNING

Studio Gallagher

CL300, ColLab, Port Road, Letterkenny, Co. Donegal. F92 CSXK
t: 087 392 7840
w: studiogallagher.ie

Project
Sunroom Extension onto Existing Dwelling House at Dromore, Letterkenny

Client
Michael Ryan

Drawing
ELEVATIONS, PLANS & SECTION

Job No	Reg No	Rev No	Status
1023	(P)003	00	PLANNING
Scale	Date	Drawn by	Checked by
1:100@A1	Oct-25	FB	PG



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

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Leifear,
Contae Dhún na nGall, F93 Y622

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W: www.donegalcoco.ie
W: www.ccdhunnangall.ie

Planning Services
E: planning@donegalcoco.ie

Our Ref: S525/89

E-mail: patrick@studiogallagher.ie

20th October, 2025

Michael Ryan
C/o Patrick Gallagher
Studio Gallagher
CoLab, Port Road
Letterkenny
Co. Donegal

Re: Section 5 – Sunroom extension to existing detached dwelling house at Dromore, Letterkenny, Co Donegal.

A Chara,

I wish to acknowledge receipt of your application received on **18th October, 2025** in relation to the above.

Yours sincerely,

Martina Parke

Donegal County Council
Planning Services



SECTION 5 REFERRAL REPORT – Ref. No: S5 25/89

1.0 BACKGROUND

1.1 Location:

Dromore, Letterkenny, Co. Donegal F92 C2NA.

1.2 Site Description:

The site is occupied by an existing 1.5 storey dwelling house and is located within the settlement of Letterkenny.

1.3 Planning History

No planning history available. The planning status of the existing dwelling will need to be confirmed.

1.4 Proposed Development:

A sunroom extension has been constructed to the rear of the existing dwelling. The exact size of the extension has not been stated, however is is <13m² having regard to the stated measurements.

2.0. THE QUESTION

The applicant Michael Ryan, 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 or not the following is exempt from planning permission

- (i) Sunroom extension to existing detached dwelling house

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 define, 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(2)(a)

The Minister may by **regulations** provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that –

- (i) “by reason of the size, nature, or limited effect on its surroundings.....”
- (ii) “the development is authorised, or is required to be authorised, by or under any enactment....”

Section 4(2)(b)

“Regulations under paragraph (a) maybe subject to conditions and be of general application or apply to such area or place as may be specified in the regulations.”

Section 4(2)(c)

“Regulations under this subsection may, in particular and without prejudice to the generality of paragraph (a) provide, in the case of structures or other land used for a purpose of any specified class, for the use thereof for any other purposes being exempted development for the purposes of this Act”.

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 and Development Regulations, 2001 (as amended)

Article 6(1)

Subject to Article 9, development of 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(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 -

Sub-paragraphs (i) – (xii) (inclusive)

Class 1 of Part 1 of Schedule 2 (*Exempted Development – General*)
(*Development within the curtilage of a dwellinghouse*)

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

Conditions and Limitations:

- 1(a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.
- (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.
- (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.
- 2(a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.
- (b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.
- (c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.
3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.
- 4 (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

- (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.
 - (c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.
5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.
- 6(a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.
- (b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.
- (c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.
7. The roof of any extension shall not be used as a balcony or roof garden.

4.0 ASSESSMENT

4.1 Consideration of the development against the conditions and limitations detailed above as follows:

- The extension is single storey, below the 40sqm threshold and located to the rear of the detached dwelling.
- A minimum area of garden space of at least 25sqm is retained.
- It is noted that the sunroom brings the building line 14.75m from the centreline of the public road however is set back from the established building line along the roadside.

4.2 Consideration has also been given to the proximity to the site to any Natura 2000 sites, the closest being the Lough Swilly SAC/SPA located 600m away. Having regard to the scale and nature of the proposed development on, alongside the physical distances from the nearest Natura 2000 site, and no known direct hydrological links, it is not considered that the proposed development would be likely to have any significant effect, individually or in combination with any other plan or project, and it is considered that Screening for Appropriate Assessment is not required in this instance.

5.0 CONCLUSION

- Insufficient information has been submitted to enable the Planning Authority to determine if the existing dwelling has the benefit of planning permission, if any extensions/alterations have previously taken place and ultimately whether the development can be considered exempted development.

6.0 RECOMMENDATION

Further information is required to enable the Planning Authority to issue a response to the submitted Section 5 application.

1. Applicant to confirm the planning status of the existing property.

Signed:



Position: Assistant Planner

Date: 28th October 2025



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
28/10/2025

Chief Executive's Order No: 2025PH3173

Planning and Development Acts 2000 (as amended)

SECTION 5:-

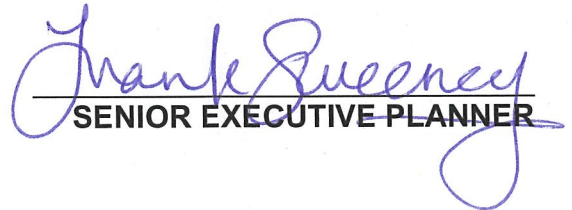
Request received 18th October 2025 from Michael Ryan C/O Studio Gallagher Limited, CL300, CoLab, Port Road, Letterkenny, Co. Donegal, F92 C5XK in relation to the construction of an extension to existing detached dwelling house at Dromore, Letterkenny, Co. Donegal, F92 C2NA.

SUBMITTED:-

Written request received 18th October 2025 as above and report dated 28th October 2025 from the Assistant Planner (Ref. No: S525/89 refers) recommending that further information be sought in accordance with Section 5 (2) (b) of the Planning & Development Act 2000 (as amended).

ORDER:-

Recommendation approved. Having considered the said request and the report of the Assistant Planner dated 28th October 2025, I hereby order, pursuant to Section 5 (2) (b) of the Planning & Development Act 2000 (as amended) that a request for further information be sought from the requester and the developer to submit the information/documents stipulated in the Schedule to this Order.


SENIOR EXECUTIVE PLANNER

DATED THIS 31st DAY OF OCTOBER 2025

Ref. No: S525/89 – Chief Executive's Order No: 2025PH3173

SCHEDULE

1. Applicant to confirm the planning status of the existing property.

JS 31/10



**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

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W: www.donegalcoco.ie
W: www.ccdhunnangall.ie

Planning Services
E: planning@donegalcoco.ie

Ref.No: S525/89

31st October 2025

MICHAEL RYAN
C/O STUDIO GALLAGHER LIMITED
CL300 COLAB, PORT ROAD
LETTERKENNY
CO. DONEGAL
F92 C5XK

**Re: Construction of an extension to existing detached dwelling house at Dromore,
Letterkenny, Co. Donegal, F92 C2NA**

A Chara

I refer to your request received 18th October 2025 under Section 5 of the Planning and Development Act, 2000 (as amended). Pursuant to Section 5 (2) (b) of the Planning & Development Act 2000 (as amended) you are hereby requested to submit the information/documents stipulated on the attached Schedule.

Mise le meas

**for Senior Ex. Planner
Planning Services**

/RMcC



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

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

County House,
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W: www.ccdhunnangall.ie

Planning Services
E: planning@donegalcoco.ie

Ref.No: S525/89

31st October 2025



Planning Services

RECEIVED DATE: 04/11/2025

MICHAEL RYAN
C/O STUDIO GALLAGHER LIMITED
CL300 COLAB, PORT ROAD
LETTERKENNY
CO. DONEGAL
F92 C5XK

**Re: Construction of an extension to existing detached dwelling house at Dromore,
Letterkenny, Co. Donegal, F92 C2NA**

A Chara

I refer to your request received 18th October 2025 under Section 5 of the Planning and Development Act, 2000 (as amended). Pursuant to Section 5 (2) (b) of the Planning & Development Act 2000 (as amended) you are hereby requested to submit the information/documents stipulated on the attached Schedule.

Mise le meas

**for Senior Ex. Planner
Planning Services**

/RMcC

Ref. No: S525/89 – Chief Executive's Order No: 2025PH3173

SCHEDULE

1. Applicant to confirm the planning status of the existing property.

JS 31/10

04.11.2025

Planning Department
Donegal County Council
County House
Lifford
Co. Donegal



Comhairle Contae
Dhún na nGall
Donegal County Council

Planning Services

RECEIVED DATE: 04/11/2025

Section 5 Application for declaration on development and exempted development on behalf of Michael Ryan at Dromore, Letterkenny, Co. Donegal for a sunroom extension to existing detached dwelling house.

Ref. No. S525/89 – Chief Executive's Order No: 2025PH3173

Dear Sir/Madam,

In connection with the above Section 5 application and letter dated 31st October 2025 received from Donegal County Council, seeking to confirm the planning status of the existing property, we wish to confirm the existing property obtained planning permission approval in 1978, planning application reference T.1050/77.

I trust the above is satisfactory.

Yours faithfully,

A handwritten signature in blue ink, reading "Patrick Gallagher".

Patrick Gallagher MArch PGDip MRIAI(IRE) ARB
Director
Studio Gallagher

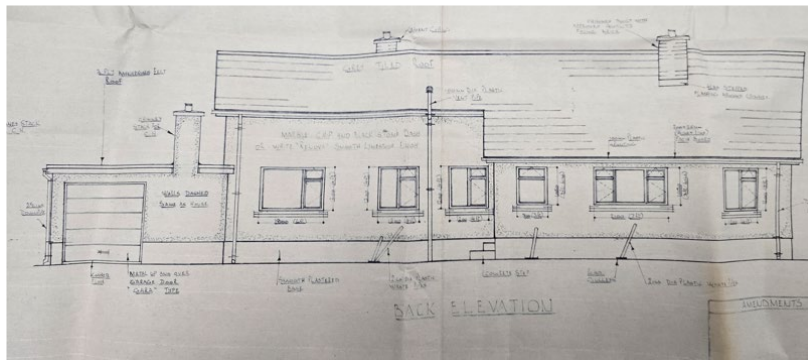
SECTION 5 REFERRAL REPORT – Ref. No: S25/89

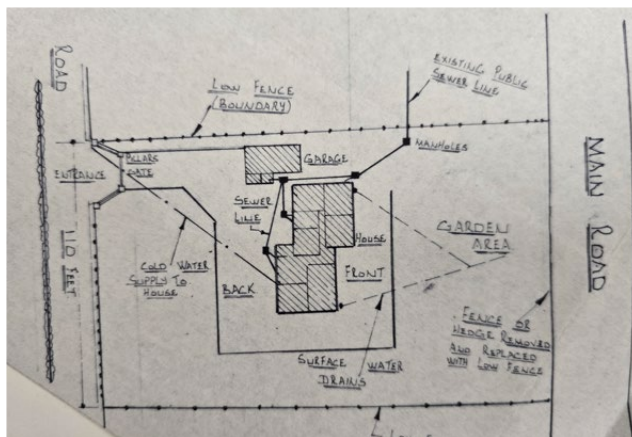
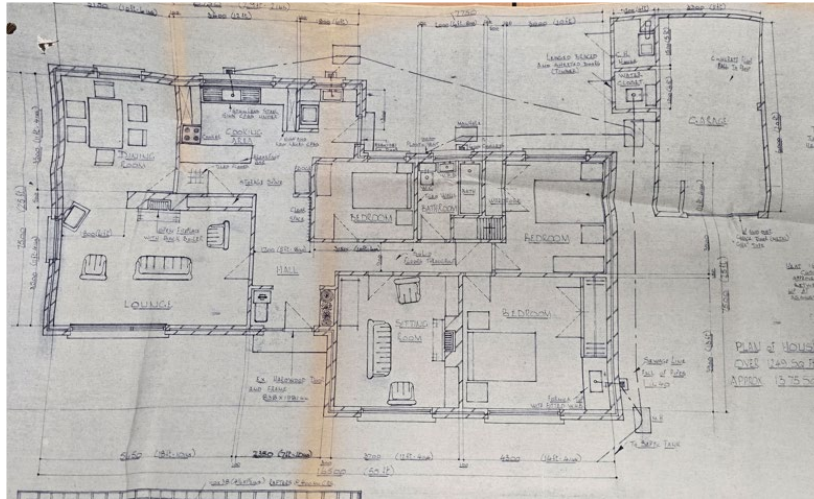
1.0 ASSESSMENT TO DATE

- 1.1 Please refer to initial report by Leona Finlay dated 28th October 2025.
- 1.2 Further Information was requested on 31st October 2025 in respect of the following:
 1. *Applicant to confirm the planning status of the existing property.*

2.0 FURTHER ASSESSMENT FOLLOWING RECEIPT OF FURTHER INFORMATION

- 2.1 A response was received from the applicant on 5th November which confirms the existing property obtained planning permission approval in 1978, planning application reference T.1050/77. A copy of the approved plans has been included below which confirms the elevation facing L-5814-1 to be the rear elevation. On comparison it appears that two additional FF windows have been included along the rear elevation however overall, the property is not considered to be materially different to that granted. It is also noted that an additional entrance has been taken from the L-1154-1 road however this would be a separate enforcement matter as the Section 5 referral is not contingent on same.





3.0 **ASSESSMENT**

Following re-consideration of this proposal, and having regard to the house plans associated with the original grant of planning permission, it is considered that the development falls within the scope of the said Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

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:

Existing extension constructed to the rear of an existing dwelling.

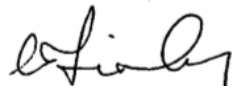
The Planning Authority in considering this referral, had regard particularly to:

Section 2, 3, and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1) and Class 1 of Part 1 of Schedule 2 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 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) and complies with relevant limitations to the Class exemptions.

Signed:



Position: Assistant Planner

Date: 11th November 2025



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
19/11/2025

Chief Executive's Order No: 2025PH3422

Planning and Development Acts 2000 (as amended)

SECTION 5:-

Request received 18th October 2025 and Further Information received 4th November 2025 from Michael Ryan C/O Studio Gallagher Ltd, CL300, CoLab, Port Road, Letterkenny, Co. Donegal F92 C5XK in relation to the sunroom extension to existing detached dwelling house at Dromore, Letterkenny, Co. Donegal F92 C2NA.

SUBMITTED:-

Written request received 18th October 2025 and Further Information received 4th November 2025 as above and report dated 11th November 2025 from the Executive Planner (Ref. No: S5 25/89 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 20th DAY OF NOVEMBER 2025

Chief Executive's Order No: 2025PH3422

Ref.No: S5 25/89

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) and Articles 6(3), 9(1) and Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

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JS 20/11



**Comhairle Contae
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W: www.ccdhunnangall.ie

Planning Services
E: planning@donegalcoco.ie

Ref. No: S525/89

20th November 2025

MICHAEL RYAN
C/O STUDIO GALLAGHER LTD,
CL300, COLAB,
PORT ROAD,
LETTERKENNY,
CO. DONEGAL
F92 C5XK

**Re: Sunroom extension to existing detached dwelling house at Dromore, Letterkenny,
Co. Donegal F92 C2NA.**

A Chara,

I refer to your request received on 18th October 2025 and Further Information received 4th 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: 2025PH3422

Reference No: S525/89

Name of Requester: MICHAEL RYAN
C/O STUDIO GALLAGHER LTD,
CL300, COLAB,
PORT ROAD,
LETTERKENNY,
CO. DONEGAL
F92 C5XK

Summarised Description of development the subject matter of request:

Sunroom extension to existing detached dwelling house

Location: Dromore, Letterkenny, Co. Donegal F92 C2NA.

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) and Articles 6(3), 9(1) and Class 1 of Part 1 of Schedule 2 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 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) and complies with relevant limitations to the Class exemptions.



For Senior Ex. Planner
Planning Services

Dated this 20th day of November 2025