

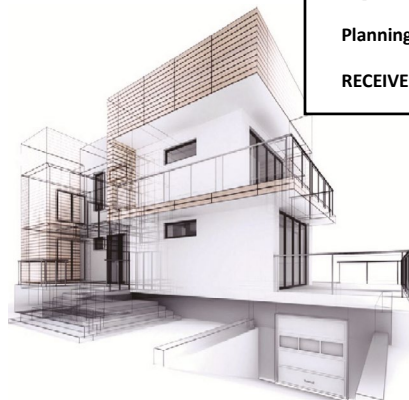
October House Designs Ltd.

Planning Services
Corlea,
Ballyshannon,
Co. Donegal.

Tel: 086 2217173
Email: info@octoberhouse.org

Planning Services
Donegal County Council,
County House,
Lifford.
F93 Y622

05/02/2026



RE: Section 5 application for removal of existing roof sheeting and installation of new roof sheeting on farm sheds at Heneys, Donegal Town on behalf of Lee Morrow

A Chara,

I am attaching an application for a Section 5 opinion on the above-mentioned development. My client is removing old sheeting from existing farm sheds at his farm complex at Heneys, Donegal Town. The works will be grant aided and as such require confirmation of Exempted Development by way of Section 5 Opinion which is to be furnished to the Dept of Agriculture. The shed rooves affected are shown in Fig.1 and Fig.2. The rooves to be replaced are currently leaking and in need of repair as it seems they will not survive too many more storm seasons. The new sheeting will be painted as per Class 6 exemption requirements.

Please do contact me directly on 086 2217173 should you require clarifications on any matters arising.

Mise le meas,



J. Martin McLaughlin
B.Eng hons C.Eng MIEI

Fig.1



Shed Roof 1

Fig.2



Shed Roof 2



SECTION 5 APPLICATION

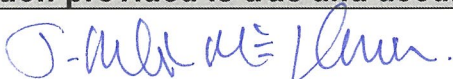
FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

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

Name of Applicant(s):	Lee Morrow
Agent Name: (if applicable)	October House Designs Ltd.
Location of Proposed Development / Works: (Townland or postal address as appropriate and Eircode if available)	Heneys Donegal Town 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)	
Changing existing roof sheets on existing Agricultural Sheds. Confirmation of an exemption is required for Grant Application purposes.	



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:	OWNER	
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:	0720006/941699	
Are you aware of any enforcement proceedings connected to the site? If so, please supply details:	NO	

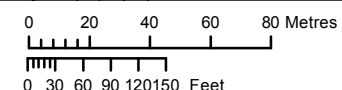
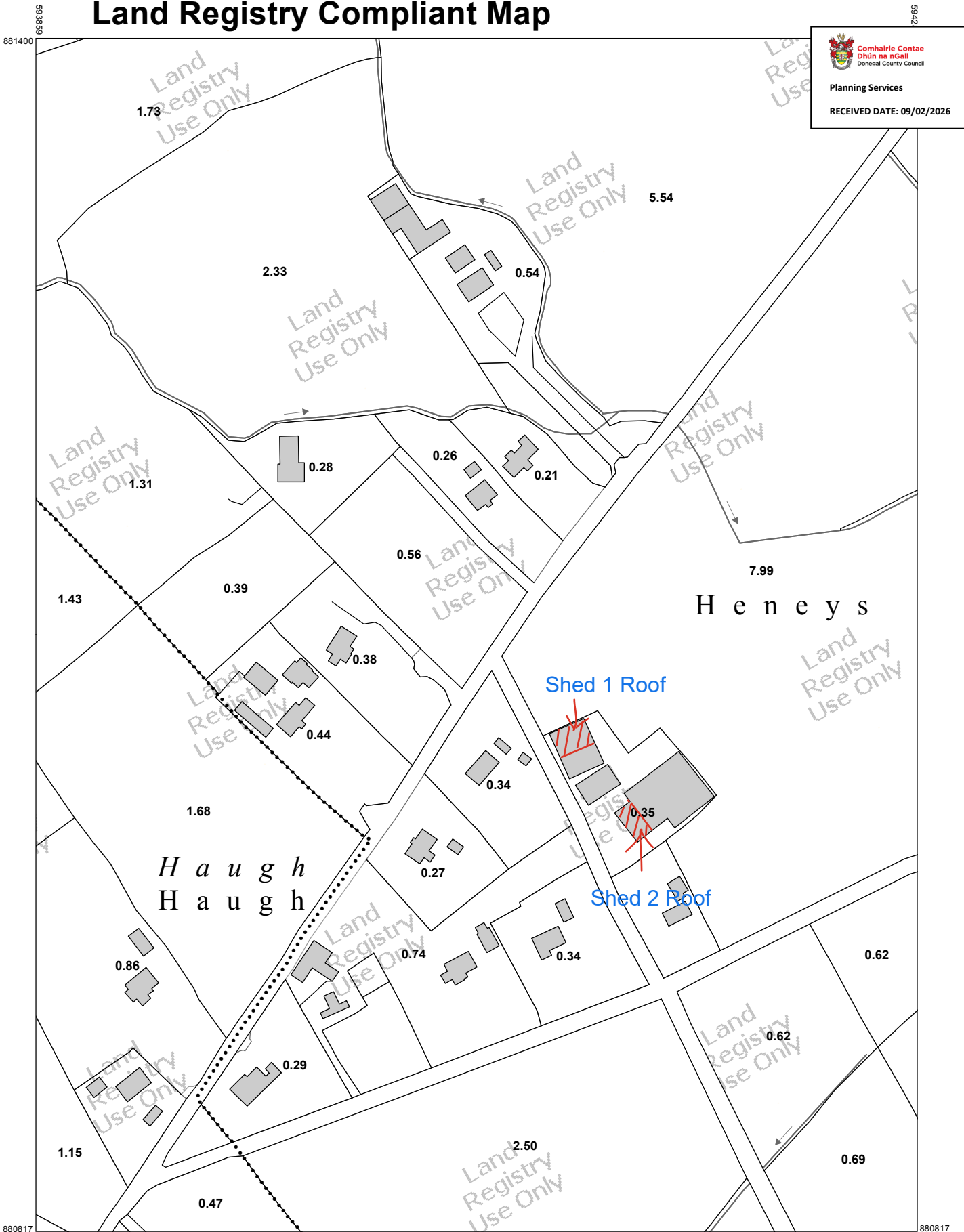
I hereby certify that the information provided is true and accurate	
Signature of Applicant/Agent:	
Date:	05/02/2026

Land Registry Compliant Map



Planning Services

RECEIVED DATE: 09/02/2026



OUTPUT SCALE: 1:2,500



CENTRE COORDINATES:
ITM 594074,881109

PUBLISHED: 09/02/2026
ORDER NO.: 50516973_1
MAP SERIES: 1:5,000
MAP SHEETS: 0534

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

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Planning Services
E: planning@donegalcoco.ie

E-mail: martin@octoberhouse.org

Our Ref: S526/16

9th February 2026

Lee Morrow,
C/o October House Design Ltd,
Corlea,
Ballyshannon,
Co. Donegal

Re: Application to determine if changing the existing roof sheets on existing agricultural sheds at Heneyes, Donegal Town, Co. Donegal is “exempted development” or not.

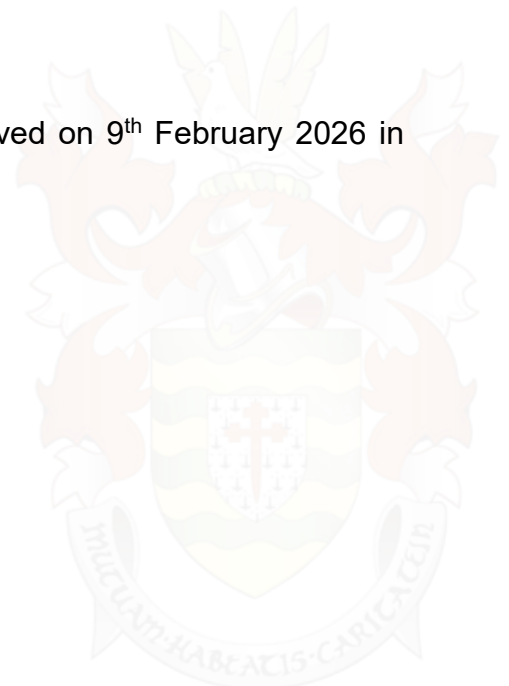
A Chara,

I wish to acknowledge receipt of your application received on 9th February 2026 in relation to the above.

Yours sincerely,

Jade Pearson

Donegal County Council
Planning Services



SECTION 5 REFERRAL REPORT – Ref.No: 26/16

Donegal County Council

1.0 COMMENTS

The subject site is an existing agricultural farm yard at Heneys, Donegal Town.

The proposed works are as follows:

1. Changing of existing roof sheets on existing agricultural sheds.

The existing farm yard is not on the Council's Record of Protected Structures nor is it included on the National Inventory of Architectural Heritage. The site is located within an area designated as Structurally Weak and as High Scenic Amenity in the County 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".

Section 4 of the Planning and Development Act 2000 (as amended)

'(1) The following shall be exempted developments for the purposes of this Act

–

(h) development consisting of the carrying out of works for the maintenance, improvement or other 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.'

4.0 ASSESSMENT

4.1 Consideration of Proposed Development:

- (i) The subject site is within an existing farm yard.
- (ii) The proposed works are to replace existing roof sheets on farm buildings internal and new sheets will be painted. This is necessary as the existing sheets are leaking.
- (iii) It is considered that the proposed works noted above constitute "development" within the meaning of the Act, being works, but is exempted development coming within the scope of Section 4 (h) of the Planning & Development Act 2000 (as amended) .

- (iv) Appropriate assessment is not a consideration in the assessment of this referral.

4.2 Conclusion:

It is considered that:

Replacement of roof sheets within a farm yard with similar painted sheets constitutes “development” within the meaning of the Act, being works, but is exempted development under the scope of Section 4 (h) of the Planning & Development Act 2000 (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.

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 roof sheets within a farm yard with similar painted sheets

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

- (a) Section 2 (i), 3 (i), 177U (9) and
- (b) 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).

A. Quinn

Executive Planner
Development Applications Unit
20/02/2026.

JS

Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
23/02/2026

DONEGAL COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED)

**Chief Executive
Order No:**

2026PH0551

Ref Number:

S526/16

Section 5:

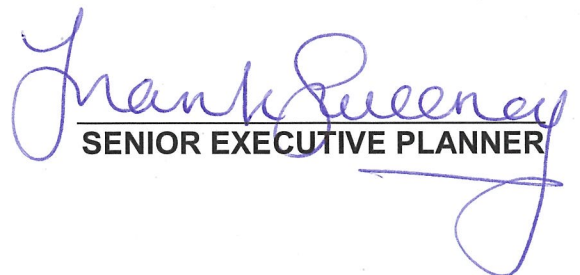
Request received 9th February 2026 from Lee Morrow C/o October House Designs Ltd, Corlea, Ballyshannon, Co. Donegal F94 HDT7 in relation to the changing of existing roof sheets on existing agricultural sheds at Heneys, Donegal Town, Co. Donegal.

Submitted:

Written request received 9th February 2026 as above and report dated 20th February 2026 from the Planner (Ref. No: S5 26/16 refers).

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 27th DAY OF FEBRUARY 2026



Ref. No: S526/16 - Chief Executive Order No: 2026PH0551

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 (i), 3 (i), 177U (9) and
- 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** coming within the scope of Section 4 (1) (h) of the Planning & Development Act 2000 (as amended).

JS 27/02



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

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Planning Services
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Ref. No: S526/16

27th February 2026

LEE MORROW
C/O OCTOBER HOUSE DESIGNS LTD
CORLEA
BALLYSHANNON
CO. DONEGAL
F94 HDT7

Re: Changing of existing roof sheets on existing agricultural sheds at Heneys, Donegal Town, Co. Donegal.

A Chara,

I refer to your request received on 9th 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: 2026PH0551
Reference No: S526/16
Name of Requester: LEE MORROW
C/O OCTOBER HOUSE DESIGNS LTD
CORLEA
BALLYSHANNON
CO. DONEGAL
F94 HDT7

Summarised Description of development the subject matter of request:

Changing of existing roof sheets on existing agricultural sheds.

Location: Heneys, Donegal Town, Co. Donegal.

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

IS Development

IS Exempted Development

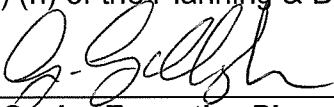
WITHIN THE MEANING OF THE ABOVE ACT

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

- Section 2 (i), 3 (i), 177U (9) and
- 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** coming within the scope of Section 4 (1) (h) of the Planning & Development Act 2000 (as amended).



**For Senior Executive Planner
Planning Services**

Dated this 27th day of February 2026