

**From:** [CARMEL KELLY](#) on behalf of [planning mailbox](#)  
**To:** [MARTINA PARKE \(PLANNING\)](#)  
**Subject:** FW: Section 5 Application (Declaration on Exempted Development) Donegal MD- FAO: Caitrin Lynch / Aideen Quinn  
**Date:** 05 March 2026 13:55:32  
**Attachments:** [image001.png](#)  
[Cover Letter and Fee Details.pdf](#)  
[section-5 form signed.pdf](#)  
[Letter from OT.pdf](#)  
[05 Proposed Extension to Dwelling at 9 Wilsons Creek, Rossylongan for Siobhan Mc Laughlin.pdf](#)

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**From:** McCullagh Architecture <info@mccullagh.ie>  
**Sent:** 05 March 2026 13:52  
**To:** planning mailbox <Planning@Donegalcoco.ie>  
**Subject:** Section 5 Application (Declaration on Exempted Development) Donegal MD- FAO: Caitrin Lynch / Aideen Quinn

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**Re: Section 5 Application (Declaration on Exempted Development)**

**Applicant: Siobhan Mc Cormack – Property at Wilsons Creek, Rossylongan, Co. Donegal**

**Eircode: F94 H5F2**

**Previous Planning Ref: 00/152**

Dear Aideen / Caitrin,

I refer to the above property and attach a Section 5 application for your consideration.

Should you have any queries please let me know.

Kind regards

Barry McCullagh



**McCULLAGH**  
ARCHITECTURE  
& SURVEYING

**Mc Cullagh**  
Architecture & Surveying Limited

Architectural Design & Building Surveying  
Registered Loss Assessors & Access Auditors

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[www.mccullagh.ie](http://www.mccullagh.ie)

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

## 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](mailto:planning@donegalcoco.ie)**

<b>Name of Applicant(s):</b>	Siobhan Mc Cormack
<b>Agent Name:</b> (if applicable)	McCullagh Architecture & Surveying
<b>Location of Proposed Development / Works:</b> (Townland or postal address as appropriate and Eircode if available)	9 Wilsons Creek, Rosssylongan, Donegal, F94 H5F2
<b>Description of Proposed Development including details of works (where applicable):</b> (Only works listed below will be assessed under <u>this</u> section 5 application)	
Extension measuring 40 sq.m to the rear side (South) elevation. See attached cover / support letter.	

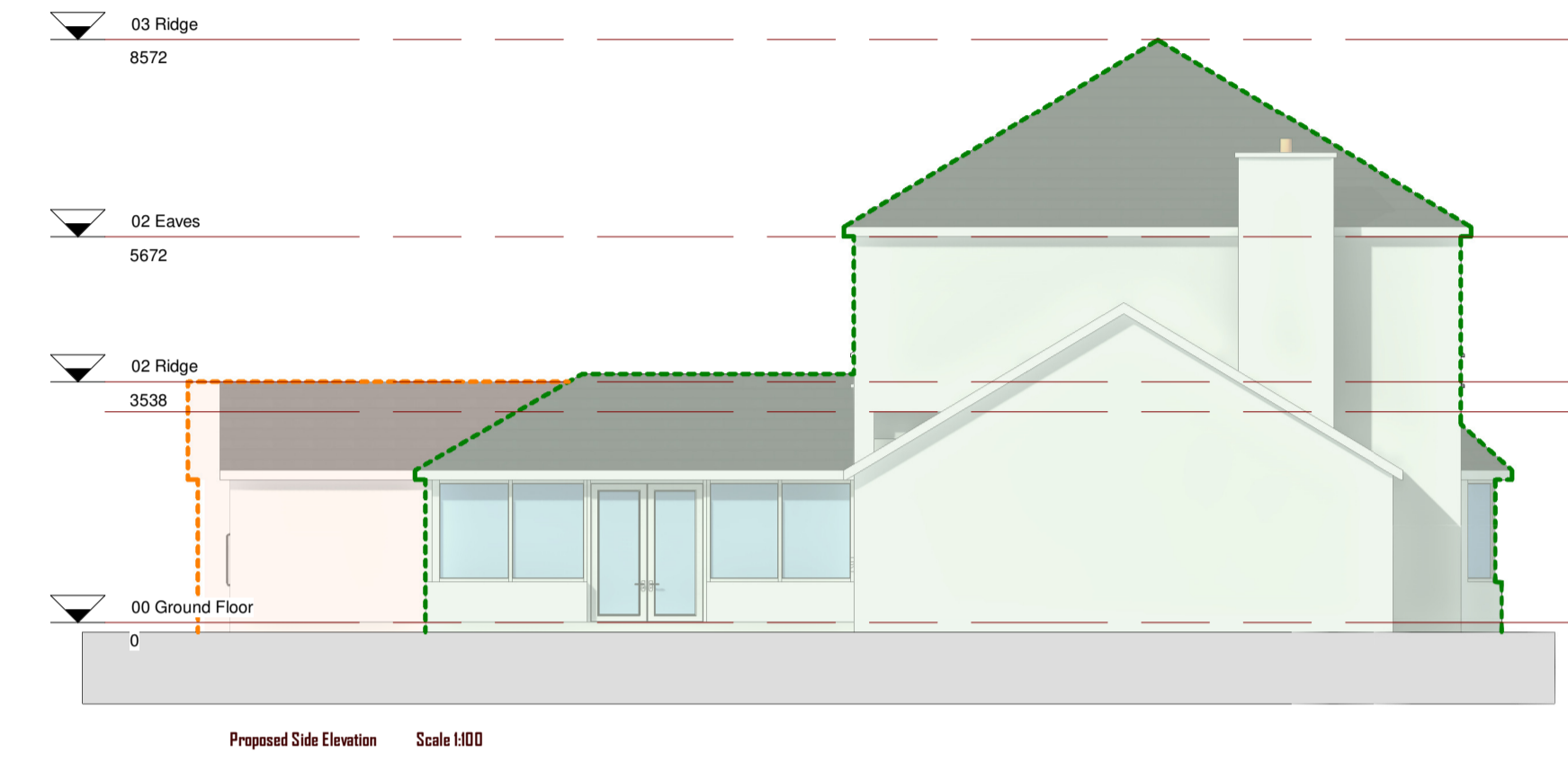
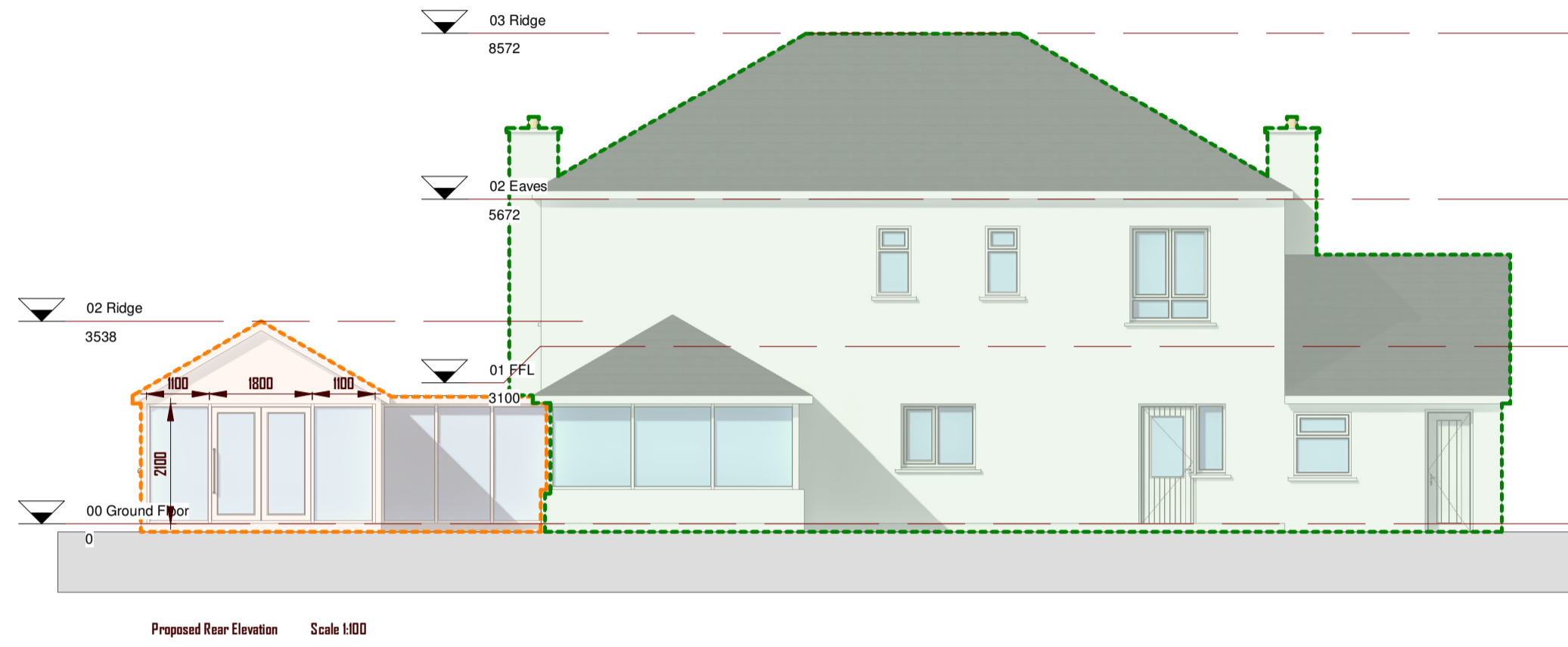
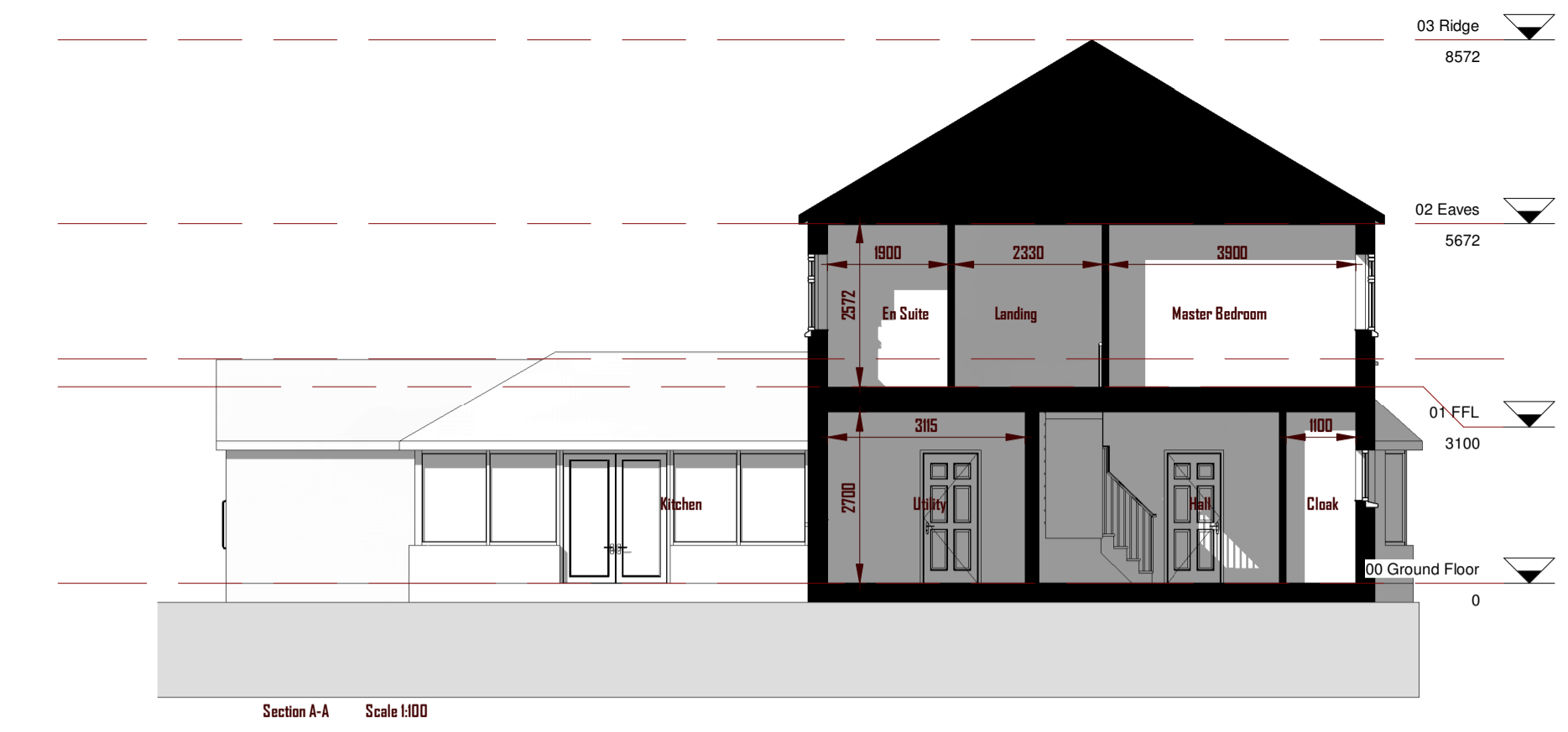
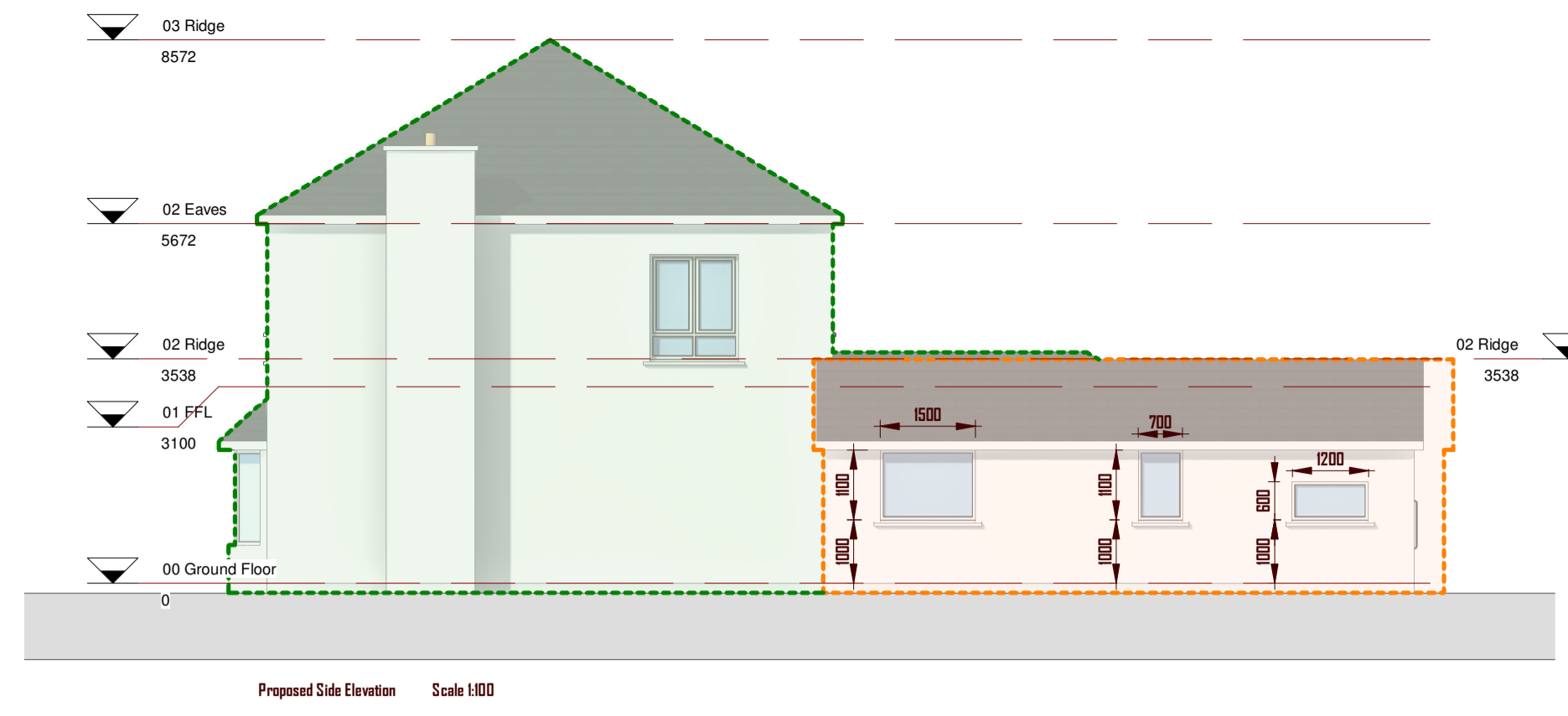
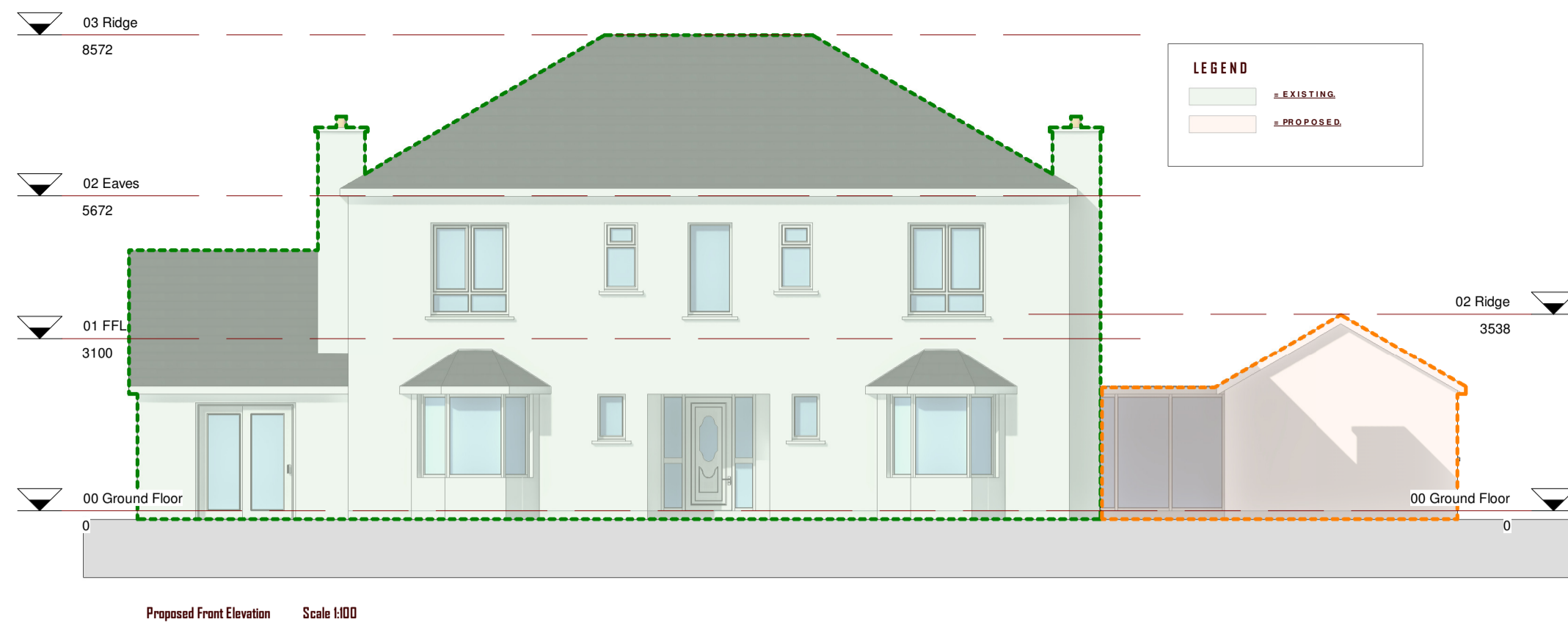


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Dhún na nGall**  
Donegal County Council

<b>Is the development a Protected Structure or within the curtilage of a Protected Structure?</b>	<b>Yes</b>	<b>No</b>
		X
<b>Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.</b>	<b>Yes</b>	<b>No</b>
		X
<b>Applicant(s) Interest in the site:</b>		
<b>If not the Owner of the site, please provide the name of the Landowner:</b>		
<b>Please list types of plans, drawings etc. submitted with this application:</b>	Existing and Proposed Elevations, Floor Plans, Sections, Site Layout & Site Location Map.	
<b>Planning History - list any relevant planning application reference numbers:</b>	00/152	
<b>Are you aware of any enforcement proceedings connected to the site? If so, please supply details:</b>	No	

<b>I hereby certify that the information provided is true and accurate</b>	
<b>Signature of Applicant/Agent:</b>	
<b>Date:</b>	04/03/2026

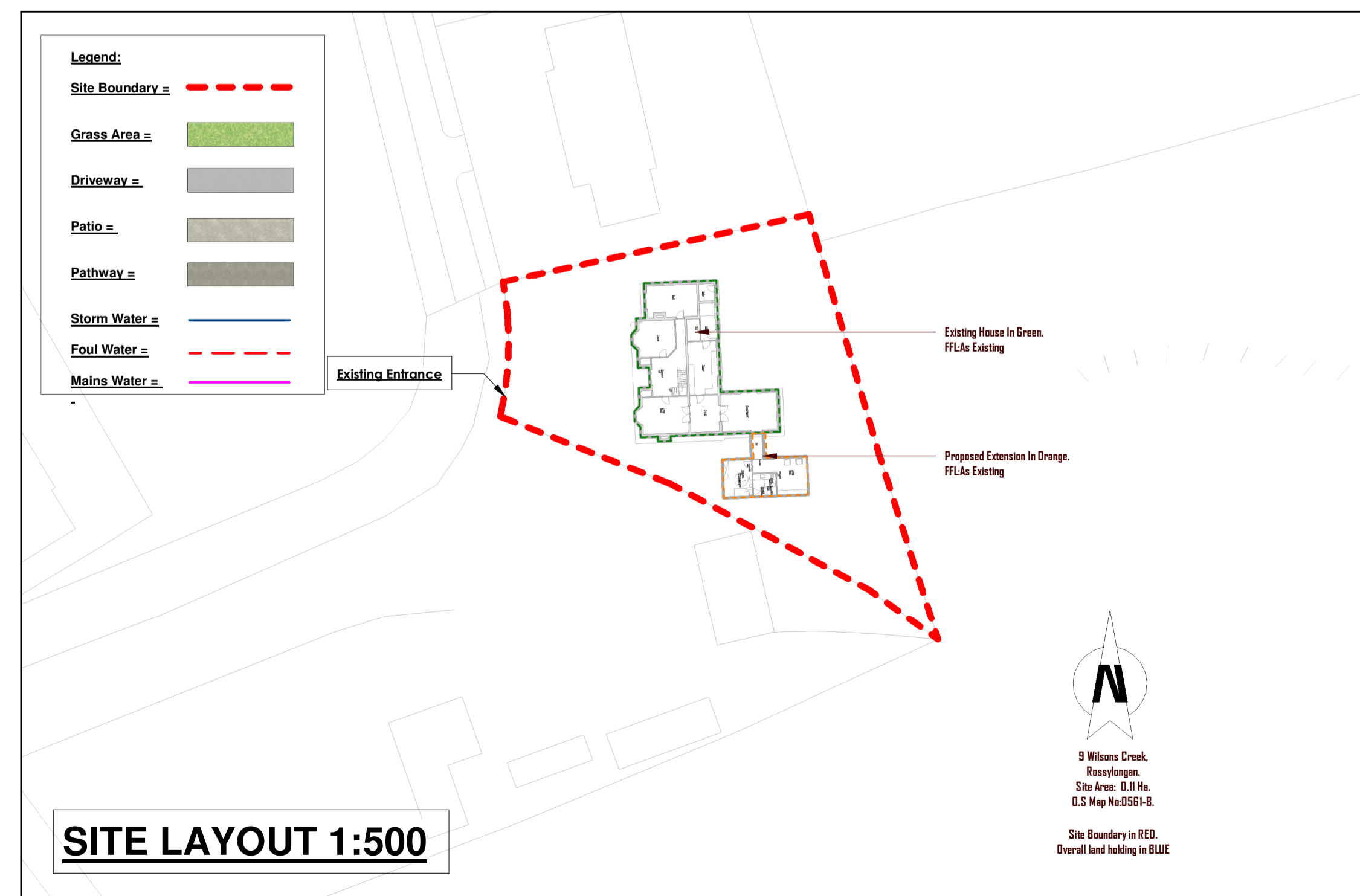
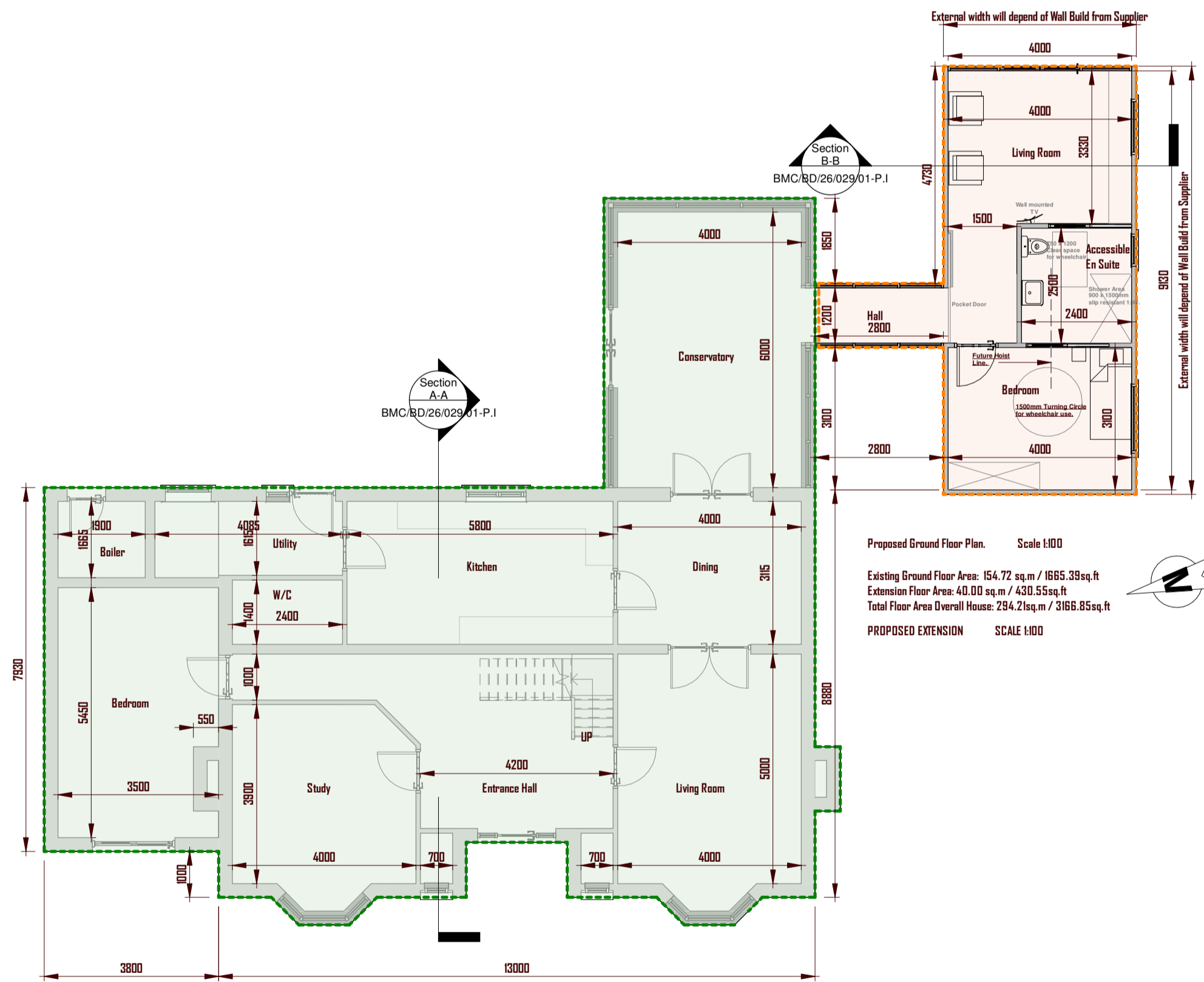
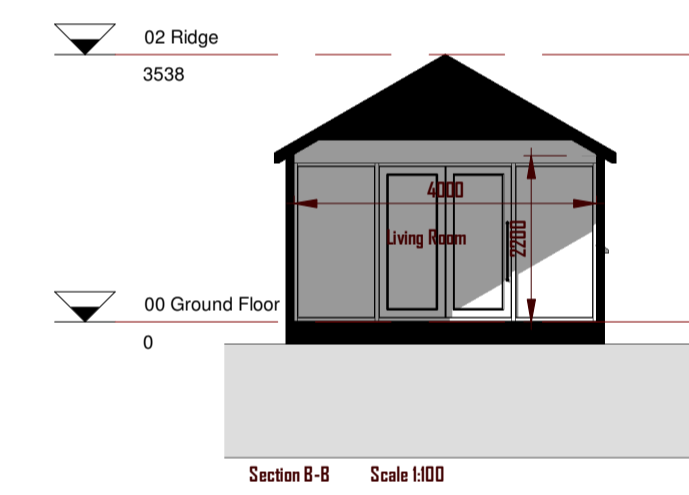
McCullagh Architecture & Surveying Ltd.  
Glenfinn Road  
Ballybofey  
Co. Donegal  
F93 A520  
T: 074 9132994 Email: info@mccullagh.ie



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

**Planning Services**

**RECEIVED DATE: 05/03/2026**



Rev.	Date	Details
A	03/03/2026	Design Issue
B		
C		
D		

**Design Issue**

**Project:** Proposed Extension to Dwelling at 9 Wilsons Creek, Rosslongan.

**Client:** Siobhan Mc Cormick (McLaughlin)

**Drawing Title:** Proposed Floor Plans, Elevations, Section A-A, Site Layout, Site Locations Map.

**Date:** 03/03/2026 **Scale:** As indicated

**Job Ref:** BMC/BD/26/029/01-P.1

**Ordance Survey Ireland Licence No:** CYAL50164659

**Mc Cullagh**  
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**Comhairle Contae  
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**W:** www.ccdhunnangall.ie

**Planning Services**  
**E:** planning@donegalcoco.ie

**E- mail:** info@mccullagh.ie

**Ref. No:** S526/32

**Date:** 6<sup>th</sup> March, 2026

Siobhan Mc Cormack  
C/o McCullagh Architecture & Surveying Ltd.  
Glenfinn Road  
Ballybofey  
Co Donegal

## DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

**Re: Application for a Section 5 Declaration – Extension measuring 40 sq.m to the rear side (south) elevaton at 9 Wilsons Creek, Rossylongan, Donegal, F94 H5F2.**

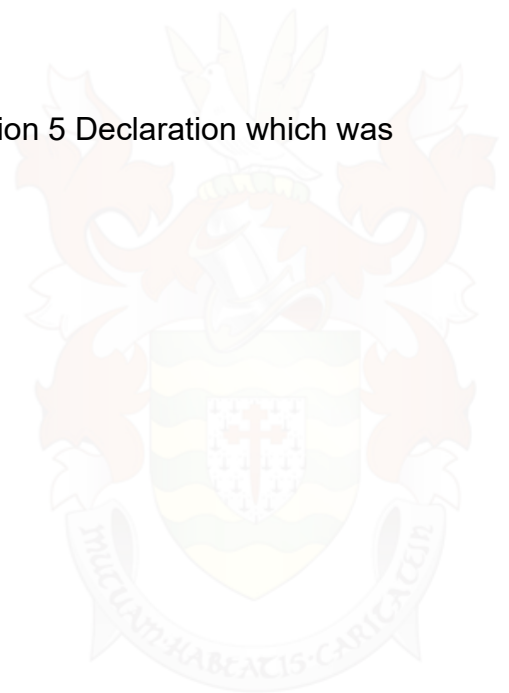
A Chara,

I wish to acknowledge receipt of your application for a Section 5 Declaration which was received on 5<sup>th</sup> March, 2026.

Mise le meas

*Martina Parke*

Donegal County Council  
Planning Services



## SECTION 5 REFERRAL REPORT – Ref.No: 26/32

### Donegal County Council

#### **1.0 COMMENTS**

The subject site is a detached 2 storey dwelling located at Wilson's Creek, Donegal Town. The proposed works constitute one element as follows:

1. Construction of an extension to rear of the dwelling.

The existing dwelling 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 in an area designated as Established Development in the Seven Strategic Towns (Donegal Town) Local Area Plan 2018-2024.

#### **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".

Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001  
(as amended) – Exempted Development

"The extension of a house, by the construction or erection of an extension to the rear of the house".

1. The floor area of any such extension where the house has not been extended previously shall not exceed:
  - a) 40sq.m.
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.
7. The roof of any extension shall not be used as a balcony or roof garden.

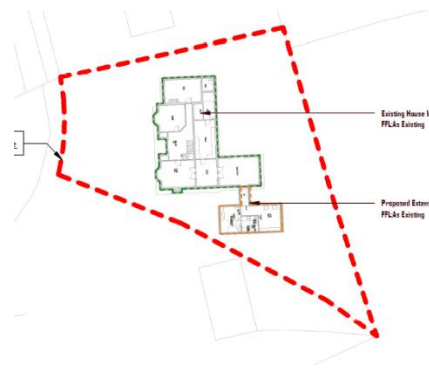
**4.0 PLANNING HISTORY**

Permission granted under application ref. no. 00/152 for development of the residential estate.

**5.0 ASSESSMENT**

#### 4.1 Consideration of Proposed Development:

- (i) The proposed extension is located to the rear of the existing dwelling house as viewed from the public road and consists of a single storey extension with a stated floor area of 39.88 sq.m.



- (ii) The proposed extension is to the rear of the building line of the existing dwelling and documentary supporting evidence has been submitted to confirm the need for the extension.
- (iii) This is a sizeable plot and the rear garden area will be in excess of 25sqm on completion of works.
- (iv) All windows will be at least 1m from any boundary.
- (v) Having regard to *Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended)* the proposed development is in accordance with the criteria of that Class 1 and can be considered as Development and as Exempted Development under Class 1.
- (vi) It is considered that the proposed works noted above constitute “development” within the meaning of the Act, being works, and is exempted development.
- (vii) Appropriate assessment is not a consideration in the assessment of this referral.

#### 4.2 Conclusion:

It is considered that:

- (i) Construction of an extension to the rear of the existing dwelling house constitutes “development” within the meaning of the Act, being works, and is exempted development under *Class 1 of Part 1 of Schedule 2 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.

## **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:**

- (i)** Construct an extension to the rear of the dwelling house

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

- (a) Sections 2, 3, Section 4 (1) (h) and 177U of the Planning and Development Act, 2000 (as amended)
- (b) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- (c) Article 9 of the Planning and Development Regulations 2001 (as amended)

**And concluded that:**

The proposal is development and is exempted development coming within the scope of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

**Signed:** *A. Quinn*

**Position:** Exec Planner

**Date:** 22/03/2026.



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Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
23/03/2026

**DONEGAL COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED)**

**Chief Executive  
Order No:**

2026PH0775

**Ref Number:**

S526/32

**Section 5:**

Request received 5<sup>th</sup> March 2026 from Siobhan McCormack c/o McCullagh Architecture & Surveying, Glenfin Road, Ballybofey, Co. Donegal, F93 A520 in relation to the erection of an extension measuring 40m<sup>2</sup> to the rear side (south) elevation of existing dwelling at 9 Wilson's Creek, Rossylongan, Donegal PO, Co. Donegal, F94 H5F2.

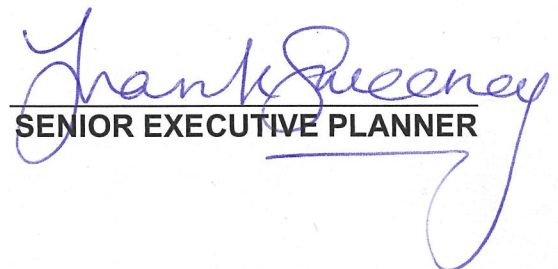
**Submitted:**

Written request received 5<sup>th</sup> March 2026 as above and report dated 22<sup>nd</sup> February 2026 from the Planner (Ref. No: S5 26/32 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 25<sup>th</sup> DAY OF MARCH 2026

Ref. No: S526/32 - Chief Executive Order No: 2026PH0775

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, Section 4 (1)(h) and 177U of the Planning and Development Act, 2000 (as amended)
- Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- Article 9 of the Planning and 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** coming within the scope of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

JS 25/03



**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

**Ref. No:** S526/32

**By Email Only to:** info@mccullagh.ie

25<sup>th</sup> March 2026

SIOBHAN MCCORMACK  
C/O MCCULLAGH ARCHITECTURE & SURVEYING  
GLENFIN ROAD  
BALLYBOFEY,  
CO. DONEGAL  
F93 A520

**Re: Erection of an extension measuring 40m<sup>2</sup> to the rear side (south) elevation of existing dwelling at 9 Wilson's Creek, Rosssylongan, Donegal PO, Co. Donegal, F94 H5F2.**

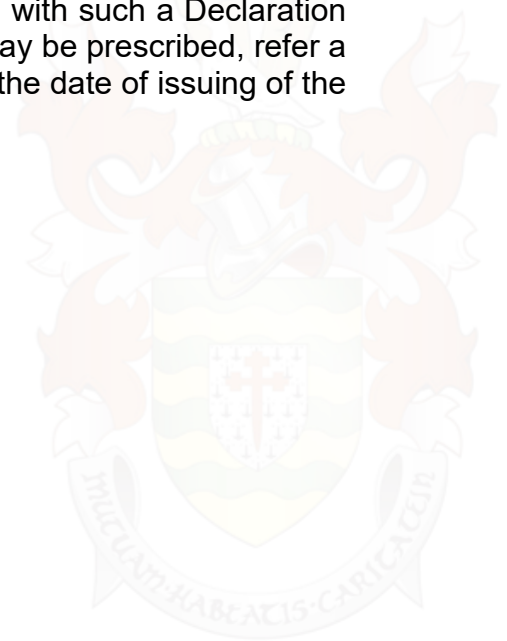
A Chara,

I refer to your request received on 5<sup>th</sup> March 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**

/RMcC



**Planning and Development Acts, 2000 (as amended)**

**(Declaration and Referral on Development and Exempted Development)**

**DECLARATION**

**Chief Executive Order No:** 2026PH0775

**Reference No:** S526/32

**Name of Requester:** SIOBHAN MCCORMACK  
C/O MCCULLAGH ARCHITECTURE & SURVEYING  
GLENFIN ROAD  
BALLYBOFEY,  
CO. DONEGAL  
F93 A52

**Summarised Description of development the subject matter of request:**

Erection of an extension measuring 40m<sup>2</sup> to the rear side (south) elevation of existing dwelling

**Location:** 9 Wilson's Creek, Rossylongan, Donegal PO, Co. Donegal, F94 H5F2.

**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, Section 4 (1)(h) and 177U of the Planning and Development Act, 2000 (as amended)
- Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- Article 9 of the Planning and 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** coming within the scope of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).



**For Senior Executive Planner  
Planning Services**

**Dated this 25<sup>th</sup> day of March 2026**

**From:** [RUTH MCCROSSAN](#)  
**To:** [info@mccullagh.ie](mailto:info@mccullagh.ie)  
**Subject:** Section 5 26.32  
**Date:** 25 March 2026 11:24:00  
**Attachments:** [S5 26.32-Letter & Declaration- SIGNED.pdf](#)  
[image001.png](#)

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Dear Barry,

Please find attached Declaration in relation to Section 5 26.32.

If you have any queries, please send them to [planning@donegalcoco.ie](mailto:planning@donegalcoco.ie)

Kind regards

**Ruth McCrossan**

Development Management | Community Development & Planning Services | Donegal  
County Council | Lifford | Co. Donegal

**Tel: + 353 74 9153900 | Email: [ruthmccrossan@donegalcoco.ie](mailto:ruthmccrossan@donegalcoco.ie)**



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