

**From:** [REDACTED]  
**To:** [planning mailbox](#)  
**Subject:** For the attention of Aideen Quinn  
**Date:** 10 January 2025 13:28:12

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You don't often get email from [REDACTED]. [Learn why this is important](#)

**CAUTION:** This email originated from outside of Donegal County Council.  
Do not click links or open attachments unless you recognise the sender and  
are sure that the content is safe.

Good morning Aideen I hope you are well.

I am considering updating all our en-suite bathrooms in DonegalManor Guest House.  
Planning Register number 02/161.

This will entail renovating the existing bathroom en suites and replacing them with more  
modern eco friendly / sustainable bathroom suites. We will not be making any structural  
changes to the existing en-suites.

I understand that we will not require planning permission for these changes.

We have applied to Leader for a grant and they require a letter / Declaration of  
Exemption from Donegal County Council Planning Office as part of our application.

Would it be possible for you to forward a letter to me stating that work I intend to do,  
which is renovating existing en-suites does not require planning permission.

Thanking you in advance,  
Kind Regards,

[REDACTED]

Sian Breslin

Your host at 4\* Donegal Manor

Awarded top 3 'Luxury Self Catering Accommodation in Ireland 2023' by Ireland Self  
Catering Federation

**From:** [REDACTED]  
**To:** [planning mailbox](#)  
**Subject:** Section 5 Application For Attention of Aideen Quinn  
**Date:** 13 January 2025 12:30:51

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**CAUTION:** This email originated from outside of Donegal County Council.  
Do not click links or open attachments unless you recognise the sender and  
are sure that the content is safe.

Dear Aideen

Thank you for your email and instructions on Friday last.  
Please find 2 of 3 Application Forms attached to this email.  
I will forward the 1 remaining Application Form and 2 documents in a further 2 emails this  
morning

The fee of €80 was paid this morning 13th January 2025  
Receipt - DONEGAL/0/1029329

Kind regards

Michael



# 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>	Michael and Sian Breslin
<b>Agent Name:</b> (if applicable)	N/A
<b>Location of Proposed Development / Works:</b> (Townland or postal address as appropriate and Eircode if available)	Donegal Manor Clarcarricknagun Donegal Town F94XV60
<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)	
<p>The proposed work includes the refurbishment and modernising of all existing en-suites and public toilets in Donegal Manor</p> <p>Details of work:</p> <ul style="list-style-type: none"> <li>Replacing baths with eco friendly showers trays and screen panels</li> <li>Replacing showers with eco friendly efficient rain shower heads and Thermostat Controls</li> <li>Replacing Toilets with Dual Cistern Control</li> <li>Replacing existing radiators with energy efficient heated towel rail</li> <li>Replacing sinks and pedestals</li> <li>Replacing taps in sinks with spray taps</li> <li>Re furbishing Public Toilets on ground floor</li> <li>Re tiling walls and floors of ensuite and public toilets.</li> </ul>	



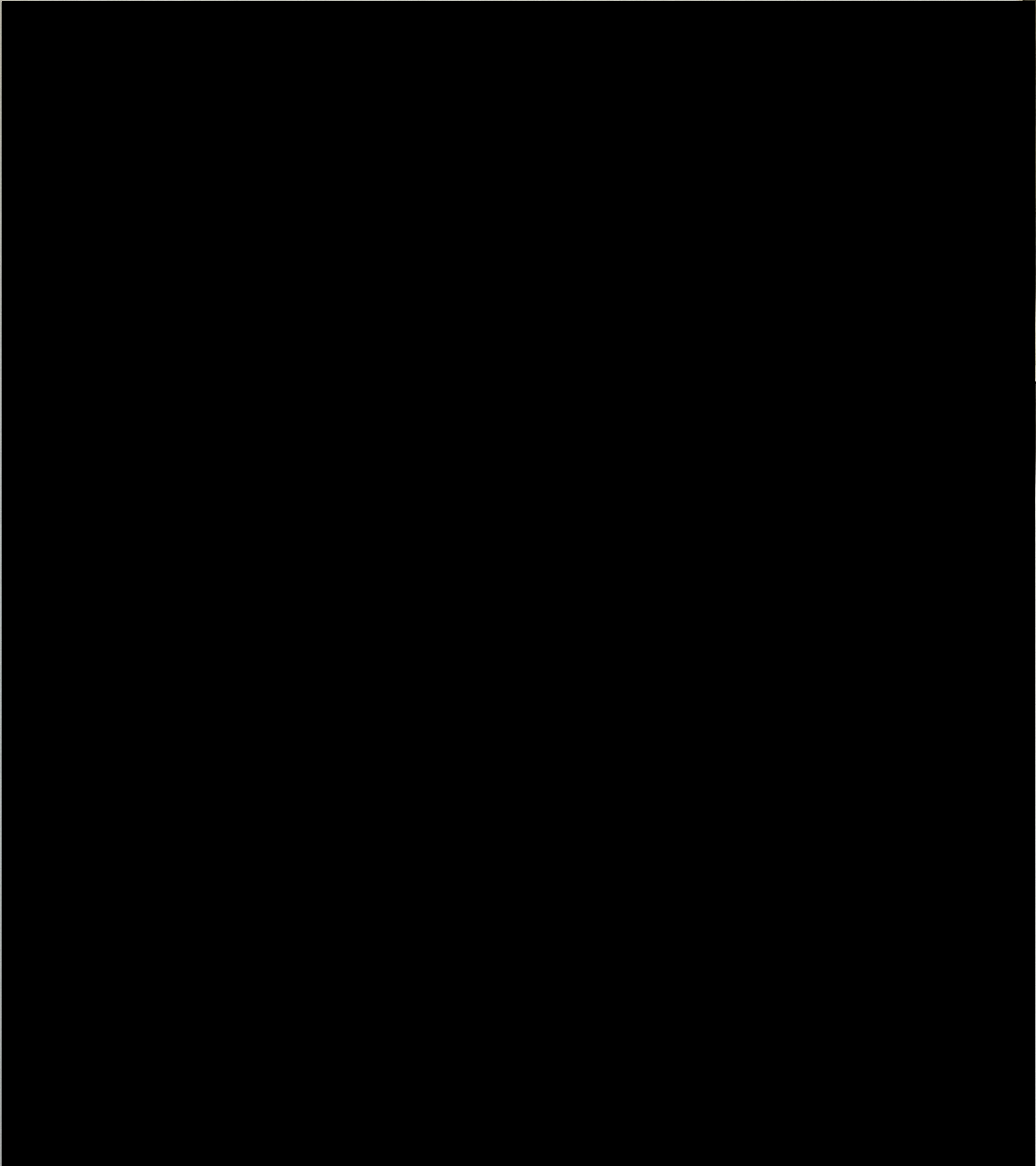
Is the development a Protected Structure or within the curtilage of a Protected Structure?	Yes	No
		No
Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.	Yes	No
		No
Applicant(s) Interest in the site:	Owners	
If not the Owner of the site, please provide the name of the Landowner:		
Please list types of plans, drawings etc. submitted with this application:	Elevation Location Map Site Layout Plan	
Planning History - list any relevant planning application reference numbers:	02/161	
Are you aware of any enforcement proceedings connected to the site? If so, please supply details:	No	
<b>I hereby certify that the information provided is true and accurate</b>		
Signature of Applicant/Agent:	Michael Breslin	
Date:	12 /01/25	

**Additional Contact Information**

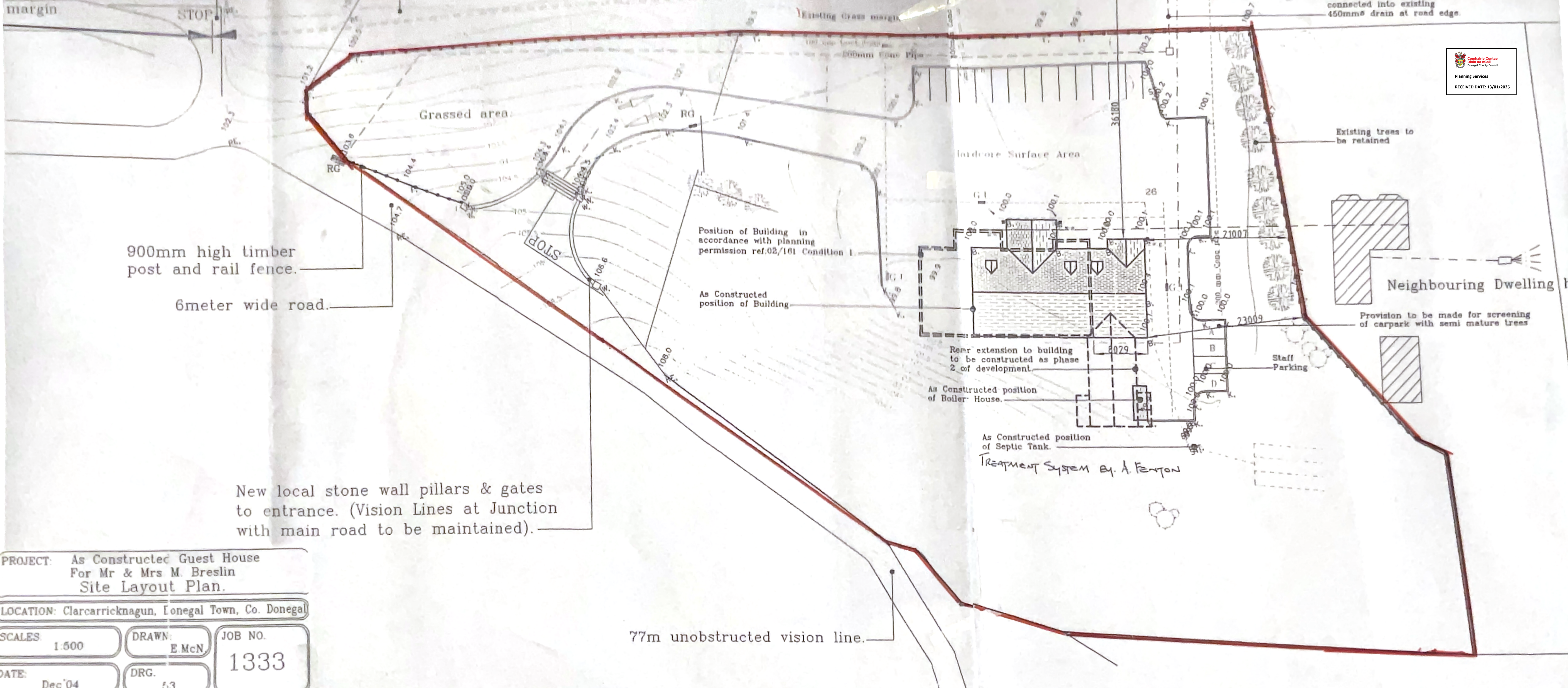


**Comhairle Contae  
Dhún na nGall**  
Donegal County Council

Please note:



All storm waters to be connected into existing 450mm<sup>2</sup> drain at road edge.



900mm high timber post and rail fence.

6meter wide road.

New local stone wall pillars & gates to entrance. (Vision Lines at Junction with main road to be maintained).

Position of Building in accordance with planning permission ref.02/161 Condition 1.

As Constructed position of Building

Rear extension to building to be constructed as phase 2 of development.

As Constructed position of Boiler House.

As Constructed position of Septic Tank.

TREATMENT SYSTEM BY A. FENTON

Existing trees to be retained

Neighbouring Dwelling h...

Provision to be made for screening of carpark with semi mature trees

Staff Parking

77m unobstructed vision line.

PROJECT: As Constructed Guest House For Mr & Mrs M. Breslin Site Layout Plan.

LOCATION: Clarcarricknagun, Lonegal Town, Co. Donegal

SCALES: 1:500

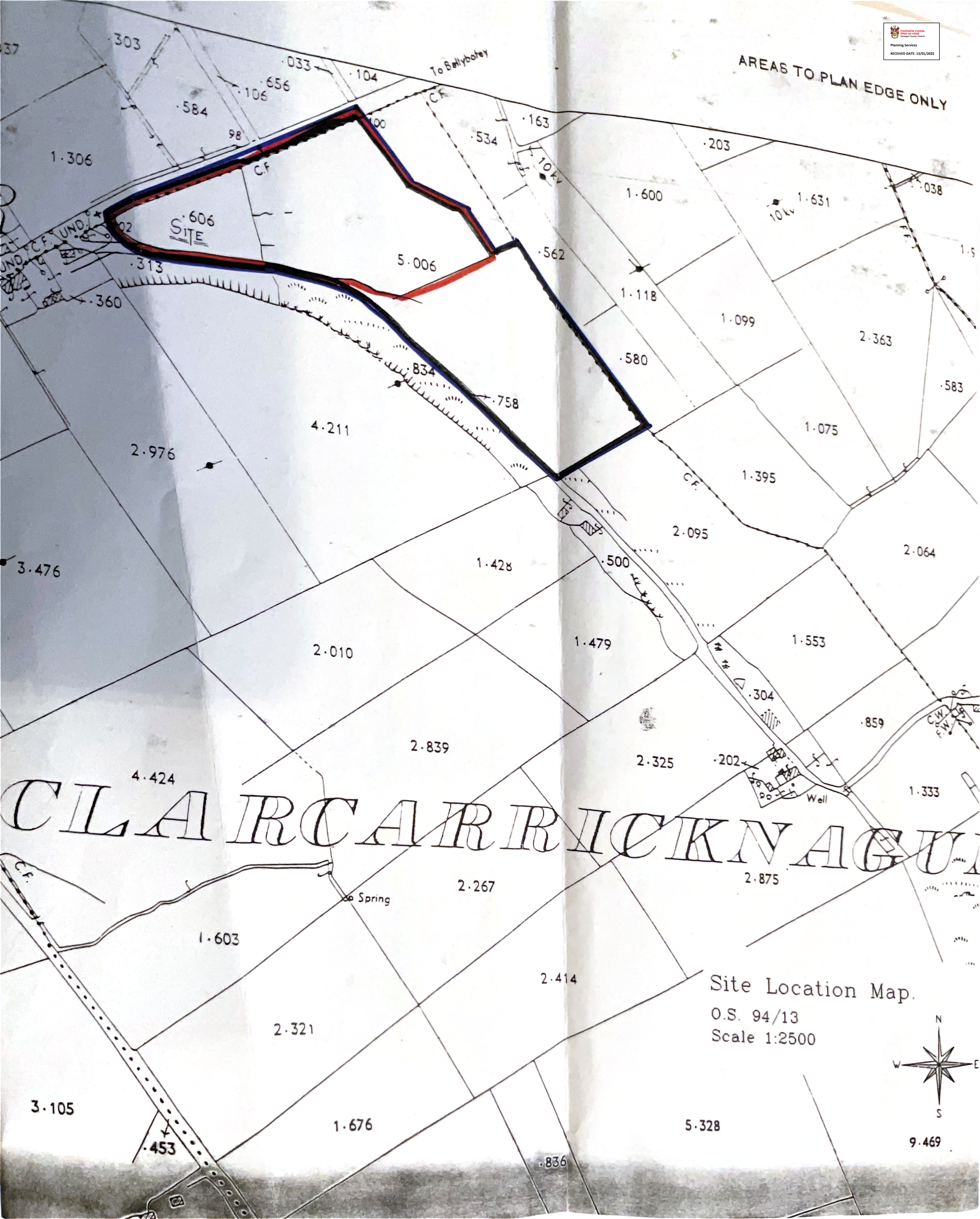
DRAWN: E. McN.

JOB NO. 1333

DATE: Dec '04

DRG. 53

AREAS TO PLAN EDGE ONLY



1.306

.606  
SITE

5.006

3.476

CLARCARRICKNAGUA

Site Location Map.

O.S. 94/13

Scale 1:2500



9.469



**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: **S525/02**

13/01/2025

Michael & Sian Breslin



**Re: Written request pursuant to Section 5 of the Planning & Development Act 2000 (as amended) Declaration & Referral on development and exempted development.**  
*Refurbishment and modernising of all existing en-suites and public toilets at Donegal Manor*

A Chara,

I wish to acknowledge receipt of your application for a Section 5 Declaration which was received on 13 Jan 2025.

Mise, le meas,

\_\_\_\_\_  
**For Senior Ex. Planner  
Planning Services**





## **SECTION 5 REFERRAL REPORT – Ref.No: 25/02**

### **Donegal County Council**

#### **1.0 COMMENTS**

The subject site is located on the outskirts of Donegal Town in the townland of Clarcarricknagun. The existing dwelling was granted permission under application 02/161 and operates as guest accommodation. The proposed works to refurbish all ensuites and public toilets in the building constitute the following elements:

- Replacement of baths with eco friendly shower trays and screen panels
- Replacement of showers with eco friendly efficient rain showerheads
- Replacing toilets with dual cistern control
- Replacing radiators with energy efficient heated towel rails
- Replacing sinks and pedestals
- Replacing sink taps with spray taps
- Refurbishing public toilets on ground floor
- Retiling walls and floors of ensuites and toilets

The entire site is located in an area designed as ‘Under Urban Influence’ in the County Donegal 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".

**4.0 Planning and Development Act, 2000 (as amended)**

Section 4.1.(h) PDA

The following shall be exempted development for the purposes of this Act –

Development consisting of the carrying out of works for the maintenance, improvement of 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 PLANNING HISTORY**

02/161 – permission granted for the existing guest house accommodation.

## **5.0 ASSESSMENT**

### **4.1 Consideration of Proposed Development:**

- (i) The proposed alterations that are all internal fall within the scope of Section 4(1)(h) of the Planning & Development Act 2000 (as amended) and will not alter the character, mass and scale of the permitted building.
- (ii) Appropriate assessment is not a consideration in the assessment of this referral.

### **4.2 Conclusion:**

It is considered that:

The proposed internal alterations to a dwelling house constitute “development” within the meaning of the Act, being works, but is exempted development coming within the scope of Section 4(1)(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 for:**

- (i) Proposed internal alterations to a permitted guest house accommodation

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

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

**And concluded that:**

The proposal is development and is exempted development as it falls within the scope of Section 4 (1)(h) of the Planning & Development Act 2000 (as amended).

Signed: 

Position: **Executive Planner**

Date: 28/01/2025.



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Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
28/01/2025

**Chief Executive's Order No: 2025PH0333**

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

**SECTION 5:-**

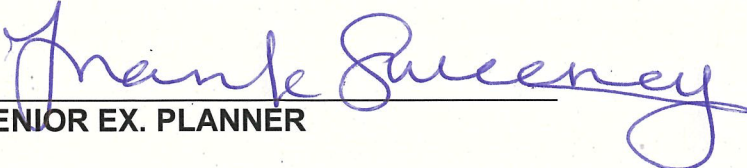
Request received 13<sup>th</sup> January 2025 from Michael & Sian Breslin, [REDACTED] in relation to the refurbishment and modernising of all existing en-suites and public toilets in Donegal Manor, Clarcarricknagun, Donegal Town, Co. Donegal, F94 XV60.

**SUBMITTED:-**

Written request received 13<sup>th</sup> January 2025 as above and report dated 28<sup>th</sup> January 2025 from the Executive Planner (Ref. No: S5 25/02 refers).

**ORDER:-**

Having considered the said request, the report of the Executive Planner, and the record forwarded to the Council by An Bord 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 7<sup>th</sup> DAY OF FEBRUARY 2025

MME

**Chief Executive's Order No: 2025PH0333**

**Ref.No: S5 25/02**

**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, and 177U of the Planning and Development Act, 2000 (as amended)
- Section 4(1)(h) of the Planning & Development Act 2000 (as amended).

**And concluded that:**

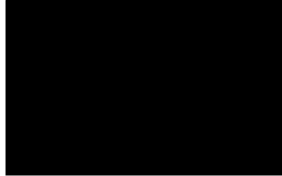
The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it falls within the scope of Section 4 (1)(h) of the Planning & Development Act 2000 (as amended).

JS 07/02

***Planning and Development Acts, 2000 (as amended)***  
***(Declaration and Referral on Development and Exempted Development)***

**DECLARATION**

**Chief Executive's Order No:** 2025PH0333  
**Reference No:** S5 25/02  
**Name of Requester:** Michael & Sian Breslin,



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

Refurbishment and modernising of all existing en-suites and public toilets.

Location: Donegal Manor, Clarcarricknagun, Donegal Town, Co. Donegal, F94 XV60.

**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, and 177U of the Planning and Development Act, 2000 (as amended)
- Section 4(1)(h) of the Planning & Development Act 2000 (as amended).

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 Section 4 (1)(h) of the Planning & Development Act 2000 (as amended).

A handwritten signature in black ink, appearing to be a stylized name, located above the signature line.

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**For Senior Ex. Planner**  
**Planning Services**

**Dated this 6<sup>th</sup> day of February 2025**



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

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

County House,  
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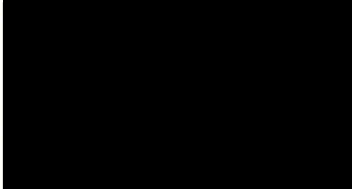
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**W:** www.donegalcoco.ie  
**W:** www.ccdhunngall.ie

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

Ref. No: S525/02

6<sup>th</sup> February 2025.

Michael & Sian Breslin,



**Re: Refurbishment and modernising of all existing en-suites and public toilets in Donegal Manor, Clarcarricknagun, Donegal Town, Co. Donegal, F94 XV60.**

A Chara,

I refer to your request received on 13<sup>th</sup> January 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 Bord Pleanála of such fee as may be prescribed, refer a Declaration for review by the Board within 4 weeks of the date of issuing of the Declaration.

Mise, le meas,

**For Senior Ex. Planner  
Planning Services**  
/RMcC

