

From: [CARMEL KELLY](#) on behalf of [planning_mailbox](#)
To: [GEORGINA GALLAGHER](#)
Subject: FW: Section 5 Declaration on Exemption
Date: Friday 16 January 2026 15:49:33
Attachments: [image001.png](#)
[fillable-section-5-declaration-of-exemption-application-form.pdf](#)
[Location Map.PDF](#)
[SQUASH COURT ALTERATIONS \(1\)-PLAN & SECTION.pdf](#)

From: Martin McLaughlin <martin@octoberhouse.org>
Sent: 16 January 2026 15:25
To: [planning mailbox](mailto:planning_mailbox) <Planning@Donegalcoco.ie>
Subject: Section 5 Declaration on Exemption

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A Chara

I attach an application for a Section 5 Declaration on Exemption. The applicant has paid the requisite fee and their Receipt No. is 666843

The application is for changing an internal wall and normally we wouldn't run such a simple matter through the system but confirmation is required from the Planning Dept. for Grant purposes. Please contact me if you need anything else to process the application and many thanks in advance.

Kind Regards

J. Martin McLaughlin
B.Eng (Hons), CEng MIEI
October House Design Ltd
Corlea,
Ballyshannon,
Co. Donegal
Office Tel: 00353 (0) 862217173
Website: www.octoberhouse.org

[Welcome to October House](#)

October Houses home page.
www.octoberhouse.org

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SECTION 5 APPLICATION

FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

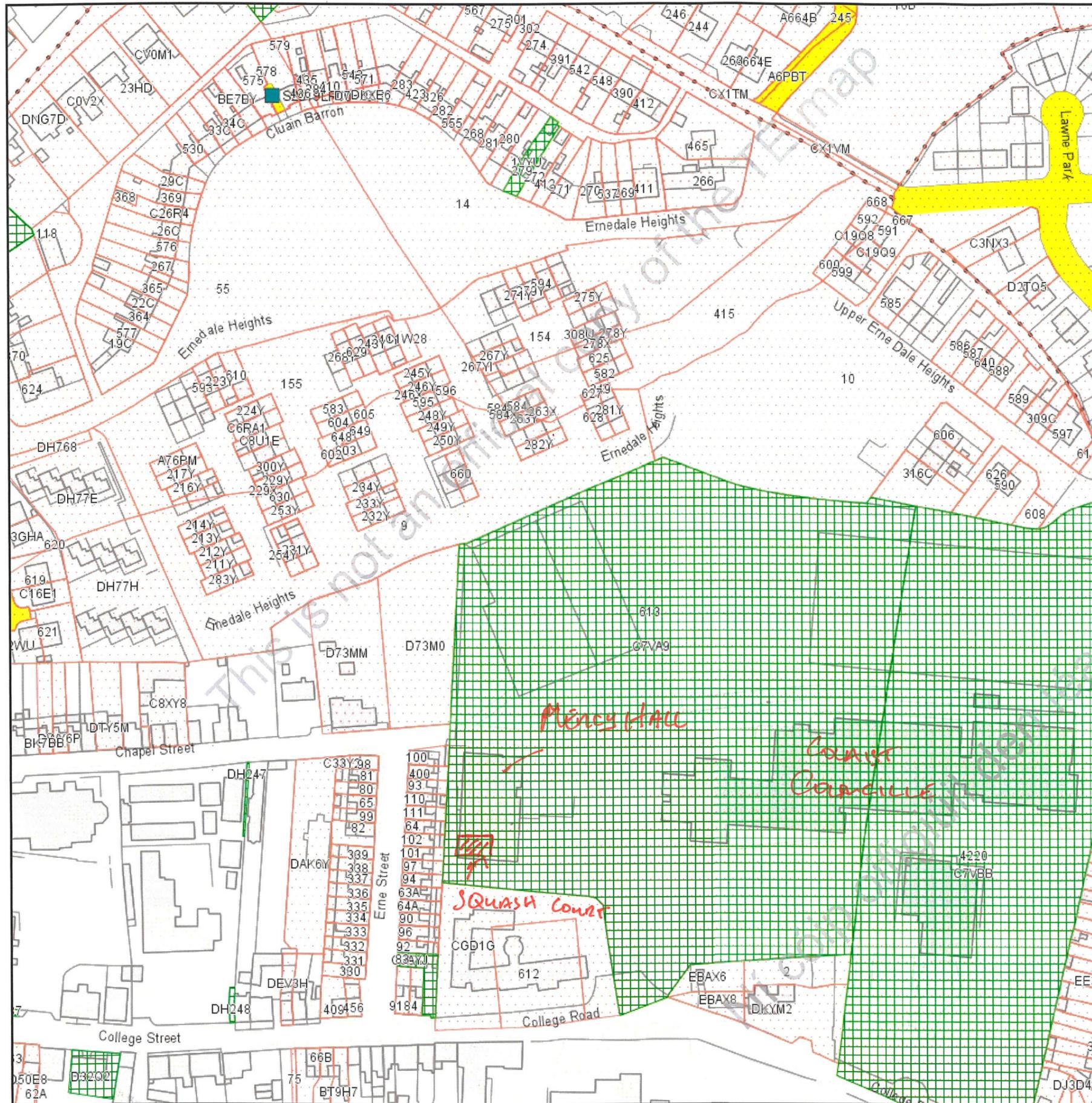
Completed application form & supporting documentation to be returned to the Planning Authority by email to planning@donegalcoco.ie

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)	
<p>All works are internal and no change of use will take place</p>	



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:	<i>J. Martin McLaughlin</i>
Date:	



Tailte Éireann

Clárúchán, Luacháil,
Suirbhéireacht
Registration, Valuation,
Surveying

Official Tailte Éireann Registration Map

This map should be read in conjunction with the folio.

Tailte Éireann (TÉ) Registration mapping is based on TÉ Surveying mapping. Where TÉ Registration maps are printed at a scale that is larger than the TÉ Surveying scale, accuracy is limited to that of the TÉ Surveying map scale.

For details of the terms of use and limitations of scale, accuracy and other conditions relating to TÉ Registration maps, see www.tailte.ie.

This map incorporates TÉ Surveying map data under a licence from TÉ. Copyright © Tailte Éireann and Government of Ireland.

- (centre-line of parcel(s) edged) Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(II) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit

A full list of burdens and their symbology can be found at: www.landdirect.ie



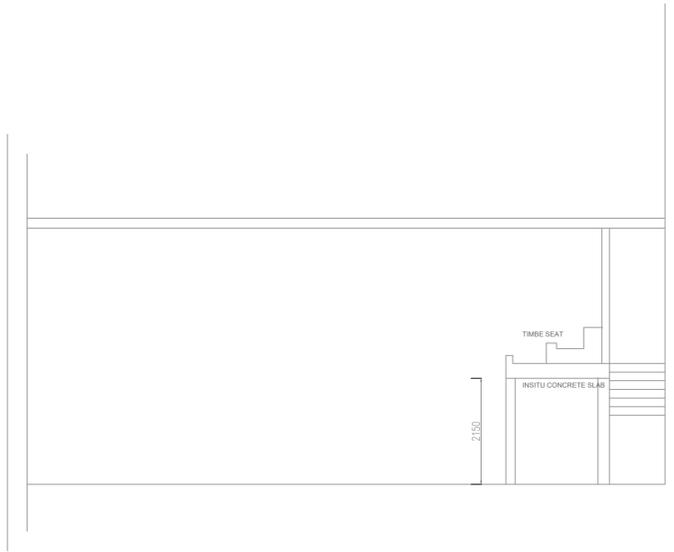
Tailte Éireann Registration operates a non-conclusive boundary system. The TÉ Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TÉ Registration map is conclusive as to the boundaries or extent.

(see Section 85 of the Registration of Title Act, 1964). As Inserted by Section 62 of the Registration of Deed and Title Act 2006.

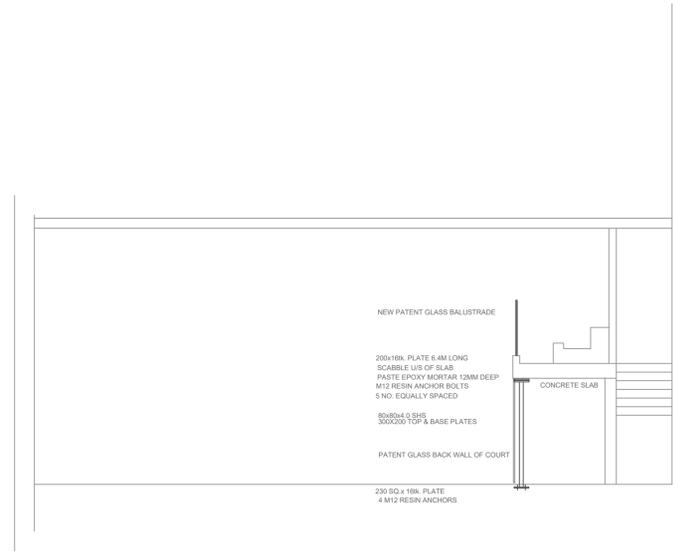




Existing Wall to be Replaced With
Glass Wall as per sketches

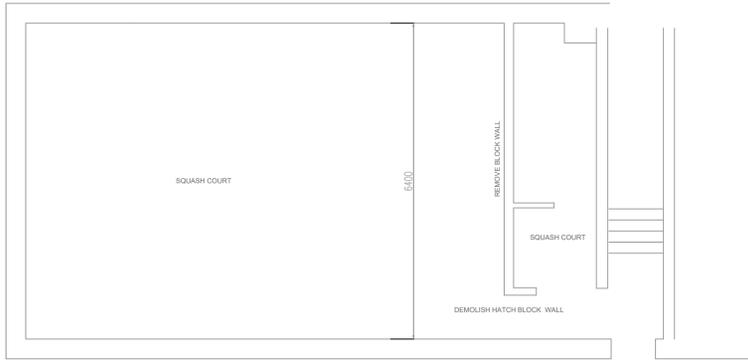


EXISTING SECTION OF COURT

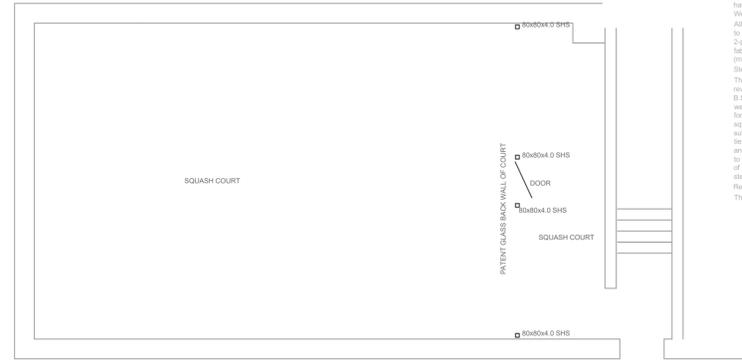


PROPOSED SECTION OF COURT

- TENTATIVE WORKS SEQUENCE
1. PROVIDE ADEQUATE ACROS TO SUPPORT SLAB
 2. CAREFULLY REMOVE SUPPORTING BLOCK WALLS
 3. CAST SUITABLE BEARING CONCRETE FOR SHS SUPPORTS
 4. SCABBLE UNDERSIDE OF SLAB AND APPLY EPOXY MORTAR
 5. ERECT 16MM TK. PLATE SUITABLY PROPPED AND APIX RESIN ANCHORS
 6. ERECT SHS SUPPORTS , TACK WELD TOP PLATE & BOLT BASE PLATES
 7. MAKE GOOD TO FLOOR SLAB AND ERECT GLASS BACK WALL OF COURT.
 8. PAINT FINISHES TO ARCHITECT



EXISTING SQUASH COURT PLAN



PROPOSED SQUASH COURT PLAN

All dimensions are in millimetres UNO. Structural steel to be grade S355 to BS EN 10025B S. 4360 and B.S.4948. All fabrication and detailing to comply with EC3 and the national structural steelwork specifications for building construction (2005 edition). All steel to have appropriate CE marking and the steel sub-contractor shall provide the following: Welding certificate, Factory production control certificate, Declaration of performance.
 All steel to be manufactured to execution class 2 to BS EN 1090. All steel to be shot blasted to ISO 6501-1 standard S.A. 2.5 followed by blast primer applied by airless spray, approved 2-pack zinc rich epoxy primer to DFT of 80 microns as per specification. Subsequent to fabrication apply, by airless spray, 2 no. coats of an approved 2-pack micaceous iron oxide (mso) to DFT of 150 microns as per specification.
 Steel ground beams shall be hot dipped galvanized to 600 gm/sq.
 The contractor shall submit workshop drawings for all structural steelwork members for review by the engineer prior to fabrication. All bolts to be M20 @ grade 8.8 precision bolts to B.S. 3692 in 20mm clearance holes (3mm clearance holes for M24 @ bolts or larger). All welds to be firm continuous full welds UNO. Steelwork sub-contractor to be responsible for all temporary steelwork for handling and erection purposes preventing distortion, squaring and stabilizing frames etc. particularly at a gable ends and end bays. Steelwork sub-contractor to be responsible for providing endplates, cleats, profiles, sag bars, diagonal bracing, cross bracing etc. All connections to be designed by the steelwork sub-contractor and issued for the approval of the engineer prior to manufacture. All proposed splice details to be submitted by the steelwork sub-contractor for the approval of the engineer. All details of profile fitting and joining, sag bars, diagonal bracing & gables etc. to be submitted by the steelwork sub-contractor for the approval of the engineer.
 Refer to the schedule for fire proofing requirements.
 This drawing shall be read in conjunction with Architects drawings & specification.



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

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E-mail: martin@octoberhouse.org

Our Ref: S526/02

19 January 2026

Ivan O'Mahony (Ballyshannon Squash Club)
Mercy Hall
Ballyshannon
Co.Donegal

Re: Section 5 – Application to Take out back wall of existing squash court and replace with a structural glass wall. Works are all internal and no change of use at Mercy Hall, Ballyshannon, Co.Donegal.

A Chara,

I wish to acknowledge receipt of your application received on 16th January 2026 in relation to the above.

Yours sincerely,

Donegal County Council
Planning Services



SECTION 5 REFERRAL REPORT – Ref.No: 26/02

Donegal County Council

1.0 COMMENTS

The subject site is within Colaiste Colmcille Community School where the Squash Club holds a long term lease in Mercy Hall.

The proposed works are as follows:

1. Removal of an internal wall and replacement with a structural glass wall.

The existing complex is not on the Council's Record of Protected Structures nor is it included on the National Inventory of Architectural Heritage. The entire site is located within the settlement boundary of Ballyshannon and is designated as amenity space. It is of 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 school building.
- (ii) The proposed reconfiguration works are internal and will improve player facilities.



- (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:

Removal of an internal wall and replacement with a structural glass wall 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:

Removal of an internal wall and replacement with a structural glass wall

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
06/02/2026.

FS

Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
10/02/2026

Chief Executive's Order No: 2026PH0377

Planning and Development Acts 2000 (as amended)

SECTION 5:-

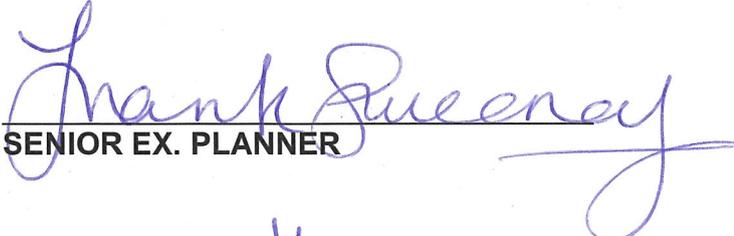
Request received 16th January 2026 from Ivan O'Mahony (Ballyshannon Squash Club) c/o October House Designs Ltd., Corlea, Ballyshannon, Co. Donegal, F94 HDT7 in relation to the removal of an internal wall of the existing squash court and replacement with a structural glass wall at Mercy Hall, Ballyshannon, Co. Donegal.

SUBMITTED:-

Written request received 16th January 2026 as above and report dated 6th February 2026 from the Executive Planner (Ref. No: S5 26/02 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 11th DAY OF FEBRUARY 2026

88

Chief Executive's Order No: 2026PH0377

Ref.No: S5 26/02

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:

- 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 11/02



**Comhairle Contae
Dhún na nGall**
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Ref. No: S526/02

11th February 2026

IVAN O'MAHONY (BALLYSHANNON SQUASH CLUB)
C/O OCTOBER HOUSE DESIGNS LTD.
CORLEA
BALLYSHANNON
CO. DONEGAL
F94 HDT7

Re: The removal of an internal wall of the existing squash court and replacement with a structural glass wall at Mercy Hall, Ballyshannon, Co. Donegal

A Chara,

I refer to your request received on 16th January 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 Ex. Planner
Planning Services
/RMcC



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

DECLARATION

Chief Executive's Order No: 2026PH0377

Reference No: S526/02

Name of Requester: IVAN O'MAHONY (BALLYSHANNON SQUASH CLUB)
C/O OCTOBER HOUSE DESIGNS LTD.
CORLEA
BALLYSHANNON
CO. DONEGAL
F94 HDT7

Summarised Description of development the subject matter of request:

The removal of an internal wall of the existing squash court and replacement with a structural glass wall.

Location: Mercy Hall, Ballyshannon, 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 Ex. Planner
Planning Services

Dated this 11th day of February 2026