



## 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>	MARK CROSSAN
<b>Agent Name:</b> (if applicable)	URBANARQ LTD.
<b>Location of Proposed Development / Works:</b> (Townland or postal address as appropriate and Eircode if available)	STRAND HOTEL, SHORE ROAD, BALLYLILFFIN, INISHOWEN CO. DONEGAL, F93 TY75
<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)	
SECTION 5 EXEMPTION CERTIFICATE APPLICATION FOR AN EXISTING HOTEL TO BE USED AS TEMPORARY ACCOMMODATION FOR INTERNATIONAL PROTECTION APPLICANTS.	



<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>	OWNER	
<b>If not the Owner of the site, please provide the name of the Landowner:</b>	N/A	
<b>Please list types of plans, drawings etc. submitted with this application:</b>	LOCATION MAP, SITE PLAN, PLANS, SECTIONS AND ELEVATIONS	
<b>Planning History - list any relevant planning application reference numbers:</b>	03/5329	
<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>	23rd JANUARY 2025

# urban **ARQ**

architecture | urban design | project management

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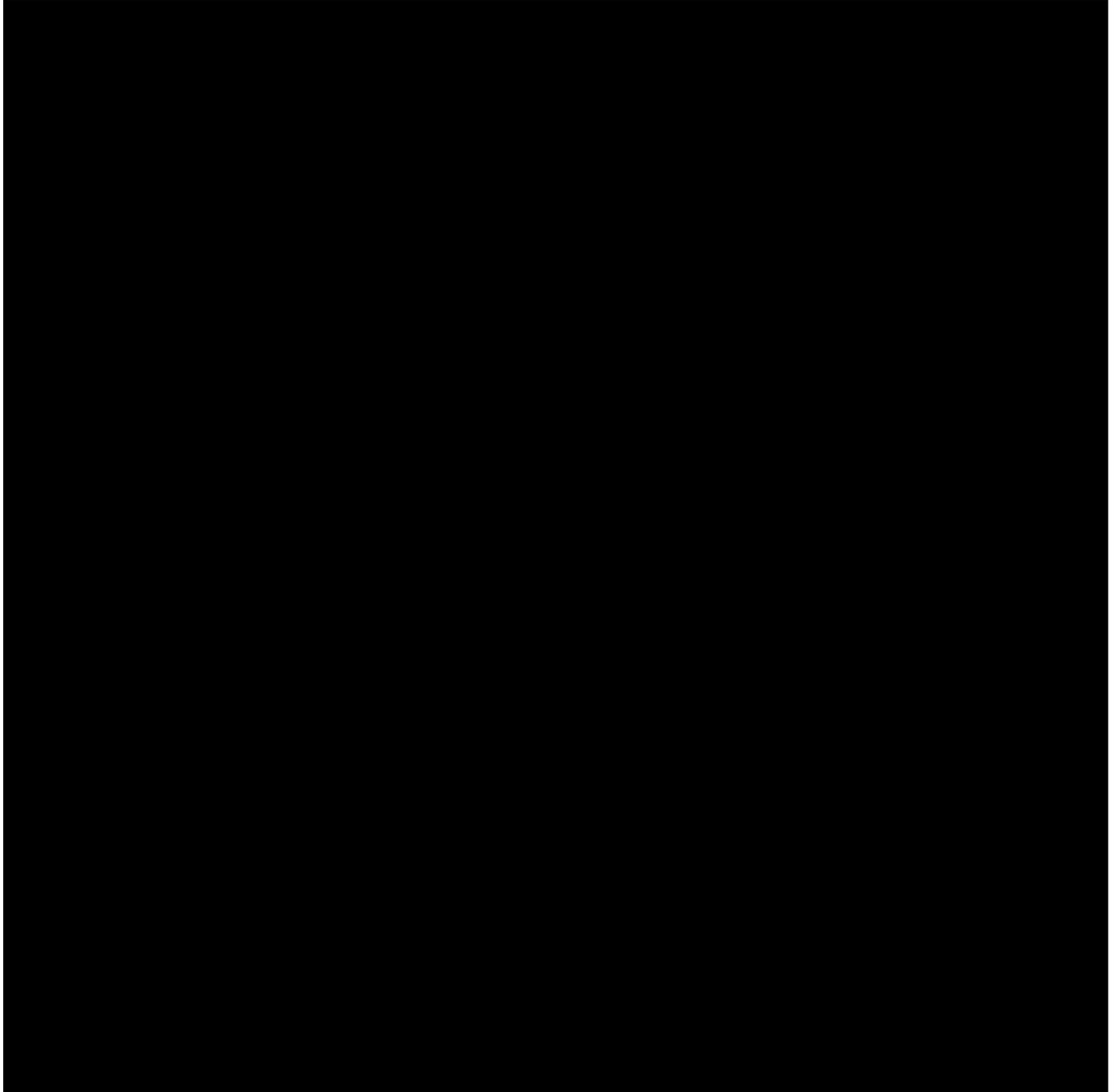
COMPANY REGISTRATION NO 625173 | VAT REGISTRATION NO IE 3656314NH  
urbanarq.ie





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

## Additional Contact Information





## **Advice to Applicant**

- (a) **Prescribed Fee** - €80.00 - You may wish to pay the fee by card by ringing the cash office on 074 9153900. Please note the receipt number in your cover email with the form.
- (b) Application must be accompanied by:
- **Site location map** with site clearly outlined in red (to a scale of not less than 1:1000 in built up areas and 1:2500 in all other areas).
  - **Site layout plan** (Site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red).
  - **Elevations** (if applicable) – (plans, elevations and sections drawn to a scale of not less than **1:200**).
  - **Other details** (e.g. landowner consent (if applicable), photographs as appropriate).
- (c) Completed application form & supporting documentation to be returned to the Planning Authority **by email** to [planning@donegalcoco.ie](mailto:planning@donegalcoco.ie)
- (d) More information on exempted development can be found on the OPR planning leaflets available at <https://www.opr.ie/planning-leaflets/>

# STRAND HOTEL

SECTION 5 EXEMPTION CERTIFICATE APPLICATION - INTERNATIONAL PROTECTION ACCOMMODATION

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Project	<b>Strand Hotel</b>	Reference	<b>24057</b>
Location	<b>Main Street, Ballyliffin, Co. Donegal, F93 XT52</b>	Date	<b>23<sup>rd</sup> January 2025</b>

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**Description:** Section 5 Exemption Certificate for use as International Protection Accommodation

**Our Reference:** 24057

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## 1. INTRODUCTION

This Section 5 Application seeks a determination regarding the proposed change of use of the Strand Hotel, located in Donegal, from its current use as a hotel to Accommodation for International Protection. This application is made under the provisions of Class 20F of the Planning and Development (Exempted Development) (No. 4) Regulations 2022 (S.I. No. 605/2022) and 2023 2023 (S.I. 376/2023). The application is submitted on behalf of the Minister for Children, Equality, Disability, Integration and Youth and is to be read in conjunction with the accompanying Notification of Intention to Avail of Class 20F Exemption issued to Donegal County Council. The proposal aligns with national objectives to address the urgent need for accommodation for individuals seeking international protection, while adhering to the relevant statutory and planning guidelines.

The Strand Hotel is a well-established hospitality venue with a long-standing history of serving the local and visiting community. Over the years, the property has been enhanced through a series of planning permissions, including Grant No. 03/5329, which permitted significant renovations and expansions. These developments included the addition of bedrooms, the enlargement of communal areas, and external modifications to improve its functionality and usability. The property has also been granted a Fire Safety Certificate (Reference No. FSC/23/113), which confirms compliance with fire safety standards for new works and material alterations.

The hotel's existing layout is particularly suitable for its proposed use as International Protection Accommodation. It features communal spaces, private sleeping areas, and adequate sanitary facilities, all of which are essential for accommodating individuals and families in a safe and dignified manner. The structure and facilities require no material alterations, ensuring a seamless transition to this temporary use while maintaining compliance with all planning and safety regulations.

Strategically located within Donegal, the Strand Hotel benefits from proximity to key amenities, including healthcare, educational institutions, transport links, and social services. This accessibility not only supports the day-to-day needs of residents but also promotes their integration into the local community. Such connectivity is vital for fostering an environment of inclusion and well-being, which aligns with the broader national strategy for housing individuals under international protection.

This report outlines the justification for the Section 5 Exemption Certificate application, highlighting the property's compliance with relevant planning and development standards, its readiness for immediate use, and its alignment with the government's housing objectives. The attached documentation, including the Fire Safety Certificate (FSC/23/113) and relevant planning permissions, substantiates the property's suitability and capacity for this critical purpose.

By repurposing the Strand Hotel under this exemption, the property will address an urgent national need without requiring significant intervention, leveraging its existing infrastructure to provide a safe, functional, and welcoming environment for those seeking international protection.

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## 2. PLANNING OVERVIEW

The Strand Hotel has a rich planning history that illustrates its transformation from a traditional hospitality venue into a modern, multi-functional facility. This evolution reflects a commitment to adaptability and community service, making the property particularly suitable for its proposed use as International Protection Accommodation.

### Planning Permissions and Development History

The property's progression has been facilitated through several planning permissions, notably Planning Register Number 03/5329, which authorised substantial renovations and extensions. These works included:

- The addition of 22 new bedrooms, significantly increasing the capacity for overnight accommodation.
- Enlargement of the dining room and bar area, creating communal spaces conducive to social interaction and group activities.
- Modifications to the external elevations, enhancing the visual appeal and functionality of the property.

These developments were strategically designed to maximise the property's flexibility, allowing it to serve both hospitality and residential purposes. The resulting layout incorporates a balance of private spaces for individual comfort and communal areas essential for fostering a sense of community among occupants.

### Strategic Location and Infrastructure

Situated in Donegal, the Strand Hotel benefits from an advantageous location. It is well-connected to critical infrastructure, including:

- **Transport Links:** Proximity to public and private transport networks facilitates ease of access for residents and support services.

- **Healthcare Facilities:** Access to medical services ensures that residents' health needs are promptly addressed.
- **Educational Institutions and Community Services:** These amenities support integration, skill-building, and social cohesion, critical components of a holistic approach to housing individuals seeking international protection.

This accessibility ensures that the property aligns with the broader objectives of promoting inclusion and integration within the local community.

#### Zoning and Policy Compliance

The property is located in an area that supports mixed-use and residential developments, as designated in local zoning plans. This designation underpins the feasibility of repurposing the hotel under the Class 20F Exemption. The project aligns with local development objectives while contributing to Ireland's national strategy of addressing accommodation shortages for international protection applicants.

#### Alignment with Class 20F Exemption

The Strand Hotel meets all criteria outlined in the Planning & Development (Exempted Development) (No. 4) Regulations 2023 (S.I. 376/2023). Specifically:

- **Existing Suitability:** The property's current layout, amenities, and infrastructure are fully capable of accommodating residents safely and comfortably without requiring significant structural alterations.
- **Sustainability:** The proposed use adheres to sustainable planning principles, making efficient use of existing resources and infrastructure.
- **Policy Alignment:** The project directly supports Ireland's national and local housing objectives, providing a timely and effective response to urgent accommodation needs.

The comprehensive redevelopment of the Strand Hotel, combined with its strategic location and compliance with planning policies, underscores its readiness for this new purpose. Repurposing the property not only addresses a critical national need but also represents a pragmatic and efficient use of existing resources, ensuring alignment with broader community and governmental objectives.

### 3. FIRE SAFETY COMPLIANCE

The Strand Hotel has been granted Fire Safety Certificate No. FSC/23/113, confirming its compliance with fire safety standards for the new works and material alterations undertaken at the property. This certification ensures the building adheres to the relevant safety requirements and affirms its suitability for residential use, particularly for housing individuals seeking international protection.

#### Key Fire Safety Features

The property incorporates a range of fire safety measures, ensuring the protection of occupants and compliance with current regulations:

- **Fire-Resisting Doors**
  - Strategically installed throughout the building, these doors provide critical protection against the spread of fire and smoke, ensuring safe pathways for evacuation and reducing the risk of harm to occupants.
- **Compartmentation**
  - The property has been designed with fire-resisting walls and floors to compartmentalise potential fire zones. This structural strategy limits the spread of fire, providing containment and additional time for safe evacuation.
- **Escape Routes**
  - Clearly marked and appropriately sized escape routes are accessible from all areas of the building. These routes ensure that residents can evacuate efficiently and safely during emergencies.
- **Fire Detection and Alarm System**
  - A comprehensive and fully operational fire detection and alarm system has been installed, enabling early warning and rapid response to fire incidents. This feature enhances overall safety for occupants and reduces the likelihood of significant harm.
- **Self-Closing Fire Doors**
  - Located along critical pathways, self-closing fire doors are designed to enhance containment, maintaining the integrity of escape routes and minimising the spread of fire and smoke.

#### Readiness for Residential Use

These integrated fire safety measures collectively provide a robust framework for occupant safety. The certification demonstrates that the property has been designed and constructed to meet rigorous safety standards, ensuring early detection, effective containment, and safe evacuation procedures.

### **Suitability for International Protection Accommodation**

The Strand Hotel is uniquely equipped to transition into International Protection Accommodation without the need for additional material alterations. The existing fire safety infrastructure ensures the safety of residents, meeting both functional and regulatory requirements for residential use. This robust compliance not only underscores the property's readiness but also reinforces its ability to provide a secure and welcoming environment for individuals and families in need.

The fire safety provisions of the Strand Hotel, as validated by Fire Safety Certificate No. FSC/23/113, ensure the property's compliance with national fire safety standards and its suitability for accommodating individuals seeking international protection. These measures reflect a commitment to occupant safety and align with the regulatory framework governing residential facilities, affirming the property's readiness for its proposed use.

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## **4. JUSTIFICATION FOR EXEMPTION AND USE SUITABILITY**

### **Suitability as International Protection Accommodation**

The proposed repurposing of the Strand Hotel, located at Main Street, Ballyliffin, Co. Donegal, F93 XT52, as International Protection Accommodation, builds upon its existing function as a hospitality venue. Designed to house multiple occupants, the hotel's layout features communal living spaces, private sleeping quarters, and adequate sanitary provisions, meeting the core requirements for residential use.

The property's communal spaces, including dining and recreational areas, provide a conducive environment for fostering interaction, social cohesion, and access to essential support services. This balance between communal areas and private sleeping quarters ensures dignity, privacy, and functionality for residents.

Sanitary facilities at the Strand Hotel are well-equipped to maintain high hygiene standards, even during periods of full occupancy. This critical feature aligns with the operational needs of residential accommodation, ensuring both safety and comfort for all occupants.

### **Addressing National and Local Housing Needs**

The repurposing of the Strand Hotel directly addresses the urgent national demand for accommodation for individuals seeking international protection. This initiative provides an immediate solution by utilising an existing property that requires minimal intervention to transition into a functional residential facility.

Situated in the picturesque coastal village of Ballyliffin, the hotel benefits from its strategic location within County Donegal. The area offers a range of local amenities and services that are essential for supporting the well-being and integration of residents:

- **Healthcare Facilities:** Proximity to primary care centres and nearby hospitals ensures that residents have access to essential medical services.
- **Educational Resources:** The presence of local schools and training centres facilitates the educational and developmental needs of children and adults.
- **Transport Links:** Ballyliffin is served by regional transport networks, providing connectivity to larger towns and cities such as Buncrana and Letterkenny.
- **Recreational and Cultural Opportunities:** The village is renowned for its scenic coastal environment, including beaches, walking trails, and the internationally acclaimed Ballyliffin Golf Club, fostering a sense of well-being and community for residents.
- **Local Shops and Services:** The availability of local retail outlets, cafés, and community services supports daily living and integration into the community.

This combination of amenities ensures that the Strand Hotel is not only well-equipped to meet the practical needs of its residents but also supports their holistic integration into the local community. By locating accommodation in a well-serviced area, this project aligns with Ireland's national strategy of decentralising accommodation needs, easing pressure on urban centres, and promoting balanced regional development.

### Alignment with Class 20F Policy Objectives

The proposal adheres to the objectives outlined in Class 20F of the Planning & Development (Exempted Development) (No. 4) Regulations 2023 (S.I. 376/2023), which facilitates the temporary repurposing of properties to address urgent housing needs for vulnerable populations.

The Strand Hotel satisfies the criteria for the Class 20F Exemption in the following ways:

- **Existing Suitability:** The current layout and facilities of the property are well-equipped to support residential use without requiring significant structural alterations.
- **Temporary Nature:** The intended use is temporary, ensuring compliance with the regulatory framework while preserving the integrity of the property's original planning permissions.
- **Alignment with National Priorities:** The proposal directly supports Ireland's housing objectives by addressing critical accommodation shortages with a pragmatic and efficient solution.

This initiative reflects the government's commitment to addressing housing challenges through practical, swift, and policy-compliant interventions. Properties such as the Strand Hotel play a vital role in achieving these goals while maintaining adherence to planning and development standards.

### Compliance with Fire Safety Regulations

The Strand Hotel has been granted Fire Safety Certificate No. FSC/23/113, confirming its compliance with the fire safety standards required for recent works and material alterations. Key safety features include:

- **Fire-Resisting Doors:** Preventing the spread of fire and smoke to ensure occupant safety.
- **Compartmentation:** Fire-resisting walls and floors to contain fire, providing additional time for evacuation.
- **Escape Routes:** Clearly marked and accessible routes to facilitate safe evacuation.
- **Fire Detection and Alarm System:** Enabling early detection and rapid response to potential fire incidents.

These features validate the property's readiness for accommodating individuals seeking international protection. With no material alterations required to enhance fire safety, the existing infrastructure ensures compliance with all applicable regulations.

Located in the heart of Ballyliffin, the Strand Hotel is ideally positioned to address urgent housing needs through its temporary repurposing. Its suitability as International Protection Accommodation, combined with its strategic location and alignment with national priorities, ensures it can meet this critical purpose without significant intervention.

The property's compliance with fire safety standards and its proximity to essential local amenities further underscores its readiness to provide a safe, functional, and welcoming environment for individuals and families seeking international protection. This proposal represents a pragmatic and timely solution to Ireland's housing challenges while maintaining adherence to planning and development regulations.

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## 5. CONCLUSION

The Strand Hotel, located on Main Street, Ballyliffin, Co. Donegal, F93 XT52, exemplifies a property uniquely suited for temporary repurposing as International Protection Accommodation. Its long-standing history as a hospitality venue, combined with significant planning permissions and continuous development, ensures its compliance with local and national planning objectives.

The property's compliance with fire safety standards is certified by Fire Safety Certificate No. FSC/23/113, which confirms its suitability for safe residential occupancy. Key safety measures include:

- Fire-resisting doors and compartmentation to contain and control potential fire spread.
- Protected and accessible escape routes to facilitate the safe evacuation of occupants.
- An advanced fire detection and alarm system to ensure early warning and rapid response.

These features demonstrate that the property is equipped to handle the demands of residential accommodation safely and effectively without requiring further alterations.

The Strand Hotel's existing layout provides an ideal balance between private and communal spaces, critical for fostering both individual dignity and community bonds. Its communal facilities, such as kitchens, dining areas, and living spaces, promote interaction and social support, essential for the well-being of residents. The inclusion of sanitary facilities that meet high hygiene standards further underscores its suitability for accommodating vulnerable populations.

### **Strategic Location**

Situated in Ballyliffin, the hotel benefits from a prime location within a well-served area. Its proximity to healthcare facilities, educational institutions, transport links, and community resources ensures that residents will have seamless access to essential services. This accessibility promotes integration and supports the national objective of decentralising accommodation provision, reducing pressure on urban centres, and fostering balanced regional development.

### **Alignment with National Objectives**

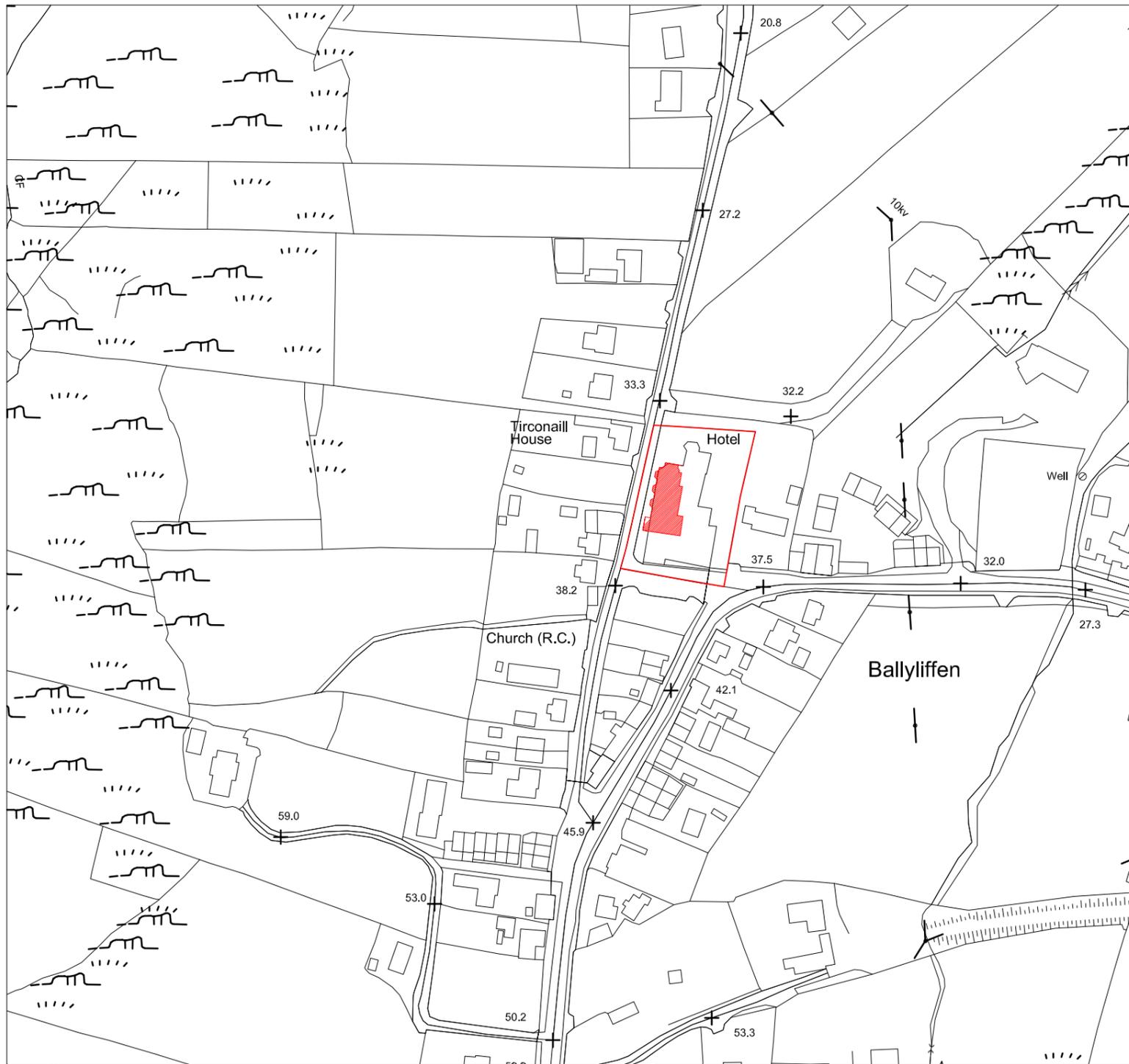
The proposal to repurpose the Strand Hotel reflects a pragmatic response to Ireland's urgent housing crisis. By leveraging an existing, well-maintained asset, the project minimises delays and costs typically associated with new development. This initiative addresses immediate housing needs while aligning with Ireland's broader objectives of equitable resource distribution, sustainability, and community integration.

The Strand Hotel stands as a model property for accommodating individuals seeking international protection. Its readiness, safety features, strategic location, and alignment with planning and fire safety requirements underscore its ability to meet the critical housing needs of Ireland's most vulnerable populations. By repurposing this property, the project not only addresses a pressing national need but also demonstrates a commitment to sustainable, inclusive, and efficient resource utilisation.

For these reasons, we respectfully request that the Planning Authority grants the Section 5 Exemption Certificate, allowing the property to be utilised for this crucial purpose. The evidence provided demonstrates its readiness and suitability for housing individuals seeking international protection. The Strand Hotel is well-positioned to deliver meaningful support to individuals and families seeking international protection, serving as an invaluable resource in Ireland's efforts to fulfil its housing obligations.

## 6. APPENDIX

### 6.1. Drawings

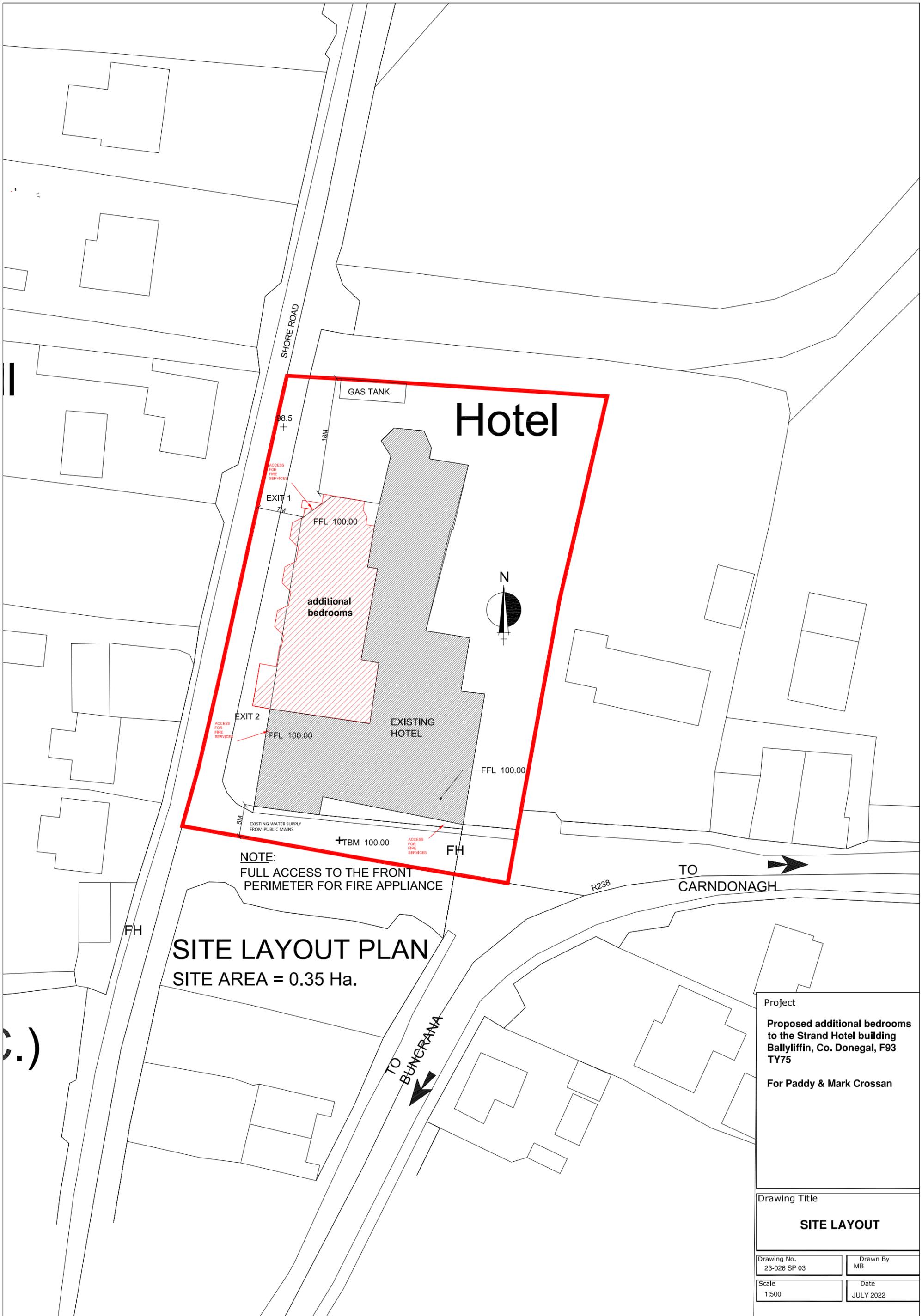


**SITE LOCATION MAP 1:2500**

Project  
**additional residential  
 bedrooms to the Strand Hotel  
 building Ballyliffin, Co. Donegal,  
 F93 TY75**  
 for Paddy & Mark Crossan

Drawing Title  
**SITE LOCATION MAP**

Drawing No. 23-026	Drawn By MB
Scale 1:2500	Date JUNE 2023



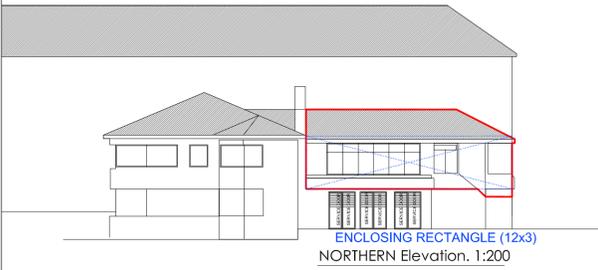
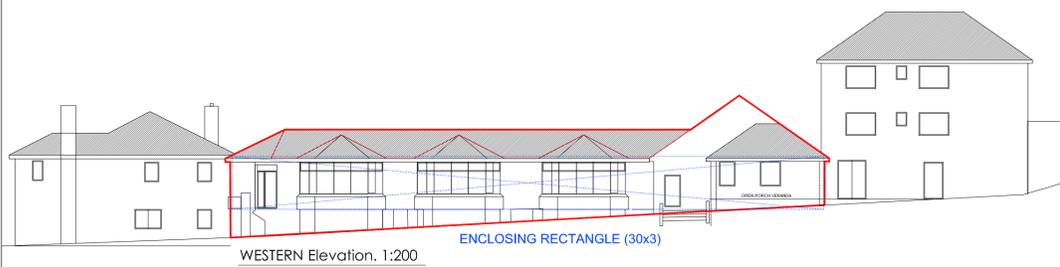
**SITE LAYOUT PLAN**  
 SITE AREA = 0.35 Ha.

**NOTE:**  
 FULL ACCESS TO THE FRONT  
 PERIMETER FOR FIRE APPLIANCE

Project  
**Proposed additional bedrooms  
 to the Strand Hotel building  
 Ballyliffin, Co. Donegal, F93  
 TY75**  
 For Paddy & Mark Crossan

Drawing Title  
**SITE LAYOUT**

Drawing No. 23-026 SP 03	Drawn By MB
Scale 1:500	Date JULY 2022



	EXTERNAL WALLS
	60 MINUTE FIRE RESISTANT WALL CONSTRUCTION I.E. COMPARTMENT WALLS AND PROTECTED SHAFTS AS DETAILED IN SECTION 3.2.5 OF THD-B AND THE ACCOMPANYING COMPLIANCE REPORT
	30 MINUTE FIRE RESISTANT WALL CONSTRUCTION I.E. PROTECTED CORRIDORS AND LOBBIES ETC. CONTINUED UP TO CONC. SLAB OVER CONSTRUCTION-CONCRETE WALLS AND STANDARD STUD PARTITIONS TO GIVE 30 MINUTES FIRE RESISTANCE
	MAINTAINED EXIT SIGN TO IS:3217:2013 & FIRE SAFETY SIGNS-PART 1 OF 7 SAFETY SIGNS AT PLACE OF WORK GENERAL REGULATIONS 2007 AT ALL TIMES
	60 MINUTE FIRE RESISTANCE SELF-CLOSING DOORSET WITH INTUMESCENT STRIP AND SMOKE SEALS
	30 MINUTE FIRE RESISTANCE SELF-CLOSING DOORSET WITH INTUMESCENT STRIP AND SMOKE SEALS
	TRAVEL DISTANCE
	DOOR PROVIDED WITH VISION PANEL TO BE BETWEEN 0.9M AND 1.5M ABOVE THE FINISHED FLOOR LEVEL & CONTAIN A MINIMUM WIDTH OF 100MM
	DOOR FITTED ONLY WITH SIMPLE FASTENINGS TO THE ESCAPE ROUTE THAT CAN BE READILY OPERATED WITHOUT THE USE OF A KEY
	DOOR FITTED ONLY WITH EITHER NO FASTENINGS OR ELSE PANIC BOLTS TO BE EN 1125 1997
	NON MAINTAINED EMERGENCY EXIT SIGN TO IS:3217:2013 & FIRE SAFETY SIGNS-PART 1 OF 7 SAFETY SIGNS AT PLACE OF WORK GENERAL REGULATIONS 2007 AT ALL TIMES



EXISTING HOTEL SHADED

**FEE CALCULATION**

Architect's fee for a ground floor single storey unit of the works shall be calculated as follows:

This fee is calculated as per Part A (up to 1000 sqm) and Part B (over 1000 sqm)

Area of works = 400 sqm

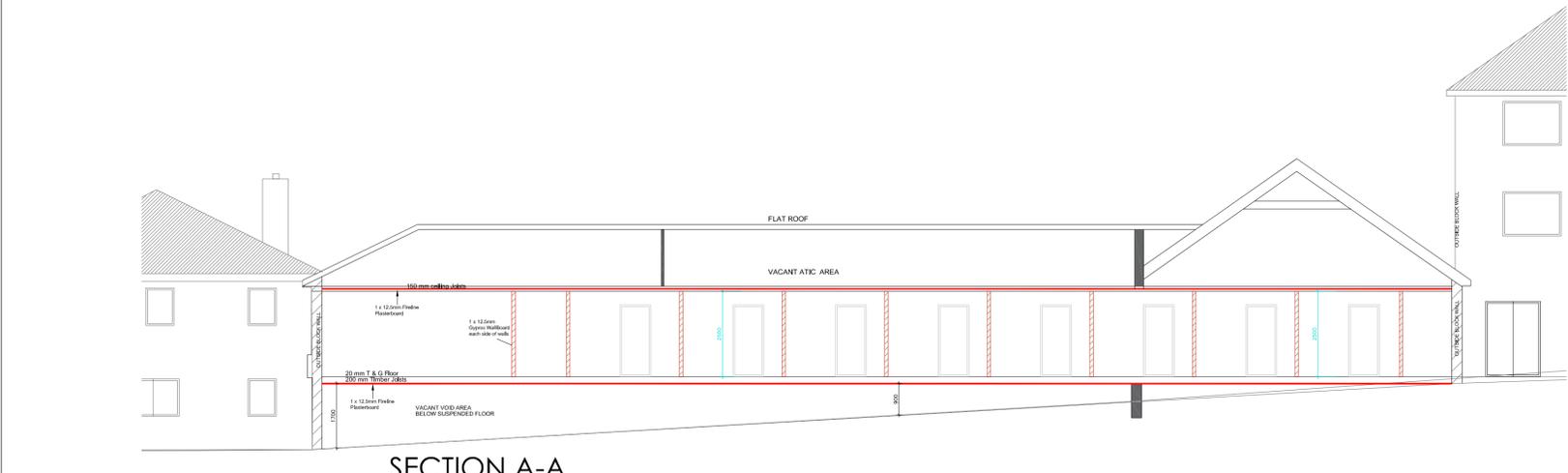
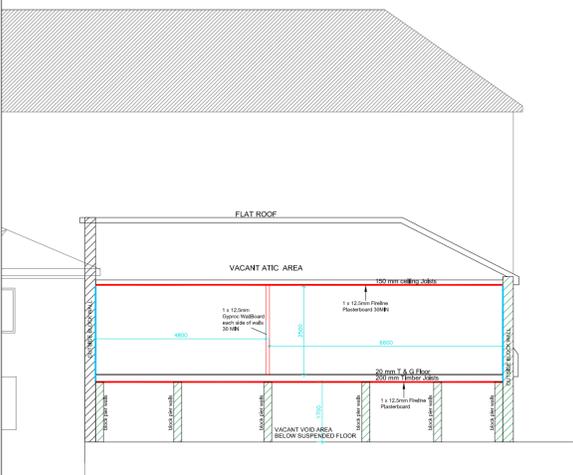
Part A fee = 1000 x 100 = 100,000

Part B fee = 300 x 100 = 30,000

TOTAL AREA = 400 sqm

TOTAL FEE = 130,000

Ground Floor Plan. 1:100  
FLOOR AREA OF WORKS / ADDITIONAL ROOMS = 400 sqm



Project

**Proposed additional bedrooms to the Strand Hotel building Ballyliffin, Co. Donegal, F93 TY75**

For Paddy & Mark Crossan

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Drawing Title

**FLOOR PLAN & ELEVATIONS**

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Drawing No. 23-026 FP 01	Drawn By MB
Scale 1:100 FP & SEC, 1:200 ELE	Date JUNE 2023

**From:** [CARMEL KELLY](#) on behalf of [planning mailbox](#)  
**To:** [TERESA CONWAY](#)  
**Subject:** FW: 24057 - THE STRAND HOTEL, SECTION 5 EXEMPTION CERTIFICATE APPLICATION  
**Date:** 27 January 2025 16:05:02  
**Attachments:** [image001.png](#)

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**From:** Gavin Veeran <[gveeran@urbanarq.ie](mailto:gveeran@urbanarq.ie)>  
**Sent:** Monday, January 27, 2025 4:02 PM  
**To:** [planning mailbox](#) <[Planning@Donegalcoco.ie](mailto:Planning@Donegalcoco.ie)>  
**Subject:** RE: 24057 - THE STRAND HOTEL, SECTION 5 EXEMPTION CERTIFICATE APPLICATION

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Hi Teresa,

I trust you are well.

That's been paid now. The Invoice Reference No. is 96974.

Kind Regards

GAVIN VEERAN | MRIA

For and on behalf of

**urban A R Q**

architecture | urban design | project management

G A L W A Y

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D U B L I N

+353 (0) 1 525 2215

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**From:** CARMEL KELLY <[CKELLY@donegalcoco.ie](mailto:CKELLY@donegalcoco.ie)> **On Behalf Of** [planning mailbox](#)  
**Sent:** 27 January 2025 15:49  
**To:** Gavin Veeran <[gveeran@urbanarq.ie](mailto:gveeran@urbanarq.ie)>  
**Subject:** FW: 24057 - THE STRAND HOTEL, SECTION 5 EXEMPTION CERTIFICATE APPLICATION

A Chara

Can you please confirm you have paid the relevant fee of €80.00?

If you have yet to pay the fee you can do so now by ringing the cash office on 074 9153900. Once the transaction has been processed note your receipt number and return the same to the planning mailbox.

Regards

Teresa

**From:** Gavin Veeran <[gveeran@urbanarq.ie](mailto:gveeran@urbanarq.ie)>

**Sent:** Friday, January 24, 2025 10:58:29 PM

**To:** planning mailbox <[Planning@Donegalcoco.ie](mailto:Planning@Donegalcoco.ie)>

**Subject:** RE: 24057 - THE STRAND HOTEL, SECTION 5 EXEMPTION CERTIFICATE APPLICATION

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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.

Good Day,

See attached, Section 5 Exemption Certificate Application for an existing Hotel to be used as temporary accommodation for International Protection Applicants.

The attached includes the following:

- Completed Section 5 Declaration Application Form
- Accompanying Section 5 Report
- Drawings in support of the submission
- Payment of prescribed Fee (to be paid telephonically)

We trust the above and attached is in order. We look forward to a positive outcome.

Kind Regards

GAVIN VEERAN | MRIAI

For and on behalf of



Please consider the environment before printing this e-mail

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## **SECTION 5 REFERRAL REPORT – Ref. No: S5 25/06**

### **1.0 BACKGROUND**

#### **1.1 Location:**

Strand Hotel, Shore Road, Ballyliffin, Co. Donegal F93 TY75.



#### **1.2 Site Description:**

The site is located within Ballyliffin town. The site is occupied by an existing 3 storey building fronting on to local road L-1141-1 with the lower part of the building to the rear fronting onto the Shore Road.



#### **1.3 Planning History**

File No.	Decision	Name	Address	Description
035329	Conditional	NORTHSTAR TAVERNS	STRAND HOTEL BALLYLIFFIN LIFFORD CO DONEGAL	TO SUPERCEED PREVIOUS PERMISSION 98/3265 FOR DEVELOPMENT TO CONSIST OF RENOVATIONS AND EXTENSION TO PROVIDE 22 NO ADDITIONAL BEDROOMS ENLARGE DINING ROOM BAR AREA AND FOYER TOGETHER WITH ALTERATIONS TO EXTERNAL ELEVATIONS AND ASSOCIATED SERVICES

File No.	Decision	Name	Address	Description
983265	Conditional	DENNIS BRADLEY	THE STRAND HOTEL BALLYLIFFIN	RENOVATION AND EXTENSION TO PROVIDE 33 NO. BEDROOMS, NEW DINING ROOM, PUBLIC BAR, CIRCULATION AREAS AND ASSOCIATED SERVICE

## **2.0. THE QUESTION**

The agent UrbanARQ Ltd, on behalf of the applicant Mark Crossan, has made a submission to Donegal County Council seeking a Declaration of Exemption under Schedule 2, Part 1 Class 20F of the Planning and Development Regulations 2001 (as amended) as to whether or not the following is exempt from planning permission:

Existing hotel to be used as temporary accommodation for international protection applicants.

## **3.0 EVALUATION**

### **3.1 Planning and Development Act, 2000**

#### 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 4(1) sets out development which shall be exempted development.

### Section 177U

"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**

### Article 6(1)

Subject to Article 9, development of a 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

Restrictions on Exemption include inter alia:- .

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—
- (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,
  - (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,
  - (iii) endanger public safety by reason of traffic hazard or obstruction of road users,

- (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,
- (vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan, save any excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),
- (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

**Schedule 2 Part 1 Exempted Development - General**  
**Temporary Structures and Uses Class 20F**

<p><b>CLASS 20F</b></p> <p>Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.</p>	<p>1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.</p> <p>2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022<sup>1</sup> comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001<sup>2</sup>.</p> <p>3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.</p> <p>4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.</p>
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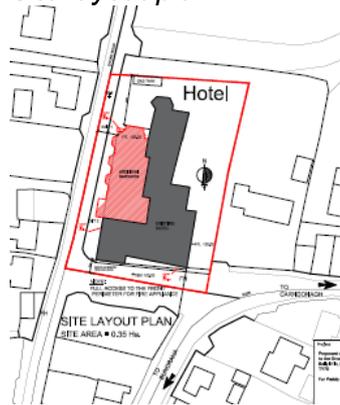
	<p>5. The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.</p> <p>6. 'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.</p>
	<p>7. 'international protection', for the purpose of this class, has the meaning given to it in section 2(1) of the International Protection Act 2015 (No. 66 of 2015).</p> <p>8. 'temporary protection', for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.</p>

#### 4.0 ASSESSMENT

The Planning Authority is satisfied that the use of a hotel for temporary accommodation for international protection applicants would constitute 'development' as defined in Sections 2 & 3 of the Act.

A ground floor plan (23-026 FP 01) has been submitted which shows an additional 10 double ensuite bedrooms being created in what is currently a function room to the rear of the hotel. The remainder of the hotel is shaded in grey. No other floor plans have been submitted. It is not clear from the documentation submitted whether the change of use will apply to the entire hotel or just the additional bedrooms shown on the submitted floor plan and shaded red on the submitted site layout plan (see below). **Further information will be required** to clarify whether the change of use relates to all or part of the building, submit all floor plans (if required) to show where the change of use relates to and identify the communal spaces, including dining and recreational areas referred to in the accompanying report.

*Site layout plan*



Evidence that the temporary use is either by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth would need to be submitted in order to be considered within the scope of Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Insufficient information has therefore been submitted to determine whether the development can be considered exempted development.

## **5.0 RECOMMENDATION**

In accordance with section 5(2)(b) of the Planning & Development Act 2000 (as amended) Further Information is required to enable the Planning Authority to issue a response to the submitted Section 5 application.

1. Applicant to confirm, through documentary evidence, that the proposed temporary use is either by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth.
2. Applicant to clarify whether the proposed temporary change of use relates to the entire hotel or just the area shown on the submitted ground floor plan (shaded red on the site layout plan).
3. (a) Applicant to submit additional floor plans and clearly delineate all areas to be temporarily used by international protection applicants (if required)  
(b) Applicant to submit revised plans to clearly identify the communal spaces, including dining and recreational areas referred to in the accompanying report.

**Signed:**   
\_\_\_\_\_

**Position:** Assistant Planner

**Date:** 29<sup>th</sup> January 2025



---

Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
29/01/2025

**Gavin Veeran**

---

**Subject:** FW: IP Application - The Strand Hotel Donegal

----- Forwarded message -----

**From:** DCEDIY IPPS <[IPPS@equality.gov.ie](mailto:IPPS@equality.gov.ie)>

**Date:** Wed, Feb 19, 2025 at 11:27

**Subject:** RE: IP Application - The Strand Hotel Donegal

**To:** Paddy mcinerney · [REDACTED]

Dear Sir/Madam,

The Department of Children, Equality, Disability, Integration and Youth is currently seeking offers of temporary emergency accommodation for International Protection applicants across all areas of the country. Due to the high demand for temporary emergency accommodation, the Department is considering all offers which are made to the International Protection Procurement Service.

We have received an offer of accommodation at The Strand Hotel Donegal, which we are currently appraising for its suitability for International Protection accommodation. The proposer of this property has stated that they intend to avail of the Class 20F exemption as part of their offer to the Department. I can confirm that the Department is interested in utilising all offers of emergency accommodation to meet the demands of the current accommodation, subject to proper planning, fire and building control compliance.

**Subject to Contract/Contract Denied.**

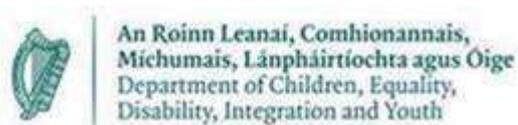
*Kind regards,*

**Tomás**

**Seirbhísí an tSoláthair Cosaint Idirnáirsiúnta  
International Protection Procurement Services**

**An Roinn Leanaí, Comhionannais, Míchumais, Lánpháirtíochta agus Óige  
The Department of Children, Equality, Disability, Integration and Youth**

**2<sup>nd</sup> Floor [Montague Court, 7-11 Montague Street, Dublin 2](#)**



**Chief Executive's Order No: 2025PH0358**

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

**SECTION 5:-**

Request received 27<sup>th</sup> January 2025 from Mark Crossan C/o Urbanarq Ltd, Pavilion House, 31/32 Fitzwilliam Square South, Dublin 2, D02 F403 in relation to the temporary use of an existing hotel to be used as temporary accommodation for international protection applicants at Strand Hotel, Shore Road, Ballyliffin, Inishowen, Co. Donegal F93 TY75

**SUBMITTED:-**

Written request received 27<sup>th</sup> January 2025 as above and report dated 29<sup>th</sup> January 2025 from the Executive Planner (Ref. No: S525/06 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 Executive Planner dated 29<sup>th</sup> January 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

11<sup>th</sup>

DAY OF FEBRUARY 2025

MWE

**SCHEDULE**

1. Applicant to confirm, through documentary evidence, that the proposed temporary use is either by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth.
2. Applicant to clarify whether the proposed temporary change of use relates to the entire hotel or just the area shown on the submitted ground floor plan (shaded red on the site layout plan).
3.
  - (a) Applicant to submit additional floor plans and clearly delineate all areas to be temporarily used by international protection applicants (if required)
  - (b) Applicant to submit revised plans to clearly identify the communal spaces, including dining and recreational areas referred to in the accompanying report.

JS 11/02



**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.ccdhunangall.ie

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

**Ref.No: S525/06**

11<sup>th</sup> January 2025

MARK CROSSAN  
C/O URBANARQ LTD  
PAVILION HOUSE,  
31/32 FITZWILLIAM SQUARE SOUTH,  
DUBLIN 2  
D02 F403

**Re: Temporary use of an existing hotel to be used as temporary accommodation for  
internation protection applicants at Strand Hotel, Shore Road, Ballyliffin,  
Inishowen, Co. Donegal F93 TY75**

A Chara

I refer to your request received 27<sup>th</sup> January 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**

/jmcc

**SCHEDULE**

1. Applicant to confirm, through documentary evidence, that the proposed temporary use is either by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth.
2. Applicant to clarify whether the proposed temporary change of use relates to the entire hotel or just the area shown on the submitted ground floor plan (shaded red on the site layout plan).
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  - (b) Applicant to submit revised plans to clearly identify the communal spaces, including dining and recreational areas referred to in the accompanying report.

**Gavin Veeran**

---

**Subject:** FW: IP Application - The Strand Hotel Donegal



----- Forwarded message -----

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**Date:** Wed, Feb 19, 2025 at 11:27

**Subject:** RE: IP Application - The Strand Hotel Donegal

**To:** Paddy mcinerney <[REDACTED]>

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We have received an offer of accommodation at The Strand Hotel Donegal, which we are currently appraising for its suitability for International Protection accommodation. The proposer of this property has stated that they intend to avail of the Class 20F exemption as part of their offer to the Department. I can confirm that the Department is interested in utilising all offers of emergency accommodation to meet the demands of the current accommodation, subject to proper planning, fire and building control compliance.

**Subject to Contract/Contract Denied.**

*Kind regards,*

**Tomás**

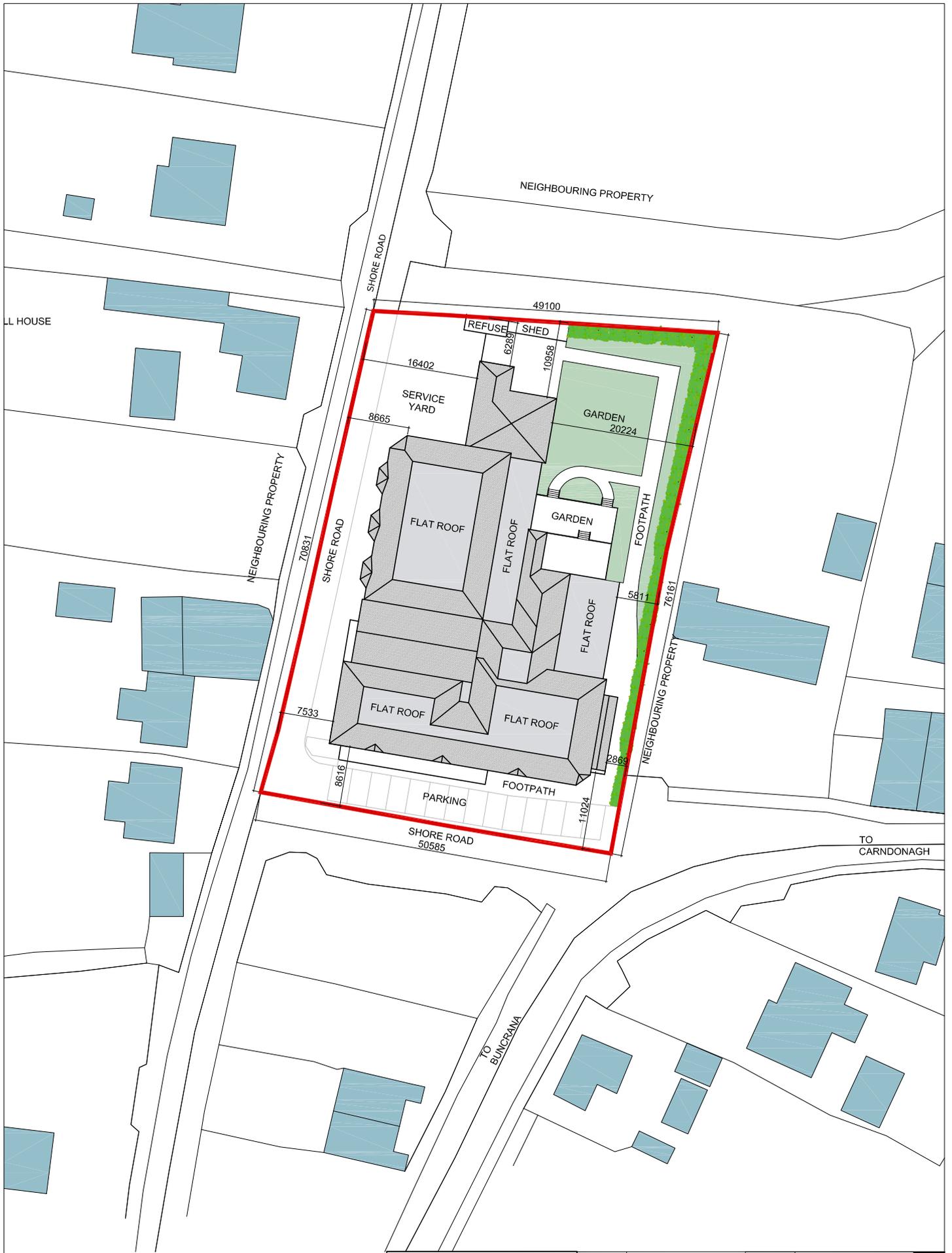
**Seirbhísí an tSoláthair Cosaint Idirnáirsiúnta  
International Protection Procurement Services**

**An Roinn Leanaí, Comhionannais, Míchumais, Lánpháirtíochta agus Óige  
The Department of Children, Equality, Disability, Integration and Youth**

**2<sup>nd</sup> Floor [Montague Court, 7-11 Montague Street, Dublin 2](#)**







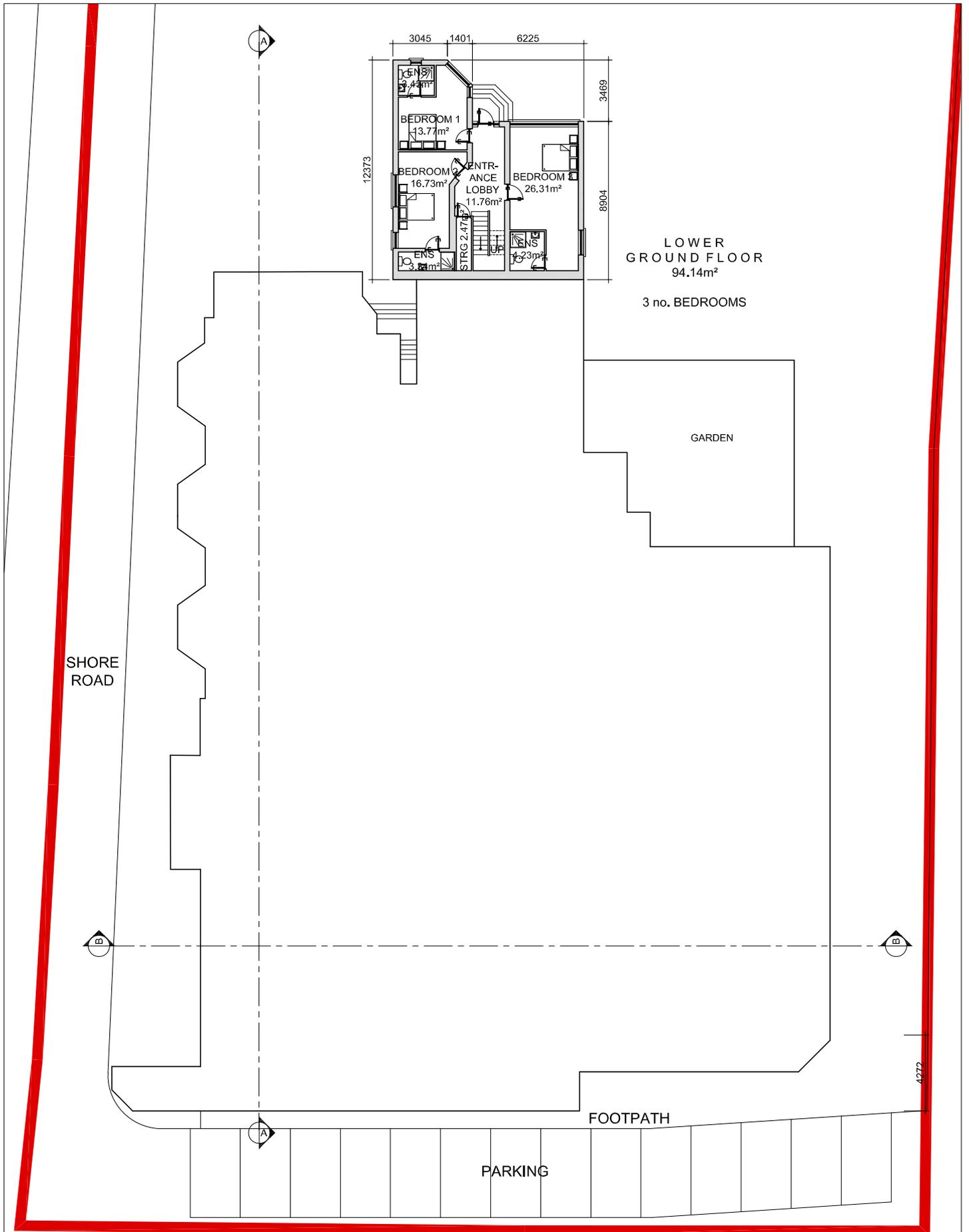
01 SITE PLAN  
SCALE 1:500



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— SITE BOUNDARY

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	CLIENT:	MARK CROSSAN	SCALE:	1:500	PAPER SIZE:		A3
	REVISION:		JOB NO.	24057	DRAWN BY:		AS
		DATE:	11.04.2025	CHECKED BY:	GV		



01

LOWER GROUND FLOOR PLAN  
SCALE 1:200

SHORE ROAD

**urbanARQ**

architecture | urban design | project management

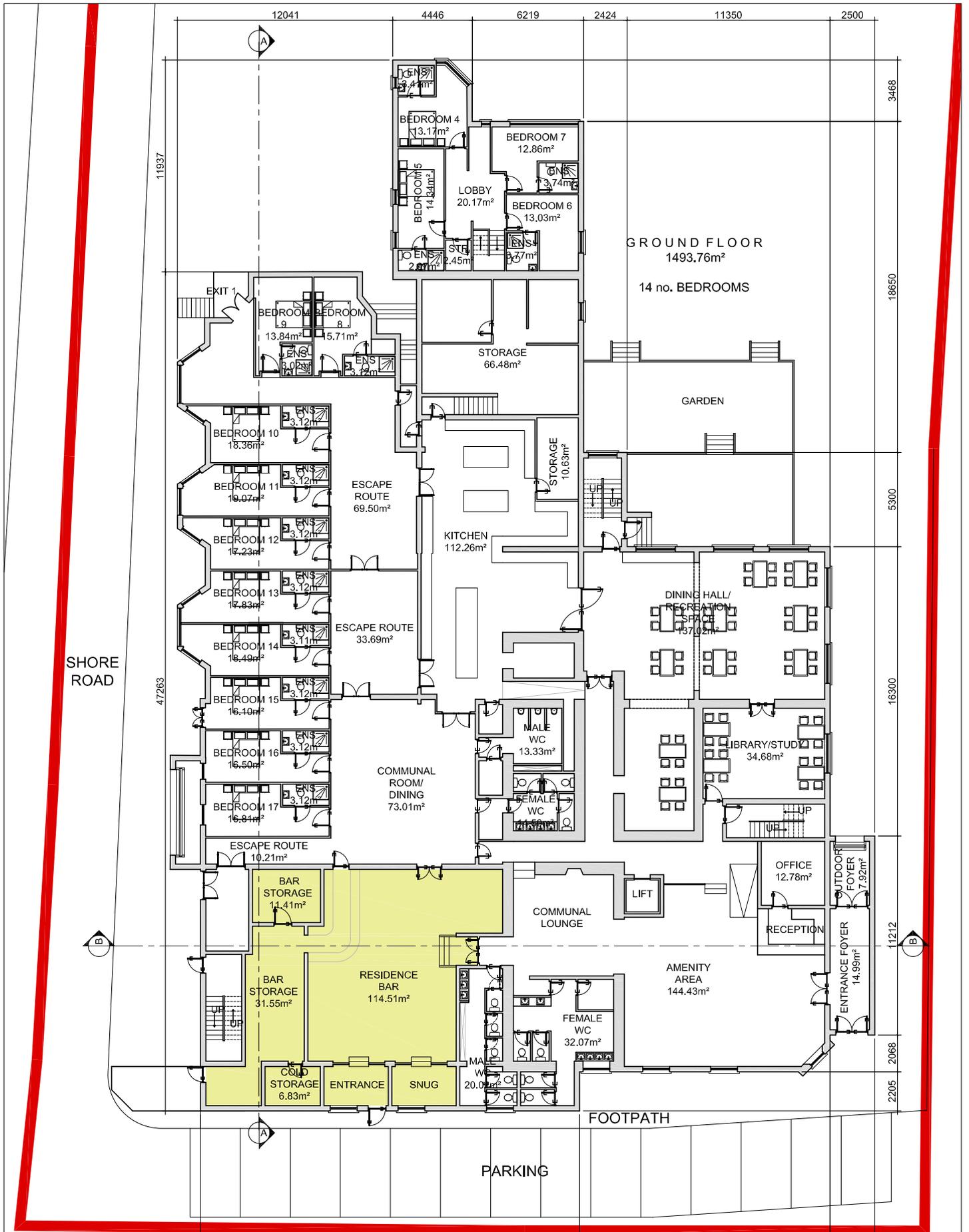
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PROJECT:	STRAND HOTEL BALLYLIFFIN, CO. DONEGAL F93 TY75	DWG TITLE:	LOWER GROUND FLOOR PLAN		  	
STAGE NO.	SECTION 5	DWG NO.	24057.S5.0002			
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REVISION:		JOB NO.	24057	DRAWN BY:		AS
		DATE:	11.04.2025	CHECKED BY:	GV	



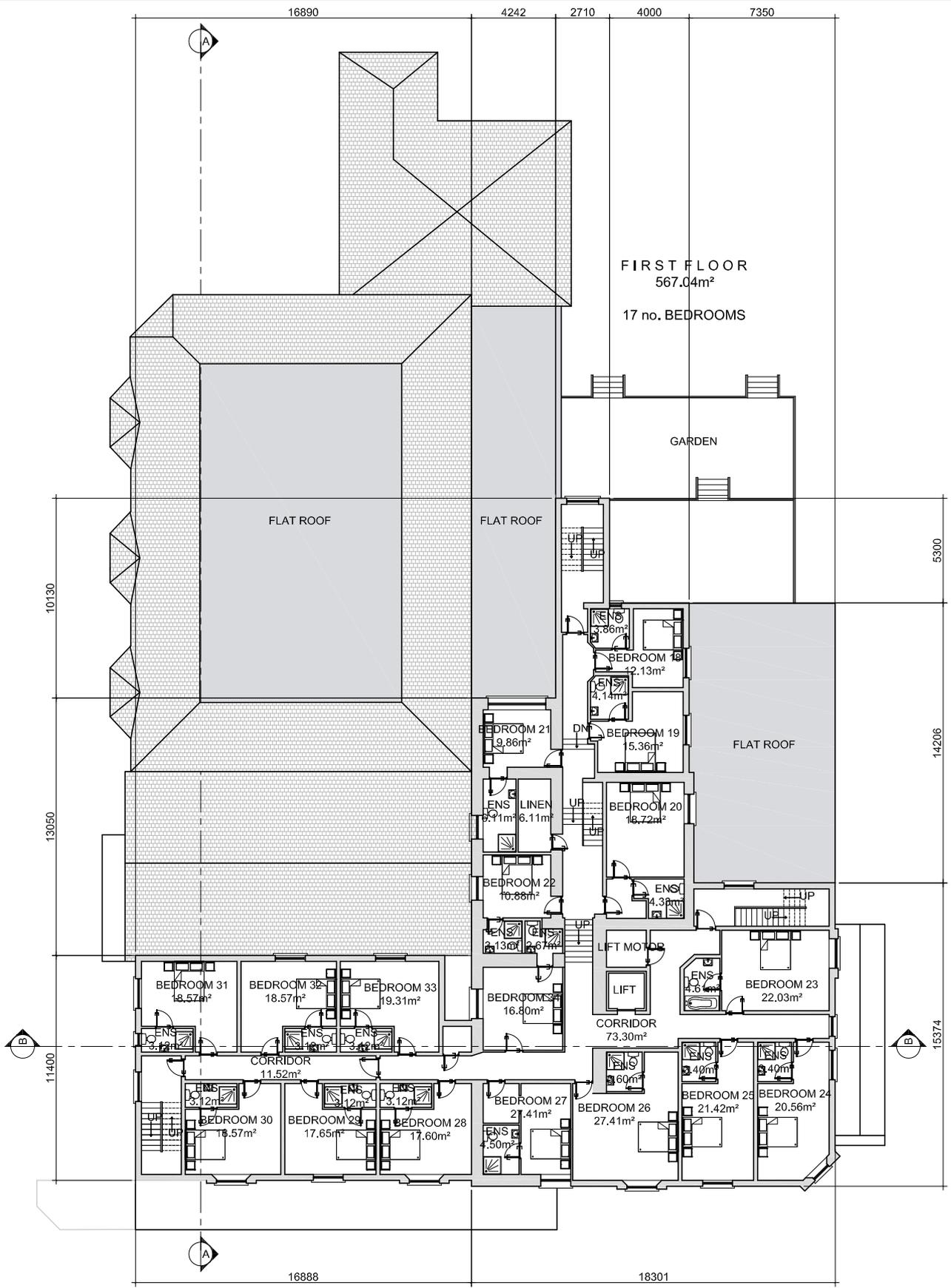
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		PROJECT:	STRAND HOTEL BALLYLIFFIN, CO. DONEGAL F93 TY75	DWG TITLE:	GROUND FLOOR PLAN			
architecture   urban design   project management GALWAY		STAGE NO.	SECTION 5	DWG NO.	24057.S5.0003			
DUBLIN Pavilion House, 31-32 Fitzwilliam Square, Dublin 2, D02 F403		CLIENT:	MARK CROSSAN	SCALE:	1:200		PAPER SIZE:	A3
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				DATE:	11.04.2025		CHECKED BY:	GV

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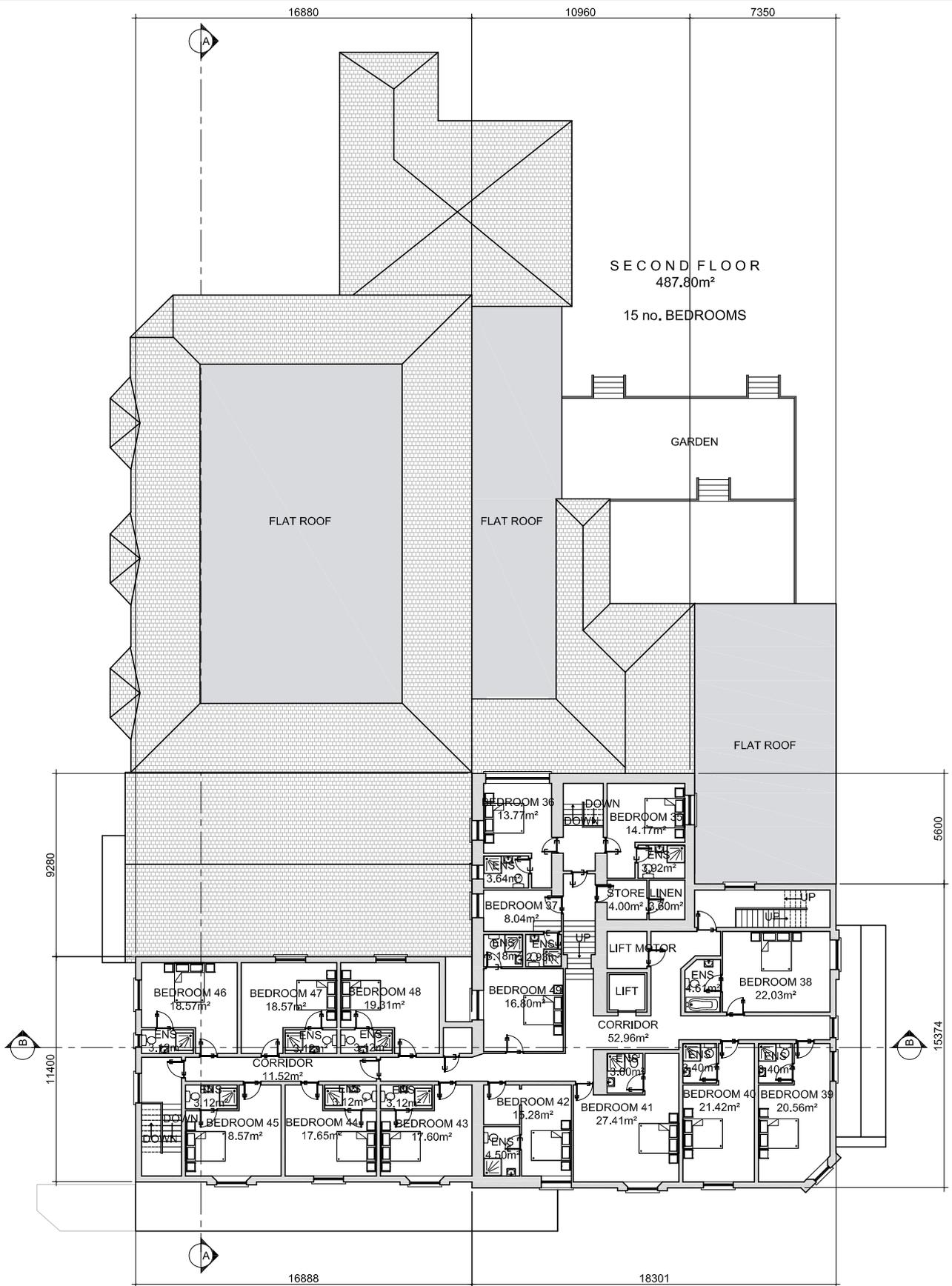


01 FIRST FLOOR PLAN  
SCALE 1:200



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01 SECOND FLOOR PLAN  
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01 ROOF PLAN  
SCALE 1:200

SHORE ROAD

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PROJECT:	STRAND HOTEL BALLYLIFFIN, CO. DONEGAL F93 TY75	DWG TITLE:	ROOF PLAN	
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CLIENT:	MARK CROSSAN	SCALE:	1:200	PAPER SIZE: A3
REVISION:		JOB NO.	24057	DRAWN BY: AS
		DATE:	11.04.2025	CHECKED BY: GV

Registered Architect  
**RIAI**  
 2022  
 Registration No. 12345  
**apm**  
 PROJECT MANAGER  
 123456789  
 CERTIFIED PROJECT MANAGER











01 NORTH ELEVATION  
SCALE 1:200



02 EAST ELEVATION  
SCALE 1:200

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		DATE:	11/04/2025	CHECKED BY:	GV		

**From:** [CARMEL KELLY](#) on behalf of [planning mailbox](#)  
**To:** [TERESA CONWAY](#)  
**Subject:** FW: S525/06 Correspondence from Concerned Citizen  
**Date:** 29 April 2025 13:14:33  
**Attachments:** [image001.png](#)  
[20250428110659887.pdf](#)

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**From:** Kathleen Callaghan [REDACTED]  
**Sent:** 29 April 2025 10:57  
**To:** planning mailbox <Planning@Donegalcoco.ie>  
**Cc:** EHS Admin Donegal [REDACTED]  
**Subject:** S525/06 Correspondence from Concerned Citizen

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.**

Carmel

Please see attached correspondence outlining concerns in respect of the above Section 5 Application which has been referred to the Environmental Health Service. The concerned citizen references a specific concern regarding the capacity of the public sewerage system and effective effluent disposal which is a matter for the Planning Authority in considering this application.

I would be grateful if you could confirm receipt of my email and if you could get back to me with any update on the application if possible.

Many thanks

Kind Regards  
Kathleen

**Kathleen Callaghan**  
**Oifigeach Sinsearach Sláinte Comhshaoil | Senior Environmental Health Officer**

Seirbhís Sláinte Comhshaoil, Ionad Cúraim Phríomhúil Bhun Cranncha, Ascaill Mhic Fhinn, Bun Cranncha, Co. Dhún na nGall, F93 E12W.  
Environmental Health Service, Buncrana Primary Care Centre, Maginn Avenue, Buncrana, Co Donegal, F93 E12W.

087 6299406 | 074 9363754 / 63755 | [kathleen.callaghaneho@hse.ie](mailto:kathleen.callaghaneho@hse.ie)



---

"Tá an fhaisnéis sa ríomhphost seo (ceangaltáin san áireamh) faoi rún. Baineann sé leis an té ar seoladh chuige amháin agus tá sé ar intinn go bhfaighfidh siadsan amháin é agus gurb iadsan amháin a dhéanfaidh breithniú air. Más rud é nach tusa an duine ar leis é, tá cosc iomlán ar aon fhaisnéis atá ann, a úsáid, a chraobhscaoileadh, a scaipeadh, a nochtadh, a fhoilsiú, ná a chóipeáil . Seans gurb iad tuairimí pearsanta an údar atá san ríomhphost agus nach tuairimí FSS iad.

Má fuair tú an ríomhphost seo trí dhearmad, bheadh muid buíoch dá gcuirfeá in iúil don Deasc Seirbhísí ECT ar an nguthán ag [+353 818 300300](tel:+353818300300) nó ar an ríomhphost chuig [service.desk@hse.ie](mailto:service.desk@hse.ie) agus ansin glan an ríomhphost seo ded' chóras."

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23/04/2025

Dear HSE – Environmental Health Dept

It is with deep interest that I take this time to write this letter to you regarding some rather unsettling information that I have been made privy to. To my knowledge, the Strand Hotel, Ballyliffin, F93 TY75, is being considered as a temporary accommodation for International Protection Applicants.

Office of the CEO

28 APR 2025

Health Service Executive

**S525/06 Mark Crossan C/o Urbanarq Ltd use of an existing hotel as temporary accommodation for international protection applicants Strand Hotel, Shore Road, Ballyliffin, Inishowen 27/01/2025 23/02/2025 11/02/2025 FI Requested**

**Source:** [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.donegalcoco.ie/media/15bpca1n/s5-ss-2025.pdf](https://www.donegalcoco.ie/media/15bpca1n/s5-ss-2025.pdf)

I, along with many other fellow Inishowen residents find this deeply concerning & disturbing for numerous reasons. Local infrastructure simply not being in a position to cope with such extra loads and demands to start. You only have to live in the area to bear witness to the mass; electricity failures, burst water pipes, Internet down etc. etc.

Arguably the main and most obvious reason - the 'Public Health of the Ballyliffin Community' in Terms of the safe and effective public 'effluent' systems already operating at maximum capacity. To confirm, the Strand Hotel has been in operation for many years but from my knowledge and this could be easily sourced, the Hotel occupancy never grew above 50% +/- per year. Fáilte Ireland will have such Occupancy records easily on file. One would assume that the building will operate at 100% occupancy or very close to it daily. Add to the fact that the Function Room was also transformed to house even more bedrooms and sleepers in the building. Surely that would be unsustainable to the 'current public sewerage system'? Most would argue that it's already exceeding limits and in dire need of an upgrade.

I refer you to the below statement from 'Fran Horkan', Assistant Planner, Donegal County Council, in May, 2007 which relates to other sought applications in the past. Of which to my knowledge, I am not aware of any system upgrades that have since been put in place since then:

*"Having regard to the fact the public sewerage in Ballyliffin is presently at maximum capacity and a connection of the proposed development to same is not permissible, and to the fact that the application has otherwise failed to submit proposals for the treatment and disposal of effluent on accordance with the necessary standards, it is considered that to permit the proposed development would be prejudicial to public health and thereby contrary to the proper planning and sustainable development of the area."*

I think it's fair to say that the above reads very conclusive, especially with phrases such as "maximum capacity", "prejudicial to public health" to name but a few.

I would ask that you take this letter very seriously. We will drive this by any relevant means necessary in order to protect and serve the 'Public Health of the Ballyliffin Community.'

Thank you for your time.

Kind regards

Concerned Inishowen Citizen



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

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

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**W:** www.ccdhunangall.ie

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

Ref.No: S525/06

8th May 2025

Ballyliffin Residents Group  
C/o Catherine Dillion McLaughlin  
Aughrim Heights  
Ballyliffin  
Clonmany  
Co. Donegal

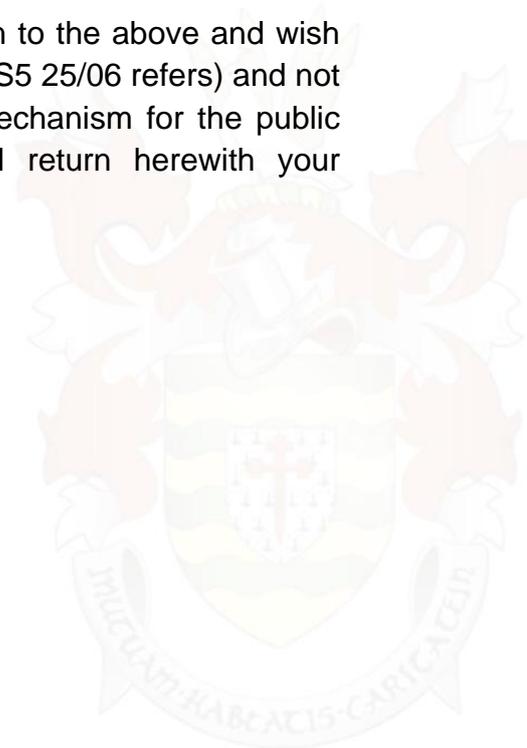
Re: Section 5 Declaration sought in relation to the use of an existing hotel as temporary accommodation for international protection applicants at Strand Hotel, Shore Road Ballyliffin.

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A Chara

I refer to your submission received 2nd May 2025 in relation to the above and wish to advise that this submission relates to a Section 5 referral (S5 25/06 refers) and not a planning application and as such there is no statutory mechanism for the public to engage in the process or to appeal. Accordingly I return herewith your submission.

for Senior Ex. Planner  
Development Management



**From:** [REDACTED]  
**Subject:** FW: S525/06 Correspondence from Concerned Citizen  
**Date:** 02 May 2025 14:50:00  
**Attachments:** [image001.png](#)  
[20250428110659887.pdf](#)  
[image002.png](#)

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Kathleen

This submission from the member of the public relates to a Section 5 referral (S5 25/06 refers) and not a planning application and as such there is no statutory mechanism for the public to engage in the process or to appeal. Foul effluent disposal from the building is via the public foul sewer which will form part of the planning authority's considerations on the matter.

Regards

Frank

**Frank Sweeney**  
**Senior Executive Planner**  
**Community Development & Planning Services**



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

---

**From:** Kathleen Callaghan [REDACTED]  
**Sent:** 29 April 2025 10:57  
**To:** planning mailbox <[Planning@Donegalcoco.ie](mailto:Planning@Donegalcoco.ie)>  
**Cc:** EHS Admin Donegal [REDACTED]  
**Subject:** S525/06 Correspondence from Concerned Citizen

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.**

Carmel

Please see attached correspondence outlining concerns in respect of the above Section 5 Application which has been referred to the Environmental Health Service. The concerned citizen references a specific concern regarding the capacity of the public sewerage system and effective effluent disposal which is a matter for the Planning Authority in considering this application.

I would be grateful if you could confirm receipt of my email and if you could get back to me with any update on the application if possible.

Many thanks

Kind Regards  
Kathleen

**Kathleen Callaghan**  
**Oifigeach Sinsearach Sláinte Comhshaoil | Senior Environmental Health Officer**

Seirbhís Sláinte Comhshaoil, Ionad Cúraim Phríomhúil Bhun Cranncha, Ascaill Mhic Fhinn, Bun Cranncha, Co. Dhún na nGall, F93 E12W.  
Environmental Health Service, Buncrana Primary Care Centre, Maginn Avenue, Buncrana, Co Donegal, F93 E12W.

087 6299406 | 074 9363754 / 63755 | [kathleen.callaghaneho@hse.ie](mailto:kathleen.callaghaneho@hse.ie)



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"Tá an fhaisnéis sa ríomhphost seo (ceangaltáin san áireamh) faoi rún. Baineann sé leis an té ar seoladh chuige amháin agus tá sé ar intinn go bhfaighfidh siadsan amháin é agus gurb iadsan amháin a dhéanfaidh breithniú air. Más rud é nach tusa an duine ar leis é, tá cosc iomlán ar aon fhaisnéis atá ann, a úsáid, a chraobhscaoileadh, a scaipeadh, a nochtadh, a fhoilsiú, ná a chóipeáil . Seains gurb iad tuairimí pearsanta an údar atá san ríomhphost agus nach tuairimí FSS iad.

Má fuair tú an ríomhphost seo trí dhearmad, bheadh muid buíoch dá gcuirfeá in iúil don Deasc Seirbhísí ECT ar an nguthán ag [+353 818 300300](tel:+353818300300) nó ar an ríomhphost chuig [service.desk@hse.ie](mailto:service.desk@hse.ie) agus ansin glan an ríomhphost seo ded' chóras."

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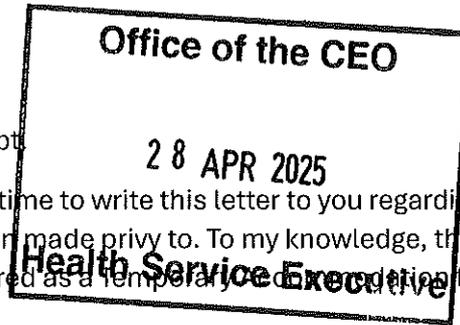
If this email has been received by you in error we would be grateful if you could immediately notify the ICT Service Desk by telephone at [+353 818 300300](tel:+353818300300) or by email to [service.desk@hse.ie](mailto:service.desk@hse.ie) and thereafter delete this e-mail from your system"

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23/04/2025

Dear HSE – Environmental Health Dept

It is with deep interest that I take this time to write this letter to you regarding some rather unsettling information that I have been made privy to. To my knowledge, the Strand Hotel, Ballyliffin, F93 TY75, is being considered as a temporary accommodation for International Protection Applicants.



**S525/06 Mark Crossan C/o Urbanarq Ltd use of an existing hotel as temporary accommodation for international protection applicants Strand Hotel, Shore Road, Ballyliffin, Inishowen 27/01/2025 23/02/2025 11/02/2025 FI Requested**

**Source:** <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.donegalcoco.ie/media/l5bpca1n/s5-ss-2025.pdf>

I, along with many other fellow Inishowen residents find this deeply concerning & disturbing for numerous reasons. Local infrastructure simply not being in a position to cope with such extra loads and demands to start. You only have to live in the area to bear witness to the mass; electricity failures, burst water pipes, Internet down etc. etc.

Arguably the main and most obvious reason - the 'Public Health of the Ballyliffin Community' in Terms of the safe and effective public 'effluent' systems already operating at maximum capacity. To confirm, the Strand Hotel has been in operation for many years but from my knowledge and this could be easily sourced, the Hotel occupancy never grew above 50% +/- per year. Fáilte Ireland will have such Occupancy records easily on file. One would assume that the building will operate at 100% occupancy or very close to it daily. Add to the fact that the Function Room was also transformed to house even more bedrooms and sleepers in the building. Surely that would be unsustainable to the 'current public sewerage system'? Most would argue that it's already exceeding limits and in dire need of an upgrade.

I refer you to the below statement from 'Fran Horkan', Assistant Planner, Donegal County Council, in May, 2007 which relates to other sought applications in the past. Of which to my knowledge, I am not aware of any system upgrades that have since been put in place since then:

*"Having regard to the fact the public sewerage in Ballyliffin is presently at maximum capacity and a connection of the proposed development to same is not permissible, and to the fact that the application has otherwise failed to submit proposals for the treatment and disposal of effluent on accordance with the necessary standards, it is considered that to permit the proposed development would be prejudicial to public health and thereby contrary to the proper planning and sustainable development of the area."*

I think it's fair to say that the above reads very conclusive, especially with phrases such as "maximum capacity", "prejudicial to public health" to name but a few.

I would ask that you take this letter very seriously. We will drive this by any relevant means necessary in order to protect and serve the 'Public Health of the Ballyliffin Community.'

Thank you for your time.

Kind regards

Concerned Inishowen Citizen

## **SECTION 5 REFERRAL REPORT – Ref. No: S25/06**

### **1.0 ASSESSMENT TO DATE**

- 1.1 Please refer to initial report by Leona Finlay dated 29<sup>th</sup> January 2025.
- 1.2 Further Information was requested on 11<sup>th</sup> February 2025 in respect of the following:
1. *Applicant to confirm, through documentary evidence, that the proposed temporary use is either by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth.*
  2. *Applicant to clarify whether the proposed temporary change of use relates to the entire hotel or just the area shown on the submitted ground floor plan (shaded red on the site layout plan).*
  3. (a) *Applicant to submit additional floor plans and clearly delineate all areas to be temporarily used by international protection applicants (if required)*  
  
(b) *Applicant to submit revised plans to clearly identify the communal spaces, including dining and recreational areas referred to in the accompanying report.*

### **2.0 FURTHER INFORMATION RECEIVED**

- 2.1 A response was received from the applicant on 28<sup>th</sup> April 2025 as follows:

#### Item 1

A copy of an email received from the Department of Children, Equality, Disability, Integration and Youth, confirming they are interested in utilising all offers of emergency accommodation has been submitted. No evidence of a signed contract has been submitted therefore the information submitted is not considered sufficient to confirm that the proposed temporary use is either by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth.

#### Item 2

Additional floor plans have been submitted which confirm the change of use relates to more areas that originally illustrated –

Lower ground -	3 no. double bedrooms
Ground floor -	12no. double bedrooms & 2 no. single rooms
First Floor -	17 no double bedrooms
Second Floor –	14 no. double bedrooms & 1 no. single room
Total	49 no. bedrooms (15 more than permission granted for under 03/5329)

A small area on the ground floor has been explicitly excluded from the change of use.

### Item 3

- (a) As above – all floor plans submitted
- (b) The revised ground floor plan submitted now clearly identifies the communal spaces, including dining and recreational areas as follows:

Kitchen (112.26m<sup>2</sup>), communal room/dining (73.01m<sup>2</sup>), dining hall/recreation space (137.02m<sup>2</sup>), library/study (34.68m<sup>2</sup>), communal lounge/amenity area (144.43m<sup>2</sup>), reception & office area.

### **3.0 Planning and Development Regulations, 2001**

#### Article 6(1)

Subject to Article 9, development of a 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

Restrictions on Exemption, in particular:- .

- 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—

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

### **4.0. FURTHER ASSESSMENT**

- The Planning Authority is satisfied that **the change of use from a hotel to accommodation for persons seeking international protection would constitute ‘development’ as defined in Sections 2 & 3 of the Act and would be a material change of use of the structure.**
- Following consideration of this proposal and on the basis of the additional information submitted it is considered that the development would **not come within the scope of Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended)**, specifically in that it hasn't been demonstrated that the proposed temporary use is on behalf of the Minister for Children, Equality, Disability, Integration and Youth.
- It is also noted that the change of use would result in an additional 15 bedrooms to the total number granted planning permission. The WWTP in Ballyliffin currently does not have any spare capacity to treat additional loads. An upgrade to same the WWTP is currently planned, however until the treatment plant has been upgraded the maximum number of bedrooms that could potentially cater for the change of use is 34 (in accordance with 03/5329). The Planning Authority has concerns that the proposed increase in P.E. could result in a risk to public health and the environment and, without being demonstrated otherwise, could also have a significant effect on the integrity of a European site.

### **5.0. Recommendation**

IT IS HEREBY RECOMMENDED THAT A DECLARATION BE MADE THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE –

**IS** Development

&

**IS NOT** Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

**Subject development:**

Existing hotel to be used as temporary accommodation for international protection applicants.

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

Section 1, 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1), 10(6) and Class 20F of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

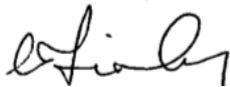
**And concludes that:**

- The proposal IS DEVELOPMENT within the meaning of the Planning and Development Act, 2000 (as amended) and IS NOT EXEMPTED DEVELOPMENT as it does not come within the scope of Class 20F of the Planning & Development Regulations 2001 (as amended), specifically in that it hasn't been demonstrated that the proposed temporary use is on behalf of the Minister for Children, Equality, Disability, Integration and Youth.

**Advice**

**The Planning Authority also has concerns that the proposed increase in P.E. could result in a risk to public health and the environment and, without being demonstrated otherwise, could also have a significant effect on the integrity of a European site.**

Signed:



Position:

Assistant Planner

Date:

7<sup>th</sup> May 2025



---

Frank Sweeney

Senior Executive Planner

Community Development & Planning Services, 07/05/2025

**Chief Executive's Order No: 2025PH1270**

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

**SECTION 5:-**

Request received 27<sup>th</sup> January 2025 (FIC 24<sup>th</sup> April 2025) from Mark Crossan C/o Urbanarq Ltd, Pavilion House, 31/32 Fitzwilliam Square South, Dublin 2 D02 F403 in relation to the change of use of existing hotel to be used as temporary accommodation for international protection applicants at Strand Hotel, Shore Road, Ballyliffin, Co. Donegal F93 TY75.

**SUBMITTED:-**

Written request received 27<sup>th</sup> January 2025 (FIC 24<sup>th</sup> April 2025) as above and report dated 7<sup>th</sup> May 2025 from the Assistant Planner (Ref. No: S5 25/06 refers).

**ORDER:-**

Having considered the said request, the report of the Assistant 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 8<sup>th</sup> DAY OF MAY 2025

**Chief Executive's Order No: 2025PH1270**

**Ref.No: S5 25/06**

**SCHEDULE**

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

**IS** Development

**IS** Not Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

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

- Section 1, 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and
- Articles 6(3), 9(1), 10(6) and Class 20F 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 NOT EXEMPTED DEVELOPMENT** as it does not come within the scope of Class 20F of the Planning & Development Regulations 2001 (as amended), specifically in that it hasn't been demonstrated that the proposed temporary use is on behalf of the Minister for Children, Equality, Disability, Integration and Youth.

**Applicant is advised that the Planning Authority also has concerns that the proposed increase in P.E. could result in a risk to public health and the environment and, without being demonstrated otherwise, could also have a significant effect on the integrity of a European site.**

*JS 05/05*

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

**DECLARATION**

**Chief Executive's Order No:** 2025PH1270

**Reference No:** S525/06

**Name of Requester:** Mark Crossan  
C/o Urbanarq Ltd  
Pavilion House  
31/32 Fitzwilliam Square South  
Dublin 2  
D02 F403

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

Change of use of existing hotel to be used as temporary accommodation for international protection applicants.

**Location:** Strand Hotel, Shore Road, Ballyliffin, Co. Donegal F93 TY75.

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

**IS** Development

**IS** Not Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

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

- Section 1, 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and
- Articles 6(3), 9(1), 10(6) and Class 20F 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 NOT EXEMPTED DEVELOPMENT** as it does not come within the scope of Class 20F of the Planning & Development Regulations 2001 (as amended), specifically in that it hasn't been demonstrated that the proposed temporary use is on behalf of the Minister for Children, Equality, Disability, Integration and Youth.

**Applicant is advised that the Planning Authority also has concerns that the proposed increase in P.E. could result in a risk to public health and the environment and, without being demonstrated otherwise, could also have a significant effect on the integrity of a European site.**



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

**Dated this 8th day of May 2025**



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

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

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**Ref. No:** S525/06

8<sup>th</sup> May 2025

MARK CROSSAN  
C/O URBANARQ LTD  
PAVILION HOUSE  
31/32 FITZWILLIAM SQUARE SOUTH  
DUBLIN 2  
D02 F403

**Re:** Change of use of existing hotel to be used as temporary accommodation for international protection applicants at Strand Hotel, Shore Road, Ballyliffin, Co. Donegal F93 TY75.

A Chara,

I refer to your request received on 27<sup>th</sup> January 2025 (FIC 24<sup>th</sup> April 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**

/jmc