

From: [Lynn Holland](#)
To: [planning mailbox](#)
Cc: [Bernard Reilly](#)
Subject: Section 5 Application Milltown House Transboil Ltd
Date: 27 February 2025 15:38:25
Attachments: [APP-PLANS - Elevations .pdf](#)
[APP-PLANS - Layout .pdf](#)
[Milltown Laghy Exempt Development Application \(002\).pdf](#)
[Milltown Laghy Donegal.pdf](#)

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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 afternoon,

Please find attached our application to progress a SECTION 5 for the following property:
Attached is the application & relevant drawings for a "Change of Use " application.

Milltown House.
Ardlenagh,
Laghey
Co. Donegal.
F94 W293

I have left a voice message on the Councils Voice answering system to progress payment for this application. Therefore, to avoid any delays if someone from the planning department might contact me I will complete the necessary payment over the phone when the application has been validated

Should you require any further information, please contact me either on this email or happy to take a call at any stage.

Regards
Lynn Holland
Group Operations Manager
Transboil Ltd
Office 4/ Old Rossmore Factory/ Dublin Rd/ Monaghan / H18VX08

[REDACTED]

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)	

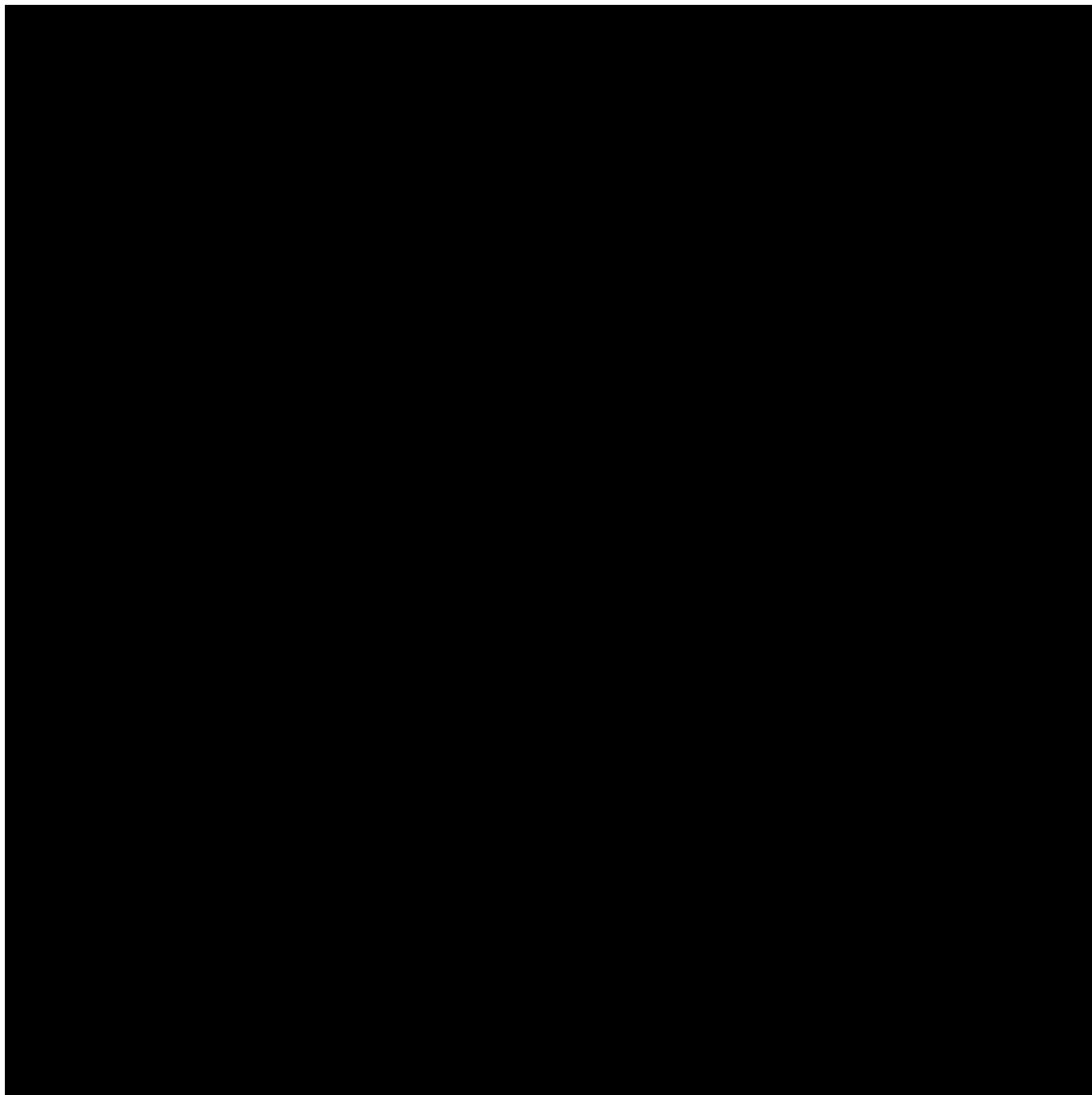


**Comhairle Contae
Dhún na nGall**
Donegal County Council

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:	
Date:	

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
- (d) More information on exempted development can be found on the OPR planning leaflets available at <https://www.opr.ie/planning-leaflets/>

Gaeilge

+

-

Milltown House,
Ardlenagh,
Laghey,
Co. Donegal,
F94 W293

XY592402, 876296

Scale1 : 1000

TownlandArdlenagh

BaronyTirhugh

CountyDonegal

Property Details

> Back

Folio NumberDL17706F

Title LevelFreehold

Plan Number11

Property Number1

Area of selected plans0.30 hectares.

Number of Plans on this folio:1

AddressMilltown House, Ardlenagh,
Laghey, Co. Donegal, F94
W293

Add to Basket

Create Alert

*Tailte Éireann Registration Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

View Basket

Print Current View

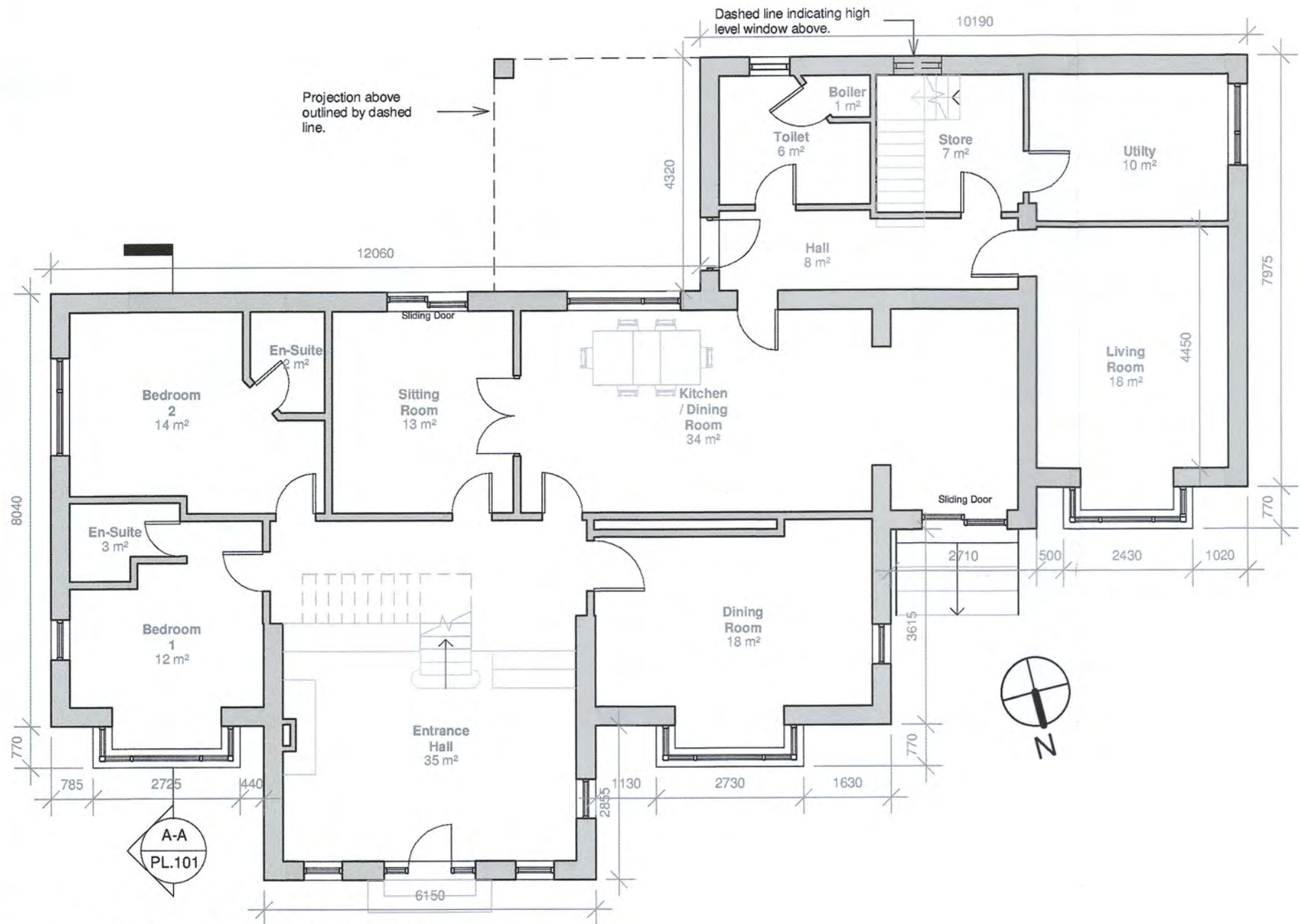
Help

Milltown House, Ardlenagh, Laghey, Co. Donegal F92 V0DK



Planning Services

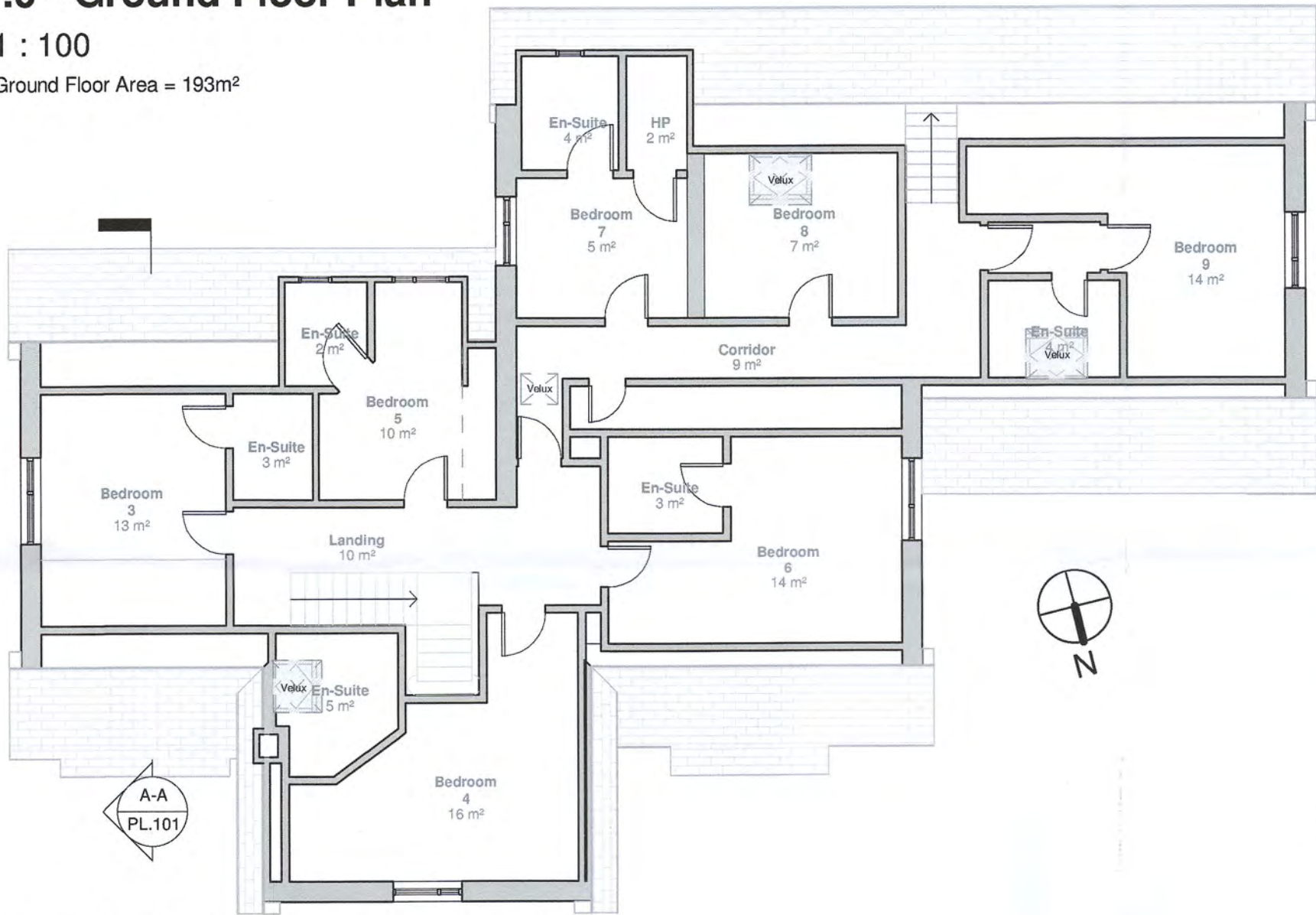
RECEIVED DATE: 27/02/2025



1.0 - Ground Floor Plan

1 : 100

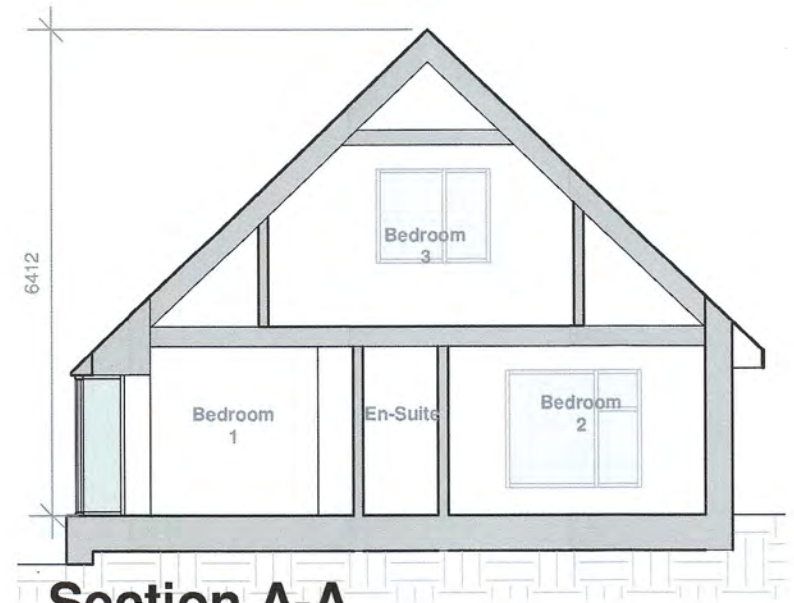
Ground Floor Area = 193m²



2.0 - First Floor Plan

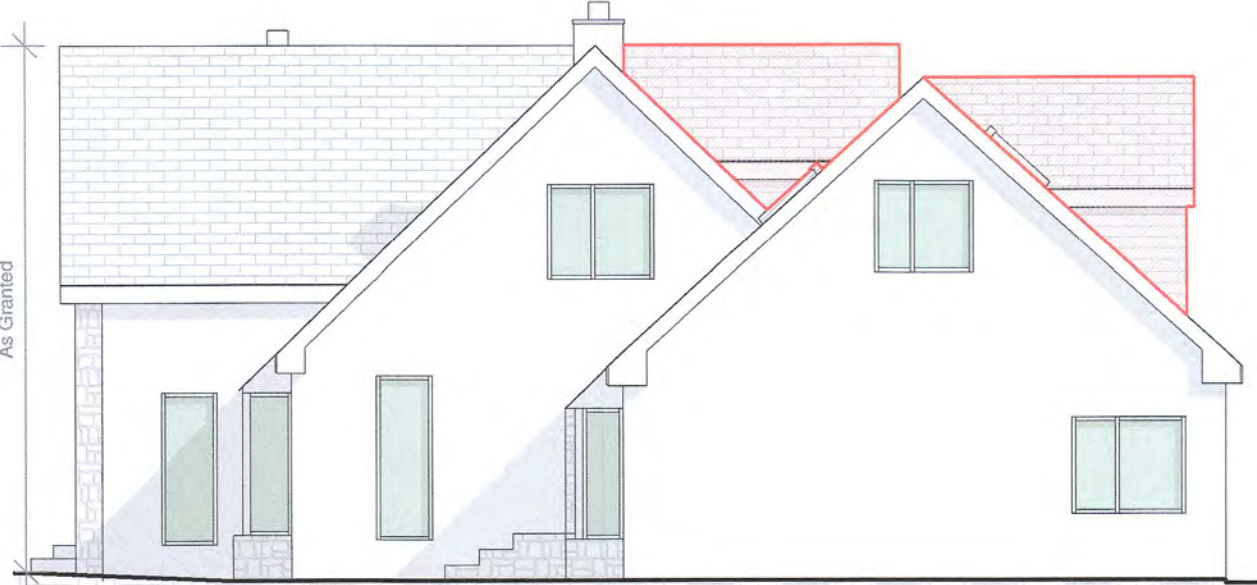
1 : 100

First Floor Area = 121m²



Section A-A

1 : 100



Side Elevation

1 : 100



Side Elevation

1 : 100



Back Elevation

1 : 100



Front Elevation


1 : 100

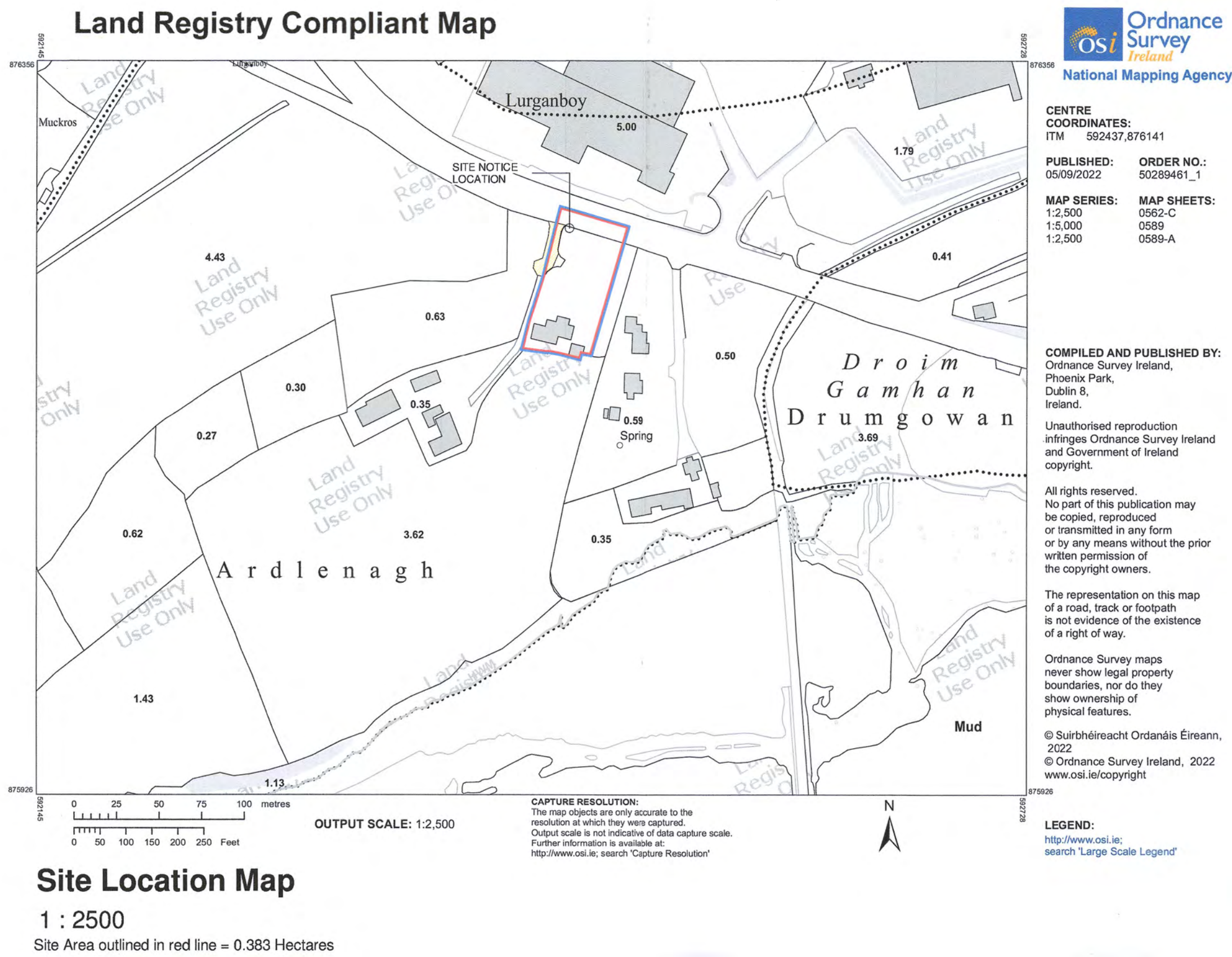
LEGEND	
Retention	

DONEGAL COUNTY COUNCIL
PLANNING OFFICE

03 OCT 2022

COMMUNITY CULTURE &
PLANNING

REV	DATE
Retention Application	
PROJECT Retention of alterations to Milltown House B&B, Sligo Road, Ardlehagh, Donegal Town, Co. Donegal FOR Gerry Mulhern	
DRAWING TITLE Plans, Elevations & Section	
DRAWING NO. 22-02 - PL.101	DRAWN BY John Kelly
SCALE 1 : 100 @A2	DATE Sep 2022
 PAUL DOHERTY ARCHITECTS LTD CASTLE STREET DONEGAL TOWN CO. DONEGAL 5 ANVIL COURT KILLYBEGS CO. DONEGAL TEL: 074 97 23131 EMAIL: paul@dohertyarchitects.com	



EXISTING EXTERNAL IMAGE - 01



EXISTING EXTERNAL IMAGE - 02



EXISTING EXTERNAL IMAGE - 03



EXISTING EXTERNAL IMAGE - 04



DONEGAL COUNTY COUNCIL
PLANNING OFFICE
03 OCT 2022
COMMUNITY CULTURE &
PLANNING

REV	DATE
Retention Application	
PROJECT Retention of alterations to Milltown House B&B, Sligo Road, Ardlenagh, Donegal Town, Co. Donegal	
FOR Gerry Mulhern	
DRAWING TITLE Site Location Map, Site Layout Plan & Existing Site Images	
DRAWING NO. PL.001	DRAWN BY John Kelly
SCALE As indicated	DATE Sep 2022
PDA PAUL DOHERTY ARCHITECTS LTD CASTLE STREET 5 ANWIL COURT DONEGAL TOWN KILLYBEGGS CO. DONEGAL CO. DONEGAL TEL: 074 97 23131 EMAIL: paul@dohertyarchitects.com	



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

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

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W: www.donegalcoco.ie
W: www.ccdhunnangall.ie

Planning Services
E: planning@donegalcoco.ie

Our Ref.: SS25/20

by email to: lynn@transboil.ie

03/03/2025

Transboil Ltd
c/o Joe Beggan
Modeese,
Castleblayney,
Co. Monaghan
A75 W895

Re: Section 5 - Application for proposed development at Ardlenagh, Laghey, Co. Donegal F94 W293
--

A Chara,

I wish to acknowledge receipt of your application received on 3rd Mar 2025 in relation to the above.

Mise, le meas,

Donegal County Council
Planning Services



SECTION 5 REFERRAL REPORT – Ref.No: 25/20

Donegal County Council

1.0 COMMENTS

The subject site is a property known as Milltown, Ardlenagh, Laghey.

The proposed works constitute one element as follows:

1. Change of use to an emergency provision centre for persons seeking international protection.

The existing building is not on the Council's Record of Protected Structures nor is it included on the National Inventory of Architectural Heritage. The subject site is zoned as Established Development in the Seven Strategic Towns Local Area Plan 2018-2024.

2.0 EVALUATION

In preparing the assessment for this reference, regard has been had to the following statutory provisions:

3.0 Planning and Development Act, 2000 (as amended)

Section 2(1)

In this Act, except where the context otherwise requires –

"**structure**" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and

- (a) where the context so admits, includes the land on, in or under which the structure is situate ...

"**works**" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ...

Section 3(1)

"**Development**" in this Act means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 177U(9)

"In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct screening for appropriate assessment in accordance with the provisions of this section".

Class 14

Development consisting of a change of use –

(h) from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (i) of the said premises or institution, or part thereof, to use as accommodation for protected persons.

4.0 ASSESSMENT

4.1 Consideration of Proposed Development:

- (i) Permission was refused under application ref. no. 93/865 for change of use to a B&B. Permission was granted under application ref. no. 22/51641 for retention of extensions and elevational changes to the house including provision of dormer style windows and velux windows and a covered entrance area at rear of house and construction of domestic garage/domestic shed and fuel store at the rear and side of the existing house

- (ii) No information has been submitted with regard to permission for a change of use to B&B and the most recent permission relates to what is described as a house.
- (iii) For this reason, the current use of the house does not fall within the exemptions afforded under Class 14.

7.1 Conclusion:

It is considered that:

The proposed change of use constitutes “development” within the meaning of the Act, being works, but is not exempted development coming within the scope of Class 14 of the Planning & Development Regulations 2001 (as amended).

It should also be noted that in determining the subject section 5 referral regard was had to recent Section 5 referrals to An Bord Pleanála for determination.

8.0 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

The proposal for:

- (i) Change of use to IPAS emergency accommodation

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

(a) Sections, 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and Article 9 (1) (ii) and Class 14 of Schedule 2 Part 1 the Planning & Development Regulations 2001 (as amended).

And concluded that:

The proposal is development and is **NOT** exempted development on the basis that the current house **does not fall within the scope of exemptions set out under Class 14(h) of Schedule 2 Part 1 of the Planning & Development Regulations 2001 (as amended).**

Signed: 

Position: Executive Planner

Date: 14/03/2025.



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
18/03/2025

Chief Executive's Order No: 2025PH0737

Planning and Development Acts 2000 (as amended)

SECTION 5:-

Request received 27th February 2025 from Transboil Ltd. C/o Joe Beggan, Modeese, Castleblayney, Co. Monaghan, A75 W895 in relation to the change of use of a building to an emergency provision centre for IPAS accommodation, Ardlenagh, Laghey, Co. Donegal, F94 W293.

SUBMITTED:-

Written request received 27th February 2025 as above and report dated 14th March 2025 from the Executive Planner (Ref. No: S5 25/20 refers).

ORDER:-

Having considered the said request, the report of the Executive Planner, and the record forwarded to the Council by An Bord Pleanála in compliance with Sub-Section 6(c) of the said Section I have concluded that a declaration on the questions in the said request should be made in the terms of that in the Schedule to this Order, the main reasons and considerations therefore being detailed therein. I therefore Order that the declaration issue to the said requester and the owners/occupiers of the land concerned and, further, that it be entered in the Council's Planning Register in compliance with Sub-Section (5) of the said Section.


SENIOR EX. PLANNER

DATED THIS 21st DAY OF MARCH 2025

Chief Executive's Order No: 2025PH0737

Ref.No: S5 25/20

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:

- Sections 2, 3, 4, and 177U of the Planning and Development Act, 2000 (as amended).
- Articles 9(1), and Class 14 of Schedule 2 Part 1 of the Planning & Development Regulations 2001 (as amended).

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS NOT EXEMPTED DEVELOPMENT**, on the basis that the current house does not fall within the scope of exemptions set out under Class 14(h) of Schedule 2 Part 1 of the Planning & Development Regulations 2001 (as amended).

JS 21/03



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

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W: www.ccdhunangall.ie

Planning Services
E: planning@donegalcoco.ie

Ref. No: S525/20

21st March 2025

Transboil Ltd.
C/O Joe Beggan,
Modeese,
Castleblayney,
Co. Monaghan,
A75 W895

Re: Change of use of a building to an emergency provision centre for IPAS accommodation, Ardenagh, Laghey, Co. Donegal, F94 W293

A Chara,

I refer to your request received on 27th February 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
/mp

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

DECLARATION

Chief Executive's Order No: 2025PH0737

Reference No: S525/20

Name of Requester: Transboil Ltd.
C/O Joe Beggan,
Modeese,
Castleblayney,
Co. Monaghan,
A75 W895

Summarised Description of development the subject matter of request:

Change of use of a building to an emergency provision centre for IPAS accommodation

Location: Ardlenagh, Laghey, Co. Donegal, F94 W293

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:

- Sections 2, 3, 4, and 177U of the Planning and Development Act, 2000 (as amended).
- Articles 9(1), and Class 14 of Schedule 2 Part 1 of the Planning & Development Regulations 2001 (as amended).

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS NOT EXEMPTED DEVELOPMENT**, on the basis that the current house does not fall within the scope of exemptions set out under Class 14(h) of Schedule 2 Part 1 of the Planning & Development Regulations 2001 (as amended).



For Senior Ex. Planner
Planning Services

Dated this 21st day of March 2025