



Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: S5 22/15

WHEREAS a question has arisen as to whether works for the conversion of a domestic garage to a gym, including alterations to existing elevations and roof profile at New Row, The Mullans, Donegal Town, County Donegal is or is not development or is or is not exempted development:

AND WHEREAS Marian Thomas care of RML Planning of 3 David Road, Drumcondra, Dublin requested a declaration on the said question from Donegal County Council and the said Council issued a declaration on the 7th day of June, 2022 stating that the said matter was development and was exempted development:

AND WHEREAS Marian Thomas care of RML Planning of 3 David Road Drumcondra, Dublin referred the declaration for review to An Bord Pleanála on the 21st day of June, 2022:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

(a) Section 2(1) of the Planning and Development Act, 2000, as amended,

- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 4(1)(h) of the Planning and development Act, 2000, as amended,
- (d) the planning history of the site, and
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that the conversion of a domestic garage to a gym, including alterations to existing elevations and roof profile constitutes 'development', as defined under Section 3(1) of the Planning and Development Act, 2000, as amended and would come generally within the scope of the exempted development provision provided at Section 4(1)(h) of the Planning and Development act, 2000, as amended:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the conversion of a domestic garage to a gym, including alterations to existing elevations and roof profile at New Row, The Mullans, Donegal Town, County Donegal is development and is exempted development.



Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 14 day of September 2023.

