

**An  
Bord  
Pleanála**

**Board Order  
ABP-313870-22**

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**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 7<sup>th</sup> 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 21<sup>st</sup> 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.



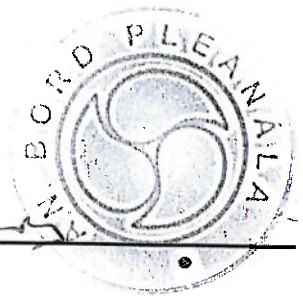
Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 14 day of September 2023.



# SUBMISSION OF DIRECTED ORDER

## Section 5 Referral

ABP-313870-22

Case Code

RL

Question 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.

Decision that the above-mentioned referral is development and is exempted development.

Dec code  Split Dec  Bd. Dir to issue  no. of letters to issue

When order has been signed, copy to issue with notification RL100n.ltr to

- (a) PA – Donegal County Council
- (b) Owner occupier – Noreen Portno
- (c) Referrer – Marian Thomas

Drafted by R Donnelly

Date 13.09.2023

Checked by R Donnelly

Date 14.09.2023

Cleared by \_\_\_\_\_

Date \_\_\_\_\_

