

## Ronan Megannety

---

**From:** Dillon Corcoran  
**Sent:** Wednesday 9 July 2025 11:42  
**To:** Ronan Megannety  
**Subject:** Fw: Case Ref. ABP-322840-25 (Planning Ref. No. S5 24/101)  
**Attachments:** S5 24.101-Obs to ACP.pdf

---

**From:** communications <communications@pleanala.ie>  
**Sent:** 09 July 2025 9:10 AM  
**To:** Appeals2 <appeals@pleanala.ie>  
**Subject:** FW: Case Ref. ABP-322840-25 (Planning Ref. No. S5 24/101)

---

**From:** RUTH MCCROSSAN <ruthmccrossan@Donegalcoco.ie>  
**Sent:** Wednesday, July 9, 2025 9:08 AM  
**To:** Bord <bord@pleanala.ie>  
**Subject:** Case Ref. ABP-322840-25 (Planning Ref. No. S5 24/101)  
**Importance:** High

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A Chara,

Please find attached the observations of this Council in relation to Case Ref. ABP-322840-25 (Planning Ref. No. S5 24/101 refers).

Regards,

**Ruth McCrossan**

Development Management | Community Development & Planning Services | Donegal County Council | Lifford | Co. Donegal

Tel: + 353 74 9172473 | Email: [ruthmccrossan@donegalcoco.ie](mailto:ruthmccrossan@donegalcoco.ie)



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

[Email Disclaimer](#)  
[Clásal Séanta Ríomhphoist](#)

[Member of Cyber Ireland | Ireland's Cyber Security Cluster](#)





**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.ccdhunnangall.ie

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

**Our Ref: S5 24/101**  
**Your Ref: ABP-322840-25**

08/07/2025

An Coimisiún Pleanála  
64 Marlborough Street,  
Dublin 1.

**RE: RESPONSE TO APPEAL ABP-322840-25 – WHETHER THE USE OF A B&B AT ATLANTIC WAY B7B, MAIN STREET, LAGHEY, CO. DONEGAL TO PROVIDE ACCOMMODATION FOR PERSONS SEEKING INTERNATIONAL PROTECTION IS OR IS NOT DEVELOPMENT OR IS OR IS NOT EXEMPT AT MAIN STREET, LAGHEY.**

A Chara,

I refer to your correspondence dated 23rd June 2025 received by the Planning Authority on the 24<sup>th</sup> June 2025.

I wish to advise that the aforementioned correspondence and the content of the first party appeal from Carduff Developments Ltd c/o Hughes Planning & Environmental Consultants including the site history has been noted. The appellant is challenging the determination of a S5 referral that was found by the Planning Authority to be not exempt.

*Change of use*

*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.*

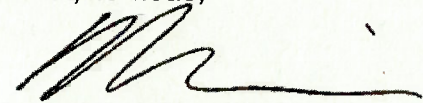
As set out above, Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) provides for change of use from the stated uses to that of accommodation for protected persons. It is the position of the Planning Authority that the use of Bed & Breakfast as is the permitted use of the subject building does not fall within the stated uses that may be exempted. A residential component is integral to the use of B&B, and this has not been taken account of in the argument made by the first party. Notwithstanding the appeal references given in this appeal, a search of referrals to An Coimisiún Pleanála from 2023 – present day finds that appeals have been lodged for a change of use from guesthouse to IPAS accommodation with only one appeal for a B&B that was withdrawn.

Secondly there is no evidence of a signed contract to confirm that the proposed temporary use is either by or on behalf of the Minister for Children, Equality, Disability, Integration and

Youth. This is an essential part of the proposed use of the building as IPAS accommodation. Whilst stated in the initial section of the appeal statement, there is no further detail in the appeal and the matter in question has not been addressed in any form.

The Planning Authority wishes to rely upon the details of the report of 06/01/2025 and 12/05/2025 endorsed and signed by the SEP on 07/01/2025 and 21/05/2025. It is considered that all pertinent matters have been considered in the referenced reports.

Mise, le meas,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

**For Senior Examiner  
Planning Services**

/RMcC