



An
Coimisiún
Pleanála

Commission Direction
CD-000513
PL-500619-DL-26

The submissions on this file and the Inspector's report were considered at a meeting held on 29 April 2026.

The Commission decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:

Mary Henchy

Date:

6th day of May 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission consider the proposed development accords with Policy ED-P-7 that provides for the expansion of existing economic development in the countryside and, meets the criteria set out in Policy ED-P-9. The change of use and retention and completion of existing commercial unit to facilitate a commercial

vehicular roadworthiness test centre would not create a traffic hazard and subject to conditions would not detract from the amenity of adjoining properties.

The Commission having had regard to the nature of the proposed secondary treatment system, the size of the percolation area, the hydraulic and organic loading proposed, the sufficient depth of the water table, the nature of the development and the totality of the information on this file concluded that adequate arrangements are proposed for adequately treating effluent disposal on this site and that the development will not contribute to surface or ground water pollution.

The development for retention and the proposed development, therefore, accords with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission considered due to the nature of the treatment system proposed, the size of the percolation area and the nature of the use of the site, that will result in limited hydraulic and organic loading of the system, that adequate information had been provided by the applicant for the type of system proposed to satisfy the Commission that the proposed upgraded waste water treatment system is adequate to serve the development and would not result in a deterioration of the underlying groundwater body.

Conditions

1. The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions.

Reason: To clarify the plans and particulars for which permission is granted.

2. All external finishes shall match those of the existing commercial building.

Reason: In the interests of amenity.

3. Hours of business shall be limited to 08:00am – 6.00pm, Monday to Saturday, excluding Bank Holidays and Sundays, and shall be closed at all other times.

Reason: To define the permission and cater for orderly development.

4. Electrical and telephone service shall be underground.

Reason: To preserve the amenities of the area.

5. Noise levels as measured externally at nearest residence of the site boundaries shall not exceed 40dba during hours of operation.

Reason: To cater for orderly development.

6. All waste materials shall be stored in environmentally safe conditions. All waste shall be stored in such a manner to ensure runoff shall not seep into surface water drainage system.

Reason: To cater for orderly development of the area.

7. No signs, symbols or other means of advertisement shall be erected or posted on site without prior written agreement of the Planning Authority and in any event, signage shall not be in the form of plastic, internally illuminated, box facia signs or similar.

Reason: To cater for orderly development.

8. All external lights shall be hooded and aligned to prevent direct spillage of light onto public road.

Reason: To cater for orderly development and in the interests of public safety.

9. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

10. Prior to commencement of development, permanent visibility splays of 70 metres in each direction of the access shall be provided in each direction to the

nearside road edge at a point 2.4 metres back from road edge at location of vehicular entrance. Visibility in the vertical plane shall be measured from a driver's eye- height of 1.05 metres and 2 metres positioned at the setback distance in the direct access to an object height of between 0.26 metres and 1.05 metres. Vision splays shall be calculated and provided as set out in Figure 16.2, Chapter 16 of the County Donegal Development Plan 2024-2030.

Reason: In the interests of traffic safety

11. (a) Car parking shall be appropriately marked with thermoplastic road marking materials designating parking bays, distinguishing disabled parking bays, circulation lanes and areas to be kept clear of parking.

(b) Roadways and paved areas shall be drained by the provision of an adequate number of gullies so arranged to avoid ponding. The gully grating shall be lockable type to B.S. 497 Part 1.

Reason: In the interests of traffic safety.

12. (a) All site boundary treatment, landscaping, planting, grading and facing, shall be carried out in strict accordance with the comprehensive landscaping, planting and grading details received by the Planning Authority on the 1st of May 2025. At least 50 no. semi-mature broadleaf trees native to the area as detailed and shall be planted within the site boundaries within first planting season following first commercial operation of the unit, any trees dying within subsequent three years shall be replaced.

(b) All sound trees, shrubs and hedgerow shall be retained save as herein otherwise required and any tree or shrub species subsequently dying shall be replaced.

Reason: To cater for orderly development and to cater for residential amenity.

13. (a) A wastewater treatment system (Independently certified by IAB, BSI or ISO EN) suitable for a population equivalent of 10 no. persons shall be installed, operated and maintained in strict accordance with the supplier's instructions and the 2021 Environmental Protection Agency Code of Practice, "Wastewater Treatment and Disposal Systems Serving Single Houses."

(b) A secondary packaged waste water treatment system shall be installed in accordance with The 2021 Environmental Protection Agency Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), meeting the standards of SR 66 & IS EN 12566 Part 3 and suitable for a population equivalent (PE) 6 no. persons, and must be installed, operated and maintained in strict accordance with the supplier's instructions.

(c) The secondary treatment plant shall be anchored as per manufacturer instructions for sites with high water tables.

(d) The wastewater shall be conveyed from the development to the secondary packaged wastewater treatment system via pipework measuring 100 – 110mm in diameter and shall achieve a minimum fall of 1:40 to 1:60 depending on the material used, as per requirements of Table 7.3 of the Code of Practice.

(e) Tertiary treatment shall be provided by a packaged filter system (packaged media filter) for tertiary treatment, meeting the standards of SR 66 & IS EN 12566

Part 3 and suitable for a population equivalent (PE) 6 no. persons. The packaged filter system must be installed, operated and maintained in strict accordance with the supplier's instructions.

(f) The final wastewater from the packaged filter system (tertiary wastewater treatment unit) shall discharge to a 300 mm deep gravel distribution area (pea gravel, 12 32mm) which shall be sized in accordance with Option 6 of Table 10.1. Chapter 10 of the Code of Practice. In this instance the gravel distribution area shall be no less than 90m².

(g) There shall be a minimum subsoil depth of unsaturated material beneath the gravel distribution layer and the bedrock/water table. In this instance that required depth will be 0.9m.

(h) The wastewater treatment system shall be routinely inspected and maintained in accordance with Chapter 12 of the Code of Practice.

(i) Rainwater, surface water and run-off from paved areas must not be discharged to the secondary wastewater treatment system.

(j) Grey water (from washing machines, bath, showers etc.) shall be directed to the secondary wastewater system.

(k) The secondary packaged wastewater treatment system shall be at least 7m from the proposed dwelling (or any adjacent dwelling).

(l) No part of the percolation area/polishing filter shall be within:

- 10m of any dwelling/ neighbouring infiltration treatment areas
- 3m of the boundary of the adjoining site
- 4m of the nearest road boundary
- 40m from the down gradient domestic well

- 10m of the nearest stream or ditch
- 3m of the nearest trees
- 5m of any surface water soakaway which if located on the site, shall be located down-gradient of the percolation area.

(m) Documentary evidence detailing a five-year maintenance contract between the applicant/owners and the suppliers of the wastewater treatment system shall be forwarded to the Planning Authority upon its installation. The wastewater treatment system shall be operated and maintained in accordance with Chapter 12 of the Code of Practice.

(n) All parts of this condition shall be complied with in full prior to first operation of the facility hereby permitted.

Reason: In the interests of public health.

14. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such

agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.