

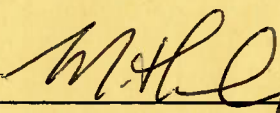
An
Coimisiún
Pleanála

Commission Direction
CD-000734
PL-500844-DL-26

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1. The submissions on this file and the Inspector's report were considered at a meeting held on 16 June 2026.

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

Planning Commissioner:



Mary Henchy

Date:

17/6/26

RAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the nature, scale and use of the proposed development within the centre of Clonmany, and compliance with Donegal County Development Plan 2024-2030, Specifically objectives TV-O-2, RS-P-7 and CC-P-1, it is considered that subject to compliance with the conditions set out below, the proposed development will make a positive contribution to the vitality of the settlement of

Clonmany and the surrounding hinterland. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission were satisfied that having regard to the totality of the information on the file that sufficient legal interest has been demonstrated for the purpose of the application. As set out in the Development Management, Guidelines for Planning Authorities, the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts. In this regard, it should be noted that, as section 34(13) of the Planning Act states, a person is not entitled solely by reason of a permission to carry out any development.

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. *The use of the community retail units herein permitted shall be used as shops as defined in Article 5 of the Planning and Development Regulations 2001, (as amended).*

Reason: *In order to clarify the use of the development hereby permitted.*

3. *The use of the community retail units herein permitted shall be used as shops as defined in Article 5 of the Planning and Development Regulations 2001, (as amended).*

Reason: *In order to clarify the use of the development hereby permitted.*

4. *Prior to the commencement of development the following details shall be agreed in writing with the Planning Authority.*

1. *the layout of the car park*
2. *signage and lighting*

Reason : *In the interest of orderly development*

5. *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.*