

An  
Bord  
Pleanála

Board Order  
ABP-318929-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 2351704**

**Appeal** by Daly Brothers (Retail) Limited care of Genises Planning Consultants of Dean Swift Building, Armagh Business Park, Hamiltonsbawn Road, Armagh, Northern Ireland against the decision made on the 21<sup>st</sup> day of December, 2023 by Donegal County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

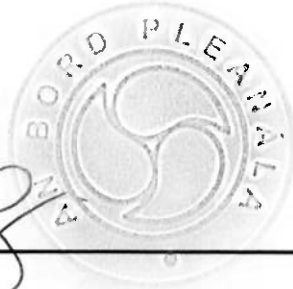
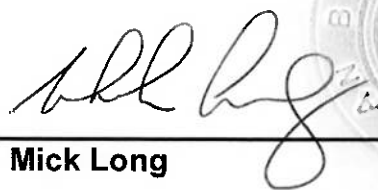
**Proposed Development:** (1) Amendments to condition numbers 5(a), 6(a), 6(b) and 6(c) of planning permission reference number 19/50881, (2) amendments to condition number 4(b), 4(c) and 8(a) of planning permission reference number 20/52024, and (3) erection of a car wash facility, at Townparks and Coneyburrow, Lifford, County Donegal.

## Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 3(a) and (b) and the reason therefor.

## Reasons and Considerations

The Board considered that there was insufficient justification submitted to remove, or amend, the condition in question. The Board had not been provided with sufficient information or evidence to demonstrate that the noise impacts from the operation of a 24-hour refuelling facility had been mitigated to a sufficient extent, including, but not limited to, noise impacts from the additional traffic movements and the refrigerated HGV units either moving through or parking on the site beyond the permitted hours.



**Mick Long**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this 3<sup>rd</sup> day of January 2025.