



Planning and Development Acts 2000 to 2024

Planning Authority: Donegal County Council

Planning Register Reference Number: 2450106

APPEAL by Hugh Harper and others care of Damien Tansey Solicitors LLP of Embankment, Rockwood Parade, Sligo and by Aine Flanagan and others against the decision made on the 19th day of February 2025, by Donegal County Council to grant, subject to conditions, permission to Vivo Shell Limited care of Michael Friel Architects and Surveyors Limited of Creeslough, Letterkenny, County Donegal for the proposed development.

Proposed Development: (1) Demolition of existing building and (2) erection of new building which will incorporate (a) a class 1 commercial building, (b) shop, (c) post office, (d) off-licence, (e) store, (f) deli, (g) toilets including accessible toilets, (h) staff welfare facilities, (i) forecourt, (j) replacement of underground storage tanks and pumps, (k) external canopy, (l) associated signage and (m) all other associated site development works including a space for a memorial garden, at Creeslough, County Donegal.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the existing character and the prevailing pattern of development in Cresslough, it is considered that the proposed development (as amended), by reason of its overall architectural treatment, scale and design, would be out of character with its surroundings, would seriously detract from the architectural character and setting of Cresslough and of the streetscape and approach to Cresslough from Letterkenny generally. It is considered, therefore, that the proposed development would be contrary to Policy ED-P-9, of the Donegal County Development Plan 2024-2023 being of inappropriate layout and building design in the context of the existing streetscape. To permit the proposed scheme (as amended) at this prominent location could have such a negative effect on the visual amenity and local character of Cresslough as to negatively impact on the wider, long-term regeneration and renewal of the village. The proposed development would, therefore, seriously injure the visual amenities of the area and to the proper planning and sustainable development of the area.

2. Having regard to recent history of the site, it is considered that the proposed memorial consisting of an architectural installation at the vehicular exit to the site, and a separate small green area as a space for a memorial garden adjoining the car park servicing the development, is inappropriately sited in the context of the significant pedestrian and traffic movement that will take place throughout the site when operational, and this raises serious concern in relation to both the safety for those visiting the memorials and also the inappropriate siting of the memorial within the development (as amended) itself. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *18th* day of *June* 2025.