

An
Coimisiún
Pleanála

Commission Order
ABP-322210-25

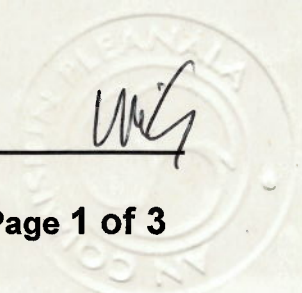
Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: S52512

WHEREAS a question has arisen as to whether the use of a residential dwelling at McClures House, where care is not provided, a long-term residential accommodation for protected persons, at High Road, Letterkenny, County Donegal is or is not development or is or is not exempted development:

AND WHEREAS ERM Contracts Limited care of Hughes Planning and Development Consultants requested a declaration on the said question from Donegal County Council and the said Council issued a declaration on the 7th day of March 2025 stating that the said matter is development and is not exempted development:

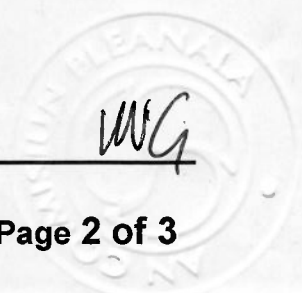


AND WHEREAS ERM Contracts Limited referred the declaration for review to An Coimisiún Pleanála on the 3rd day of April 2025:

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2(1) and 3(1) of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1), article 9(1) and article 10(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site,
- (e) the nature and current use of the site,
- (f) the submissions of the Referrer,
- (g) the report of the Planning Inspector:

AND WHEREAS An Coimisiún Pleanála has concluded that the permitted and current use of the premises as self-contained apartments, and not as a facility for the reception and care of protected persons, does not constitute a change of use from the permitted use and, therefore, does not constitute development:



NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the use of the premises at McClure's House, High Road, Letterkenny, County Donegal as self-contained residential apartments as a long-term residential accommodation for protected persons where care is not provided, is not development.


Liam McGree

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

Dated this 06th day of AUGUST 2025.