



Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 25/62182

Appeal by Pat McGonigle against the decision made on the 30th day of January 2026 by Donegal County Council to grant, subject to conditions, a permission to Clonmany Enterprise Development Limited in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Change of use from existing parochial house to a community hub building and all associated site works at Gaddyduff, Clonmany, in the townland of Gaddyduff, County Donegal.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the nature, scale and use of the proposed development within the centre of Clonmany, and to its 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 would make a positive contribution to the vitality of the settlement of Clonmany and to the surrounding hinterland. The proposed 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 was satisfied, 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", issued by the Department of the Environment, Heritage and Local Government in June, 2007, 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 and Development Act, 2000, as amended, states, a person is not entitled solely by reason of permission to carry out any development.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars submitted with the application, except as may otherwise be required in order to comply with the following conditions.

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

2. The use of the community retail units hereby 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. Prior to the commencement of development, the following details shall be agreed in writing with the planning authority:

- (a) the layout of the car park; and
- (b) signage and lighting.

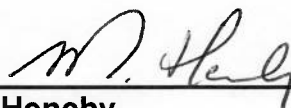
Reason: In the interest of orderly development.

4. 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 interests of public health and surface water management.

5. Opening hours of the community retail units shall be confined to between 0830 to 2000 hours Mondays to Fridays, 0830 to 1800 hours on Saturdays, and 1200 to 1800 hours on Sundays, and shall exclude Bank holidays/Public Holidays, or as otherwise agreed in writing with the planning authority.

Reason: In order to define the permission, and in the interests of residential amenity.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála**

**duly authorised to authenticate
the seal of the Commission.**



Dated this 22nd day of *Le* 2026.