



An
Coimisiún
Pleanála

Commission Order
PL-501071-DL-26

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 26/60030

Appeal by Stephen Harte against the decision made on the 6th day of March, 2026 by Donegal County Council to grant, subject to conditions, a permission to Daly Bros (Retail) Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Erection of an acoustic fence on top of existing two metre high concrete block wall, maximum height of 3.6 metres on western boundary of existing petrol filling station in accordance with series NG300-fencing and environmental noise barriers (Transport Infrastructure Ireland publications) and to extend opening time to 24 hours for the delivery of fuel, all at Townparks and Conneyburrow, Lifford, 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 site's urban location within the settlement boundary of Lifford, which is designated as a Service Town, the existing petrol filling station on the site, the provisions of Policy CS-0-7, Policy ED-P-3 and Policy ED-P-9 of the Donegal County Development Plan 2024-2030 which support economic growth, the existing pattern of development in the area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of any adjacent property, would be acceptable in terms of noise, traffic safety and convenience and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The acoustic fence shall be completed in accordance with the plans and particulars submitted with the application and evidence of same submitted to the planning authority, prior to the commencement of the 24-hour operation hours of the fuelling facilities.

Reason: In the interest of residential amenity.

3. (a) The site shall not be used for the overnight (from 2200 to 0800 hours) parking of HGV's or any customer vehicles.

(b) Prior to commencement of development, the applicant shall agree in writing with the planning authority, signage to be erected within the site prohibiting long term parking of HGVs within the site.

Reason: In the interest of residential amenity.

4. During the operational phase of the proposed development, noise levels as measured at the nearest noise sensitive receptor shall not exceed:

(a) 55 dB(A) rated sound level between the hours of 0700 to 2200, and

(b) 45 dB(A) at all other times.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site.

5. Prior to commencement of development, the developer shall agree in writing with the planning authority, amendments to the existing access and egress arrangements, in accordance with the requirements of the planning authority, and shall comply, in all respects, with the standards set out in the Design Manual for Urban Roads and Streets (DMURS). All works shall be at the developer's expense.

Reason: In the interests of pedestrian and traffic safety.

6. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the acoustic fence, or within the curtilage of the site, without a prior grant of planning permission (other than those required to accord with Condition 3).

Reason: To allow further assessment of the impact of the permitted advertisement on the amenities of the area and in the interest of visual amenity.

7. Drainage arrangements at the site's boundary with the N14, including the disposal of surface, shall comply with the requirements of the planning authority for such works and services. All works shall be at the developer's expense.

Reason: In the interest of public health.

8. The existing retail unit shall not operate between the hours of 2200 and 0800 and there shall be no deliveries within these hours.

Reason: In the interest of residential amenity.

9. The erection of the acoustic fence shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.



Mary Henchy

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

Dated this 30th day of July 2026