



An  
Bord  
Pleanála

## Inspector's Report

### ABP-321422-24

<b>Development</b>	Change of use from current use of bank/financial institution to a café and a bed & breakfast along with connections to existing services.
<b>Location</b>	The former Bank of Ireland, Main Street, Dungloe, Co. Donegal
<b>Planning Authority</b>	Donegal County Council
<b>Planning Authority Reg. Ref.</b>	2461096
<b>Applicant</b>	Eighter Properties Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	Pat Gallagher
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	18 <sup>th</sup> February 2025
<b>Inspector</b>	Matthew O'Connor

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## **1.0 Site Location and Description**

- 1.1. The appeal site is 0.8 ha and is located at the former Bank of Ireland premises on the western side of the Main Street in Dungloe, Co. Donegal. The site comprises a large detached two-storey above basement building with attic level dormers. It is a well-kept and imposing building with symmetrical opes, bay windows and mouldings and which has a imposing presence on the street. The building is listed on the National Inventory of Architectural Heritage (NIAH). There are alleyways on either side of the building and there is a double gate on the southern party wall. The area to the rear of the building comprises an unkempt yard space. There is a vacant plot to the rear of the site which front onto a short link road running parallel with the Main Street. Given its location, the prevailing uses include a variety of local commercial businesses such as shops, pubs and professional services.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the following:
- change of use from current use of bank / financial institution at part ground floor level to café.
  - change of use from bank / financial institution to a bed & breakfast at ground, first and second floor levels.
  - connections to existing services.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Grant permission for the subject development, subject to 9 no. conditions. I note the following conditions of particular relevance:
- Condition 2: Use of building restricted to B&B and not independent short term letting.
  - Condition 3: Car Park, Internal Service Road and Entrance finishes.
  - Conditions 4: Cycle parking provision.
  - Conditions 5 & 6: Signage.
  - Condition 7: Lighting details.
  - Condition 8: Surface water details.

- Condition 9: Restriction on elevation alterations.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The first Planner's Report had regard to the submitted documentation, locational context of the site, planning history in vicinity, policy framework of the Development Plan and inter departmental/referral reports.
- The Planning Authority noted the proposal is acceptable in principle under the Town Centre zoning objective and will seek to re-use an existing building with architectural merit.
- The submitted plans indicate no external alterations to the facades, building footprint or existing openings.
- No third-party amenity concerns arise given the commercial uses to surrounding buildings and existing accommodation at upper floor levels of the former Bank building.
- It is noted that site access is excluded from site boundary but that no alterations are proposed impacting the preservation of the indicative pedestrian linkage in the LAP.
- No details provided on access, parking, manoeuvring and servicing provided. It is noted that the subject building is positioned opposite a heavily trafficked junction with a streetscape and benches to the front of the premises which would not easily lend itself to deliveries along Main Street.
- No issues were raised with respect to public health in terms of existing foul/water.
- No issues raised with respect to AA or EIA.

Further Information was sought in relation to 2 no. items:

- Revised drawings detailing parking (car and bicycle), vehicle manoeuvring and servicing in line with development plan standards; clarification as to how B&B will be operated; waste/recycling collection; and, signage details.
- Applicant to clarify if original hardwood door is to be reinstated in place of ATM on NIAH listed building.

- The second Planner's Report provides an analysis of the applicant's Further Information response and forms the basis for the grant of permission with conditions. With respect to Item 1 of the Further Information Request, the Planning Authority considered the revised Site Layout demonstrating 11no. car parking spaces to the rear of the subject building. The cover letter refers to provision of a car parking rack but details have not been submitted. This matter can be dealt with by way of condition.
- A bin store is located to the southern rear elevation adjacent to a Right of Way leading from the Main Street which is indicated on revised particulars.
- Given the town centre location the information submitted regarding the provision of refuse facilities, internal vehicular/cycle access and parking is considered to be satisfactory.
- The applicant confirmed that the B & B will be run on site by a live-in manager. The applicant also indicated that signage will be in both Irish and English and affixed to the building. No specifications of signage have been included but could be conditioned.
- In respect of Item 2 of the Further Information Request, the Planning Authority notes that the space occupied by the ATM has been replaced with a hardwood door.

### 3.2.2. Other Technical Reports

- Local Water Services – No response received.
- Building Control – No objection, standard conditions on building control.
- Environmental Health Officer (EHO) – Comments returned, applicant to consult with EHO to ensure development complies with relevant Food Safety Legislation.
- Chief Fire Officer (CFO) – No response received.
- Conservation Officer – No objection, subject to condition that there be no changes to the front/side elevations and front railings without written consent from P.A.

### 3.3. Prescribed Bodies

- Heritage Council – Supports the proposal and has no objection
- Uisce Eireann - No response received.
- An Taisce - No response received.
- Dept of Housing, Local Government and Heritage - No response received.

### 3.4. Third Party Observations

- None.

## 4.0 Planning History

The following available planning history is associated with the subject site:

- 1450743**      Permission GRANTED for replacement of existing signage with new signage of 5.5m2 to front of existing bank premises. Applicant: Gov. & Co. of Bank of Ireland.
- 95269**        Permission GRANTED for the installation of Automatic Teller Machine. Applicant: Gov. & Co. of Bank of Ireland.
- 94271**        Permission GRANTED for replacement of external signage. Applicant: Gov. & Co. of Bank of Ireland.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1 The County Donegal Development Plan 2024-2030 is the relevant Development Plan for the appeal site. The following Development Plan chapters and associated policies/objectives are considered to be most relevant in respect of the subject development:

5.1.2. Chapter 11 relates to Natural, Built & Archaeological Heritage and the following objectives and policies are relevant to the proposal:

- AH-O-1      Conserve, manage, protect and enhance the architectural heritage of Donegal namely Protected Structures, Architectural Conservation Areas, NIAH structures, designed landscapes and historic gardens, vernacular,

historic building stock industrial and maritime built heritage, character and setting of such structures.

AH-O-2 Promote the sustainable and sensitive re-use of the existing built heritage as a positive response to climate change, and promote the circular economy and climate mitigation and adaptation through proper maintenance, repair and appropriate retrofitting, adaptative re-use and regeneration employing best conservation practice. This objective will be pursued on a collaborative and integrated basis in partnership with all relevant stakeholders and through all available funding mechanisms.

AH-P-2 Protect traditional shopfronts and signage and where required and appropriate, ensure new shopfronts are of a high-quality architectural design.

AH-P-2A • Promote the maintenance and appropriate re-use of the existing buildings stock of buildings with architectural merit as a more sustainable option to their demolition and replacement.

- Ensure that measures to upgrade the energy efficiency of protected structures and traditionally built historic structures are sensitive to traditional construction methods, employ best practice and use appropriate materials and methods that will not have a detrimental impact on the material, functioning or character of the building

5.1.3. The subject building is listed on the National Inventory of Architectural Heritage (NIAH). The Register Number of the building is 40825016 and the NIAH website provides a description and appraisal of the structure. The relevant policies relevant for NIAH buildings are abridged as follows:

AH-P-7 Protect NIAH structures by requiring that development of structures on the NIAH including the curtilage, attendant grounds and setting of the structure are appropriate in terms of architectural treatment, character, scale, and form, and is not detrimental to the special character and integrity of the structure and its setting....

AH-P-8 Ensure high quality architectural design of all new development relating to or which may impact on NIAH structures (and their setting)....

5.1.4. Chapter 11 relates to Technical Standards with Table 16.8 refers to Car Parking Standards and contains the requirements for bicycle parking also.

## 5.2. **Seven Strategic Towns Local Area Plan 2018-2024 (as extended)**

5.2.1. This Local Area Plan relates to the settlement of Dungloe. I note that this LAP has been extended for a further period of 2 years after the elapse of the period of the current Plan. Strategic Objective (SO1) of the Plan seeks to *'consolidate and enhance the strategic role of An Clochán Liath (Dungloe) as: (i) a key retail and services centre and tourism destination for the western seaboard; and (ii) an attractive and sustainable place to live and work for existing and future residents'*.

5.2.2. The site is zoned 'Town Centre' with an objective *'To sustain and strengthen the defined town centre area as the centre of commercial, retail, cultural and community life'*.

5.2.3. The following General Town Centre policy for Dungloe is considered to be relevant:

Policy GEN-TC-2: It is a policy of the Council that any proposal for commercial or retail use within a town centre area, in addition to other policy provisions of this LAP, will be required to demonstrate compliance with all of the following criteria –

(i) The proposed development is compatible with surrounding land uses existing or approved;

(ii) The proposed development would not harm the amenities of nearby residents;

(iii) There is existing or programmed capacity in the water and wastewater infrastructure or suitable developer-led improvements can be identified and delivered;

(iv) The existing road network can safely handle any extra vehicular traffic generated by the proposed development or suitable developer-led improvements are identified and delivered to overcome any road problems;

(v) Adequate access arrangements, parking, manoeuvring and servicing areas can be provided in line with the Development and Technical standards set out in the CDP or as otherwise agreed in

writing with the planning authority; (vi) The proposed development would not create a noise nuisance;

(vii) Any emissions from the proposed development can be dealt with in accordance with relevant standards;

(viii) The proposed development would not adversely affect important features of the built heritage or natural heritage including Natura 2000 sites;

(ix) The proposed development is not located in an area at flood risk and/or will not cause or exacerbate flooding;

(x) The site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;

(xi) Appropriate boundary treatments and means of enclosure are provided and any proposed areas of outside storage are adequately screened from public view;

(xii) The proposed development would not compromise water quality nor conflict with the programme of measures contained within the current North Western River Basin (NWIRBD) Management Plan.

5.2.4. The following Town Centre objective and policies for Dungloe are summarised:

Objective CL-TC-2: To improve the vernacular character and appearance of Town Centre particularly in terms of shop front designs.

Policy CL-TC-4: That proposals for shop fronts shall be either Irish Language only or bilingual in nature with Irish first and more prominent than the other languages used. Signage shall be high quality in terms of design, colour and materials and respect the existing streetscape and traditional shop fronts in the area.

Policy CL-TC-5: To require the provision of traditional, vernacular shopfront design for any development or re-development proposed that will impact on the appearance of Main Street.

5.2.5. The following Environment and Heritage objective for Dungloe is summarised:

Objective CL-EH-1: To ensure the sustainable development of Dungloe as a socio-economic driver for the surrounding area, including harnessing its tourism potential.

5.2.6. The following Tourism, Marine and Recreation objective and policy for Dungloe are summarised:

Objective CL-TMR-1: To develop and maximise the tourism and leisure potential of Dungloe as one of the key economic drivers for the town.

Policy CL-TMR-2 To support the principle of a Leisure/Amenity/Tourism type development in Dungloe subject to compliance with Habitats Directive, environmental considerations and all other relevant objectives and policies of this LAP.

### **5.3. Natural Heritage Designations**

5.3.1. The appeal site is not located on or within any designated Natura 2000 sites, with the nearest designated site being the Rutland Island and Sound Special Area of Conservation (Site Code: 002283) which is located approximately 0.715km to the west of the site.

### **5.4. EIA Screening**

5.4.1. Having regard to the nature and scale of the development, which is for the change of use of an existing building on the Main Street in an urban area, is not considered to fall within the classes listed in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended), and as such preliminary examination or an Environmental Impact Assessment is not required. See Form 1 attached to this report.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The Third Party appeal has been received in relation to the Planning Authority's decision to grant permission. The grounds of appeal are submitted from the neighbouring property to the immediate south of the appeal site. The grounds of appeal can be summarised as follows:

### Landownership/Right of Way

- The applicant lodged a revised Site Plan on foot of a Request for Further Information by the Planning Authority in respect of vehicle/cycle parking, vehicle manoeuvring, service areas and external waste storage/recycle collection.
- The applicant indicated a Right of Way across the Third Party lands to access the lands for car parking to the rear.
- This access is outside of the red line application boundary and outside of the legal ownership of the applicant. No letter of consent was provided.
- The access to the site relies on use of land outside of the application boundary without permission from the property owner.
- It is considered that the Planning Authority made an error in not requesting confirmation regarding the Right of Way especially as it fell outside of the application site.
- The Third Party did not give permission and was not approached by the applicant to allow a Right of Way across the property as is now proposed.
- No established Right of Way exists through the alleyway between the two properties (which is in the ownership of the Third Party). There is a gate on the alleyway which is closed when the Third Party's building is not in use.

### Access

- The alley is narrow and not suitable/capable for vehicles to pass through on a regular basis as is now proposed.
- The Third Party does not permit vehicles to drive through the alleyway. Only pedestrians are permitted to use the alleyway during business hours to access the side door to the Third Party's building.
- There are safety risks to the tenants of the Third Party's building who use the side door for access from the alleyway.
- The access is also a risk to pedestrians on the Main Street as vehicles will have to cross over the footpath to join the Main Street.

### Devaluation of Property

- The decision to grant permission depreciates the value of the Third Party's property as the access to the first floor level is accessed via a door from the alleyway.

- If vehicles were to use this alleyway, the Third Party's property would not be able to safely use this space and is of concern to the existing tenants.

## **6.2. Applicant Response**

- A response has been received on behalf of the applicants which is summarised as follows:
  - The assertion of the appellant that no Right of Way exists is acknowledged. However, a long established and legally recorded Right of Way does exist along the alleyway. Details are provided in a Deed of Conveyance from Bank of Ireland. The applicant's solicitors confirms that the Right of Way has been in existence since the 1930s.
  - The applicant's solicitors have confirmed in their correspondence that the Right of Way was in use by the Bank of Ireland until they vacated the premises in 2021 and that the applicant has been using the Right of Way since they occupied the premises.
  - As the applicant has legal Right of Way through the alleyway, they do not require the appellant's permission to use the alleyway as suggested.
  - The alleyway has been used by both pedestrians and vehicles with no issues recorded to date. The access was reviewed by the Planning Authority who raised no technical details.

## **6.3. Planning Authority Response**

- A response has been received from the Planning Authority which notes the contents of the Third Party Appeal. The Planning Authority considers that any dispute in respect of alleged entitlement to the Right of Way is a legal matter outside the remit of the planning system to adjudicate upon and the onus rests with the applicants to ensure their legal right to the development as noted under S34(13) of the Planning & Development Act, 2000 (as amended), if required. informs that all contents of the application was considered in the Planner's Report. The Planning Authority request that An Bord Pleanála uphold its decision.

## **6.4. Observations**

- None.

## 7.0 Assessment

Having examined the application details, the appeal and all other documentation on file, the reports of the Planning Authority, having conducted an inspection of the site, and having reviewed relevant planning policies and guidance, I am satisfied that the main issues to be considered are those raised by the Third Party. I am satisfied that no other substantive issues arise. This appeal can be addressed under the following relevant headings:

- Principle of Development
- Legal Ownership & Right of Way
- Traffic Safety
- Other Matters
- Appropriate Assessment (Screening)

### 7.1. Principle of Development

7.1.1. The proposed development seeks the change of use of existing former bank/financial institution building to a café and bed & breakfast. The ground floor level will be indicated as a café/tea rooms with kitchen and a reception area along with an en-suite bedroom. The first floor level is demonstrated as having 3 no. en-suite bedrooms with storage and service rooms. The second floor level is shown as having 6 no. en-suite bedrooms and associated with storage and service rooms. All works are demonstrated as being internalised and so the proposed change of use will have no material impact upon the street elevation of the building in that the ridge height, footprint, fenestration detailing, and external finishes of the building as it exists currently.

7.1.2. The site is zoned “Town Centre” in the Seven Strategic Towns Local Area Plan 2018-2024 (as extended) which has an objective ‘*to sustain and strengthen the defined town centre area as the centre of commercial, retail, cultural and community life*’. There is no zoning matrix included within the Local Area Plan however, I am of the view that the proposed uses would both be permitted in principle as they would be compatible with the zoning objective and would assist in improving the overall vibrancy and vitality of Dungloe’s Main Street within an existing vacant and underutilised commercial building through the introduction of appropriate town centre uses.

7.1.3. Therefore, I am satisfied that the principle of a change of use from former bank building to a café and Bed & Breakfast would not be out of character within an urban centre location and is acceptable - subject to complying with other planning requirements as addressed in the following sections.

## **7.2. Legal Ownership & Right of Way**

7.2.1. The primary issue raised in the grounds of appeal relates to the subject development impacting on the appellant's property and dispute over the presence of a Right of Way to access the rear yard area of the appeal site for vehicle parking. Having examined the information on the appeal file, I note that the proposed development does not include any works to the existing alleyway which is to be used for access to parking, via an existing gateway on the party boundary between the application site and the appellant's property.

7.2.2. The appeal notes that the applicant has indicated a Right of Way across lands in the appellant's control and that this access is not within the red line application boundary and is outside of the legal ownership of the applicant. It is further noted that no letter of consent was provided by the appellant to facilitate access across their property and that no established Right of Way exists through the alleyway between the two properties. The applicant's response to the appeal claims to the contrary that there is a long-established and legally recorded Right of Way on the alleyway and has submitted a solicitor's letter informing that the applicant acquired the Right of Way along with Deeds of Conveyance from 1930 and 1954. The applicant contends that as they have legal Right of Way through the alleyway, that consent/permission is not required to use the alleyway.

7.2.3. In respect to the above, I note that issues to do with title or Rights of Way are not matters which can be adjudicated by the Board. I refer to Section 5.13 of the Development Management Guidelines for Planning Authorities (2007) which states that 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. I also refer to Section 34(13) of the Planning and Development Act 2000 (as amended) states that *'a person shall not be entitled solely by reason of a permission under this section to carry out any development'*. As such, the Board has no role in this matter in so far as it relates to the title over land. It is a civil matter between the respective affected parties.

### **7.3. Access & Transportation**

- 7.3.1. The grounds of appeal claim that the existing alleyway between the appeal site and the appellants property is narrow and is not suitable/capable for vehicles to pass through on a regular basis, as proposed. The appellant states that they do not permit vehicles to drive through the alleyway and only permit pedestrians to utilise the alleyway during business hours to access their property. The grounds of appeal also contends that the use of the alleyway for vehicle access presents a safety risk to pedestrians such as the tenants of the appellant's building as well as persons on the Main Street as vehicles will have to cross over the footpath to access the road network.
- 7.3.2. With respect to the suitability/capability of the existing alleyway to accommodate vehicles, I estimate the alleyway to maintain a width of approximately 2.5 metres. Having regard to the contents of the Third Party, I consider that it has been demonstrated that the alleyway has sufficient width to accommodate a single car. I note that Section 4.4: Carriageway Conditions of DMURS states that standard carriageway width in respect of 'local streets' should be between 2.5 metres and 2.75 metres. Therefore, the existing alleyway has a compatible width in terms of a standard carriageway.
- 7.3.3. While I acknowledge the concerns raised in relation to vehicles traversing the footpath along the Main Street from the alleyway and the potential conflicts with pedestrians, I do not consider that the proposed development would result in haphazard traffic safety issues. I have formed this opinion given the established setting of the alleyway with a sufficient carriageway width in addition to the presence of several other such openings/lanes along the Main Street in Dungloe which provide rear access to premises. To this end, I am therefore of the view that it would not be unusual to expect that vehicles would access/egress this alleyway onto the Main Street. From my inspection, I note that there is an existing dropped kerb and dishing to the pavement at the entrance to the alleyway which is indicative of its use for vehicles from the Main Street. I also consider that given the narrow width of the alleyway, traffic speeds and vehicle movements would be reduced along with increased driver awareness.
- 7.3.4. I consider that there may be a requirement for added manoeuvrability when entering/exiting the rear yard onto the alleyway as the gateway is sited along the party wall and therefore there is no entrance splay. However, this is an existing access

arrangement within the alleyway and I do not consider that it restricts/hinder cars from accessing the site but rather may necessitate additional manoeuvring in the Right of Way area of the alley when entering the yard area. I am of the view that there would be adequate internal circulation within the yard space to the rear of the appeal site to serve parking requirements for the Bed & Breakfast. Moreover, I do not consider this rear access arrangement to be problematic in the context of the proposed development. In my view, the rear car park can only be utilised by cars however, it is reasonable to consider that guests will pre-book accommodation in advance of their visit and would be aware of the available on-site parking and the types of vehicles that could be accommodated. Furthermore, I am satisfied that there is sufficient parking available in the town centre to cater of other vehicles types off the site should it be required.

7.3.5 In considering the proposal, I consider it appropriate to have regard to parking provision to serve the subject development. The applicant initially did not include any parking for the proposal but subsequently demonstrated 11 no. standard car parking spaces in the rear car park area in response to the Planning Authority's Request for Further Information. The application was also referred to the Area Roads Engineer at Further Information Stage however, no response was received. I consider that the number of spaces is consistent with the requirements set out in Table 16:8 of the Development Plan.

7.3.6. I note that no parking has been provided in respect of the café element or delivery vehicles which is required in the Car Parking Standards of the Development Plan. However, with regard to the café, I am of the view that the appeal site is in reasonably central location within the town centre of Dungloe and the café is capable of operating without causing any parking disruption at this location. I also consider that the proposed development is unlikely to generate significant amounts of additional goods/delivery traffic having regard to the use and its scale. From my observations, service/delivery vehicles utilise the Main Street and I observed same at the time of my inspection. To this end, I consider that any deliveries and collections associated with the café and Bed & Breakfast would operate in the current manner for commercial businesses in Dungloe. On this basis, I would consider that the non-provision of parking for delivery/service vehicles and the café would not be a reason to preclude the proposal. Furthermore, I also note that no details in relation to bicycle parking were

provided despite the applicant indicating provision for same in response to the Request for Further Information. I consider that such parking can be accommodated on the appeal site and if the Board is minded to grant permission, I recommend inclusion of a condition requiring details of a bicycle parking to accommodate bicycle parking in accordance with Development Plan standards.

7.3.7. To conclude, I consider that it is unlikely that the proposed development would result in a traffic hazard to the users of the existing alleyway or the Main Street. I am satisfied that the yard area has capacity to reasonably accommodate vehicles associated with the proposed operations in the context of a town centre location and that adequate parking has been provided to serve the development. The proposal would therefore be acceptable.

#### **7.4. Other Matters**

7.4.1. I note the concerns raised in the grounds of appeal in respect to the depreciation of value of the appellant's neighbouring property on account of first floor access being located from the alleyway. However, having regard to the assessment and conclusion set out above, I am satisfied that that the proposed development would not seriously injure the amenities of the area.

### **8.0 Appropriate Assessment (Screening)**

8.1. Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances to designated European Sites, and the absence of an ecological and/ or a hydrological connection, the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

### **9.0 Recommendation**

9.1. I recommend that permission be GRANTED for the following reasons and consideration and subject to the conditions listed below.

### **10.0 Reasons and Considerations**

10.1. Having regard to the zoning objective of the area, the provisions of the Donegal County Development Plan 2024-2030 and the Seven Strategic Towns Local Area Plan 2018-2024 (as extended), the location of the site in an established urban area within the

centre of Dungloe and the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with conditions below, the proposed development, would not seriously injure the amenities of the area or of property in the vicinity nor would it represent a traffic safety issue in the area. The proposed development for which permission is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **11.0 Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 17th day of July 2024 and the 24th day of September 2024, 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 development hereby permitted shall be used solely for the purposes of a Bed & Breakfast (with associated ground floor café). The facility shall be used for guest accommodation purposes only and shall not be used or occupied as a permanent place of residence by any person as a sole or main residence with the exception of the live-in manager. The owners/operators of the development shall maintain an up-to-date register of the name(s) of this manager and shall make this information available to the planning authority on request.

**Reason: In the interests of clarity, orderly development and to regulate the use of the development.**

3. Prior to the operation of the facility, the developer shall submit for the written agreement of the planning authority, a site management plan relating to the ongoing maintenance of the development (including car parking area, vehicular access and refuse services arrangements), and the development shall be maintained in accordance with the agreed site management plan.

**Reason: To ensure the satisfactory ongoing management and maintenance of the development, and to protect the visual [and residential] amenities of the area.**

4. The café/team rooms shall not operate outside of the following hours:

Monday to Friday 08:00am to 09:00pm

Saturday and Sunday 08:00am to 10:00pm

**Reason: In order to protect the amenities of properties in the vicinity.**

5. The developer shall control odour emissions from the premises in accordance with measures (including extract duct details) which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason: In the interest of public health and to protect the amenities of the area.**

6. A plan containing details for the management and safe disposal of all waste (and, in particular, recyclable materials) within the proposed development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities, shall be prepared by the local authority prior to commencement of development and shall be placed on the file and retained as part of the public record.

**Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.**

7. Prior to commencement of development, the developer shall submit details of cycle parking facility in accordance with the County Donegal Development Plan 2024-2030 parking standards to the rear of the building for written agreement with the Planning Authority.

**Reason: In the interests of orderly development.**

8. Prior to commencement of development, the developer shall submit details of materials, finishes, drainage and markings for the parking area to the rear of the building for written agreement with the Planning Authority.

**Reason: In the interests of clarity.**

9. The proposed shopfront/signage shall conform to the following requirements:
- (a) Signage shall be restricted to a single timber fascia sign comprising traditional format with hand-painted lettering;
  - (b) Signage shall be in the Irish Language only, or if bilingual signage is proposed, then the Irish language shall be first and shall be of an area, size and prominence that is greater than the area, size and prominence of other languages;
  - (c) The signage shall be lit by external illumination only; and,
  - (d) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission;

The external shopfront/signage shall be in accordance shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage. Where agreement cannot be reached between the applicant/developer and the local authority the matter shall be referred to An Bord Pleanála for determination.

**Reason: In the interest of visual amenity**

10. 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, or any statutory provision amending or replacing them, shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason: In the interest of visual amenity.**

11. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason: In the interest of public health**

**12.** No alterations shall be carried out to the front or side elevations or the front wall and associated railings without the prior consent in writing from the Planning Authority.

**Reason: to protect the built fabric, character and appearance of this historic structure**

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Matthew O Connor  
Planning Inspector

10<sup>th</sup> March 2025

# Form 1

## EIA Pre-Screening

<b>An Bord Pleanála</b>	ABP-321422-24		
<b>Case Reference</b>			
<b>Proposed Development Summary</b>	Change of use from current use of bank/financial institution to a café and a bed & breakfast along with connections to existing services.		
<b>Development Address</b>	The former Bank of Ireland, Main Street, Dungloe, Co. Donegal		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	<b>X</b>
		<b>No</b>	
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			Proceed to Q3.
<b>No</b>	<b>X</b>		No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			
<b>No</b>			
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>			

<b>5. Has Schedule 7A information been submitted?</b>		
<b>No</b>	<b>X</b>	<b>Pre-screening determination conclusion remains as above (Q1 to Q4)</b>
<b>Yes</b>	Tick/or leave blank	<b>Screening Determination required</b>

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_