



An
Coimisiún
Pleanála

Inspector's Report PL-500269-DL-25

Development	Change of use from former bank to hardware shop and erection of a storage shed.
Location	MAGHERACLOGHER, GWEEDORE, LETTERKENNY
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2561213
Applicant(s)	Shane McGee
Type of Application	Retention Permission
Planning Authority Decision	Grant Retention Permission
Type of Appeal	Third Party Planning Appeal
Appellant(s)	Ciaran Richardson
Observer(s)	None
Date of Site Inspection	22/1/26
Inspector	Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.1ha and is located at within the settlement of Bunbeg in Co. Donegal.
- 1.2. The site includes an existing single storey building which was previously used as a bank and is now in use as a hardware store. The site also includes a single storey shed which is used to provide storage for hardware items. In addition to this, the site includes a yard where there are a number of hardware items on display.
- 1.3. The surrounding area is mixed use in character with commercial premises and residential development.
- 1.4. The site abuts residential development to the east, a driveway accessing the abutting residential development to the north, a local road to the south and the R-257 to the west.

2.0 Proposed Development

- 2.1. The proposed development comprises of the retention of the change of use of a building previously used as bank to a hardware shop. To facilitate this change of use a number of internal alterations have been made to the building.
- 2.2. The proposal also includes the retention a shed to the rear of the building. The shed for which retention is sought has a floor area of c. 50.7m² with a maximum height of c. 4.45m.
- 2.3. In addition to the above, the application seeks retention planning permission for a perimeter fence which consists of mesh panels in a dark green colour.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 17/10/25 the Planning Authority decided to grant retention planning permission subject to 8 conditions. The conditions are standard for the developments of this type.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.2 There are two planning reports on file. The first planners report dated 2/9/25 states that the siting of a retail unit at this location is considered to be acceptable and that the proposal will bring a currently vacant building back into use, which is supported by objective ED-O-10 of the *Donegal County Development Plan 2024-2030*

3.2.1.3 The area planner highlights concern with respect to the movement of customer vehicles around the building using the stated one-way system and whether or not vehicles making deliveries to the hardware shop will enter and leave the storage yard via the gates on the northern side of the shop building and whether HGVs will deliver or pick up goods from the shop. Further information was requested for the applicant to respond to these concerns.

3.2.2. Other Technical Reports

Chief Fire Officer: Report dated 14/8/25 outlining no objection, subject to conditions.

Roads: Report dated 3/9/25 outlining no objection.

3.3. Prescribed Bodies

None of file

Further information

3.4 The applicant responded to the Further Information request on 26/9/25. The response included the following:

- Autotracking drawing.

3.5 The second planning report dated 7/10/25 states that the proposal raises no significant road safety concerns and recommends that retention planning permission be granted.

4.0 Planning History

Appeal site

There are a number of applications relating to the appeal site as set out below:

Reg. Ref. 94/ 274. Application for the replacement of external signage. Permission granted, subject to conditions.

Reg. Ref. 01/2985. Application for the installation of an ATM to the front of the building. Permission granted, subject to conditions.

Reg. Ref. 23/ 51826. Application for erection of a commercial storage shed adjacent to an existing building along with perimeter fencing. Application withdrawn.

Reg. Ref. 24/ 60709. Application for the change of use from bank to take away food premises. Application withdrawn.

Site to the south

Reg. Ref. 2461384. Application for the change of use of the ground floor of an existing building known as the HMD building from a restaurant to 4 no. retail units including the installation of external illuminated signage to each unit. Permission granted, subject to conditions.

5.0 Policy Context

5.1. Development Plan

5.1.1 The *Donegal County Development Plan 2024-2030* is the operative plan for the area. The subject site is located within the settlement framework for Bunbeg-Derrybeg.

5.1.2 The following policies and objectives are pertinent:

CS-P-1: That within the boundaries of settlements identified Settlement Framework boundaries, applications for development will be assessed in the light of all relevant material planning considerations including any identified land use zonings, availability of infrastructure, relevant policies of the Development Plan/Local Area Plan as applicable, other regional and national guidance/policy and relevant environmental designations.

ED-O-10: To encourage enterprise and employment developments to locate in brownfield sites or unoccupied buildings in town centres or, where appropriate, in existing industrial/retail parks or other brownfield industrial sites in preference to undeveloped zoned or un-zoned lands as a key measure to drive economic activation of town centres and to optimize the economic spin off from enterprise.

RS-P-5: It is a policy of the Council to consider proposals for the provision of local scale neighbourhood shops where such shops are clearly designed and located so as to serve distinct residential neighbourhoods, subject to compliance with all other relevant policies of this Plan.

The subject site also falls within an area of 'High Scenic Amenity.'

L-P-2 seeks 'to protect areas identified as 'High Scenic Amenity' and 'Moderate Scenic Amenity' on Map 11.1 'Scenic Amenity'.

BIO-P-1 seeks 'To require all developments to comply with the requirements of the EU Habitats Directive and EU Bird Directive'.

Chapter 21- Settlement Frameworks

5.2. Natural Heritage Designations

5.2.1. The appeal site is not located on or within any designated Natura 2000 site(s) or Natural Heritage Area(s). The Gweedore Bay and Islands SAC (Site Code: 001141) is located c. 452m to the southwest of the appeal site. The West Donegal Coast SPA (Site Code: 004150) is located c. 927m to the northwest of the appeal site.

5.2.2 In addition to this, the Gweedore Bay, and Islands pNHA (Site Code: 001141) is located c.07m to the west of the appeal site.

5.2.3 A screening exercise for Appropriate Assessment will be undertaken in Section 8 below.

5.3. EIA Screening

5.3.1 See completed Form 2 attached by way of appendix to this report. Having regard to the nature, size, and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

5.4 Water Framework Directive

5.4.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

5.4.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a reduction in water quality.

5.4.3 The CLADY (DONEGAL)_020 (IE_NW_38C040300) is c. 323m to the south and 585m to the west of the appeal site. This waterbody is classified as poor ecological status. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/>).

5.4.4 I have assessed the proposal and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

5.4.5 The reason for this conclusion is as follows:

- The proposal is relatively minor and comprises of the retention of change of use a bank to a hardware shop and small commercial shed.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A third party appeal against the decision of Donegal County council to grant planning permission has been received from Ciaran Richadson (on behalf of Margaret Richardson). The appeal documentation includes:

- A copy of the appellants objection to a previous application on the appeal site (23/51836)

- Copies of the appellants communications with Donegal County Council relating to planning violations at the site.
- Copies of appellants communications with Donegal County Council relating to unauthorised development on the site.
- Copy of the appellants objection to the initial application.
- Copies of communications from Donegal County Council relating to granting retention planning permission.

6.1.2 The grounds of appeal can be summarised as follows:

- The owner of this site decided to progress with all development works in every absence of any planning permissions.
- Disappointed and surprised that Donegal County Council did not intervene to ensure that planning regulations were adhered to at this commercial site.
- Donegal County Council have granted permission without enforcing any tangible measures at this site that would practically address objections / concerns.
- No confidence that there will be enforcement.
- Fence on site is 2m not 1.8m as shown on drawings and has been erected right up to the private driveway of the adjoining site.
- The building materials / solid fuels are currently being stacked even higher than the 2.3m high fence up to a height of 2.8m.

6.13 I make the Coimisiún aware that the third-party objection states that the most pertinent document in their objection to the initial application. The points made in the objection to the initial objection will be included in my assessment.

6.2. Applicant Response

6.2.1 A response has been received from Michael Friel Architects and Surveyors Limited on behalf of the first part. The response can be summarised as follows:

- The site is located inside the settlement of Bunbeg where there is an existing mix of vacant commercial buildings, operational commercial buildings

operating as takeaways and cafes, barber shop, houses and is effectively a brownfield site that is being re-used for a commercial purpose.

- Shane McGee hardware has had a presence in Gweedore Parish for in excess of 10 years. The first party does not accept that the shop or yard is in any way unkempt or untidy and a particular emphasis is placed on having the yard being clean, tidy, and safe for all users and do not impact on the aesthetics of the local area.
- The Wastewater treatment system is working well and is capable of adequately dealing with the loading associated with the existing development. The number of staff has been reduced from 6 to 1-2 persons. In addition to this a letter confirms that the system will be desludged on an annual basis into the future. The Planning Authority that they were satisfied with this approach.
- The area engineer was satisfied that the development would not be detrimental to traffic safety at this location.
- The storage shed and fence were considered acceptable by the Planning Authority in this mixed-use area and that screen planting was not required. If a commercial development is not allowed within a town centre, they would cease to exist.
- The ridge height of the shed was kept below the existing building so as not to be overbearing, the shed is barely visible as it is behind the hardware store. The hardware store has a ridge height of 6.35m, and the shed has a height of 4.4m.
- The perimeter fence has been set back in line with the existing building line, and it does not encroach in on the neighbouring property. The fence is required for the security and safety of any products which are stored in the shed.
- All of the storm / surface water pipe network has been cleaned by the owner so that water can escape without restriction into the public storm sewer. The system is working well, and an additional gully has been inserted as per the site layout plan.

- Materials are not stacked at any time higher than the height of the fence. Any materials that require stacking which are taken to the site are done so within the storage shed. The yard is well kept, and the cleanliness is taken seriously.
- The main hardware store is in Falcarragh where most of the heavier goods are kept and are delivered from here. No cardboard or empty bags are ever allowed to be stored outside and no coal bags escaped from this site into the neighbouring property.
- This application is seeking retention permission, and the first party did engage with the enforcement section of Donegal County Council.
- The development is appropriately scaled, utilising an existing building. The business is small in scale and caters for the needs of this rural community. The development plan supports the principle of this premises being used for a commercial purpose.
- This development is the epitome of a perfect example of a brownfield site where an existing building which was formerly used as a bank is being re-utilised as a small hardware shop in a rural settlement within the Donegal Gaeltacht.

6.3. Planning Authority Response

6.3.1 Letter dated 8/12/25 stating that the majority of the matters raised by the appellant have been previously addressed in the planning reports by the Executive Planner. The decision to grant planning permission, subject to conditions be upheld.

6.4. Observations

6.4.1 There are no observations on file.

6.5. Further Responses

6.5.1 There are no further responses on file.

7.0 Assessment

7.1. Having examined the appeal details and all other documentation on file, including the reports of the local authority and inspected the site. I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Siting and Design
- Traffic / Parking
- Public Health
- Flood Risk Management
- Other matters
- Appropriate Assessment

7.2. Principle of development

7.2.1 The site is located within the centre of centre of Bunbeg / Derrybeg, Co. Donegal which is a mixed-use area comprising of commercial and residential uses. Bunbeg / Derrybeg is identified as a Service Town in the settlement hierarchy as set out in Chapter 21 of the *Donegal County Development Plan 2024-2030*. The application seeks to change the use of a building which was previously used as a bank to a hardware shop. In addition to this, retention planning permission is sought for a new commercial shed building to the east of the site and perimeter fencing. The appeal site is within a mixed use commercial and residential area of Bunbeg / Derrybeg, and I am satisfied that the use of the site for a hardware shop and associated works are consistent with nature of the site and the use is acceptable in principle, subject to a detailed consideration of the development.

7.3 Siting and Design

Main building

7.3.1 The main building on the site comprises of a single storey building which was previously used as a bank.

- 7.3.2 The first party appeal points to their objection to the initial planning application with Donegal County Council. The objection states that development is extremely insensitive and not in keeping with the surrounding area or building.
- 7.3.3 The first party appeal response states that the appeal site is effectively brownfield that is being reused for a commercial purpose.
- 7.3.4 Having been on site and considered the drawings submitted with the application, I note that there has been no increase in the floor area of the existing building on site as result of the operation of the hardware shop. I am satisfied that the use of a previously vacant building for commercial purposes is acceptable. In this regard, I refer the Coimisiún to policy ED-O-10 of the *Donegal County Development Plan 2024-2030* which seeks to encourage enterprise and employment developments to locate in brownfield sites or unoccupied buildings in town centres in preference to undeveloped zoned or un-zoned lands as a key measure to drive economic activation of town centres and to optimize the economic spin off from enterprise. In addition to this, I am satisfied that the use of the building for a hardware store would comply with the objectives set out in Chapter 21 of the *Donegal County Development Plan 2024-2030* including to create vibrant, consolidated, and accessible town centres which are the core of retail, commercial, cultural and community life within the settlements.
- 7.3.5 I note that there are some minor alterations to the exterior of the building which include new signage. These changes are minor in nature and would be consistent with the commercial use of the building. I am satisfied that the alterations to the exterior of the building are acceptable.
- 7.3.6 Having considered the above, I am satisfied that the retention of the use of the building for a hardware shop is acceptable and complies with the *Donegal County Development Plan 2024-2030*.

Shed

- 7.3.7 The proposed development seeks retention permission for a storage shed in proximity to the eastern boundary of the land. The shed which has a metal sheeting construction has a height of c.4.45m and has an internal area of c. 50.7m².

- 7.3.8 The third-party appeal points to their initial objection to the development and the objection states that the commercial shed structure and proposed materials will constitute a significant eyesore.
- 7.3.9 The first party appeal response states that every effort was made to ensure that the new building is as inoffensive as possible by ensuring that the ridge height of the storage shed was kept lower than the existing building so as not to be overbearing from the approach roads.
- 7.3.10 I note the concerns of the third party and the comments of the first party response. Having been on site, I note that the shed is clearly visible from views approaching the site to the south. The shed is also clearly visible from the east of the site. There are intermittent views of the shed from the north and west. While I note that the appeal falls within an area of 'High Scenic Amenity.', in my opinion, the siting and design of the shed is not so incongruous that it has an undue impact on the visual amenity of the area. The site is commercial in nature and is within the built-up area of Bunbeg / Derrybeg and the shed is acceptable in this context.

Perimeter fencing

- 7.3.11 The application also seeks retention for a mesh style perimeter fence around the eastern, northern, and southern boundaries of the land. The application drawings show that the fence has a height of c. 1.8m and comprises of mesh panels.
- 7.3.12 The third-party states that the fence is 2.5m in height and has been erected right up to the third party's driveway and that the height / scale of the fence is unacceptable as well as the industrial materials used for its construction.
- 7.3.13 The first party appeal response states that the fence has been set back in line with existing building line so that it is hardly visible from the approach road and does not encroach on the neighbouring property. It is further stated that the fence is required for security of the products which are stored in the shed.
- 7.3.14 Having been on site, I noted that the fence is greater in height than the 1.8m shown on the submitted drawings. The fence appeared to me to be closer to 2.4m in height. While I note that this, I am satisfied that the fence as constructed is acceptable and does not have an undue impact on the character of the area. I have come to this conclusion having regard to the mesh style construction of the fence which, while

commercial in nature integrates in an acceptable manner with the surrounding landscape.

7.3.15 I note that the statutory notices submitted with the application do not specify a fence height, therefore I am satisfied that the perimeter fence as constructed does not need to be amended by way of condition, should the Coimisiún be of a mind to grant retention planning permission.

7.3.15 With regard to the third-parties assertion that the fence encroaches on their property, I am of the opinion that this matter would constitute a boundary dispute. I make the Coimisiún aware that boundary disputes are civil matters and there are not for the Coimisiún to determine. I make the Coimisiún aware that Section 5.13 of the Development Management Guidelines 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. In this regard, it should be noted that, as section 34(13) of the Planning Act states, a person is not entitled solely by reason of a permission to carry out any development. The applicant should therefore ensure that they have appropriate interest over the land on which they developed.

7.4 Traffic / Parking

7.4.1 The third-party outlines concern with respect to traffic safety in their objection to the initial application. The objection states that the development has created a public safety issue as there is insufficient space for safe vehicle manoeuvring at the rear of the property.

7.4.2 The first party response states that the applicants met with the Local Roads Engineer before the application was made and auto-track details were provided which showed that the traffic movements associated with this development do not pose a danger to road users and that the Local Roads Engineer was satisfied that the proposed development would not be detrimental to traffic safety.

Car parking

7.4.3 The appeal site is located along the R-257 (Regional Road) which has a speed limit of 50kmph at this location. The main building is set back from the road with car parking provided within this set back. Table 16.8 of the *Donegal County Development Plan*

2024-2030 outlies that 1 car parking space is required per 25m² of publicly accessible floor area plus parking for deliveries. In this case there is a total publicly accessible floor area of 63m² within the shop. Therefore, a total of 4 car parking spaces is required (3 for the shop and 1 for deliveries).

7.4.3 I refer the Coimisiún to Drawing No. 02 'Site Layout' submitted with the initial application which shows that 4 car parking spaces are provided to the front of the shop. I am satisfied that the parking provided is acceptable and complies with Table 14.6 of the *Donegal County Development Plan 2024-2030*.

Access to the site

7.4.4 Regarding customers collecting goods, plans submitted with the application shown that there is a one-way system in place. The customers enter the site from the north and exit to the south of the site. In this regard, I refer the Coimisiún to the Auto tracking Plan provided by way of response to the Further Information request. This drawing shows that both cars and van can enter and exit the site in a safe manner.

7.4.5 In addition to this, the applicant confirmed that the only delivery trucks will be transit or LDV flatbed pick up lorries which have a maximum lift capability of 3 tonnes. The majority of HGV's which have a weight capacity greater than 3.5 tonne would use a separate storage facility in Coshclady. The applicant does state that there will be rare occasions that HGVs will have to deliver to the Shop, but it will not be on a regular or consistent basis and a flag man will be deployed from the shop to ensure that traffic movements are not impacted should such a vehicle deliver to the shop.

Sightlines

7.4.6 The appeal site is within an area which has 50kmph speed limit. Table 16.6 of the *Donegal County Development Plan 2024-2030* sets out Stopping Sight Distances for Urban Areas within 50kph speed limit zone. For sites such as the appeal site a stopping site distance of 45m is required. I refer the Coimisiún to Drawing No.02 'Site Layout' which shows sightlines of 90m to the south and 90m to the north.

7.4.7 Having considered all of the foregoing, I am satisfied that the development for retention does not constitute a road safety hazard. I also note that the Roads Section of Donegal County Council did not object to the proposed development.

7.5 Public Health

7.5.1 In their objection to the initial application, the third party outlined concerns that the sewerage system and percolation area does not comply with current standards. The third-party states that confirmation is required that the sewerage treatment system meets current standards to ensure there is not a public health risk.

7.5.2 The first party appeal response states that a report has been conducted which demonstrates that the system is working well and is capable of adequately dealing with the loading associated with the development. In addition to this, it is noted that the number of staff has been reduced from 4-6 persons to 1-2 persons.

7.5.3 I refer the Coimisiún to the letter provided with the initial application prepared by Kieran Gallagher (Approved Site Assessor). This letter confirms that there is an existing sewerage treatment system and percolation area in place. The subsoil category is Silt / Clay and that there is adequate land to cater for the percolation area. In addition to this, the septic tank has an area of 3.1m³ which is a population equivalent of 4-5 persons. The letter further states that the ground around the septic tank is in good firm condition and there is no ponding in the vicinity of tank or percolation area. The report concludes that as 1 person would ordinarily be working in the shop that the system is adequate to with the loading associated with the building.

7.5.4 I further refer the Coimisiún to a letter from Sharkey Waste Recycling Ltd has been submitted confirming that the applicant has engaged the services for annual desludging of the septic tank.

7.5.5 Overall, I am satisfied that the wastewater treatment facility on the land is acceptable having regard to the fact that there is a minimal number of staff working at the site and the fact that the treatment facility has been assessed and a contract has been signed for annual desludging. I would further make the Coimisiún aware that the site is located within the catchment area for the proposed wastewater treatment system for Bunbeg-Derrybeg, once the upgrade works take place it will be possible to connect the building directly to the public sewer system.

7.6 Flood Risk Management

7.6.1 I have consulted the flood mapping system (www.floodinfo.ie) and I note that the subject land is within Flood Zone 'C'.

7.6.2 Having considered all the foregoing; I consider the proposed development would not result increase the risk of flood either within the site itself or the surrounding area. The proposal is acceptable from a flood risk perspective.

7.7 Other Matters

Enforcement procedure

7.7.1 In their objection to the initial application, the third party outlined concerns that the applicant has disregarded planning regulations.

7.7.2 The first party appeal response states that this application is seeking retention permission for the development to allow the continued use of the building as a hardware store and the various works on the site.

7.7.3 I note that this application seeks retention permission for works undertaken on the site and as such would regularise the planning status of these works. If the Coimisiún is of a mind to grant retention planning permission, then the Enforcement Section of Donegal County Council would be charged with ensuring that the applicant complies with all conditions. This would not be a matter for An Coimisiún Pleanála.

Maintenance of the yard

7.7.4 The first party appeal response states that the yard to the rear of the property is not kept in a tidy manner and that the yard has been used to store shipping containers, lorries containing solid fuels, classic cars, large tractors, and flatbed trucks.

7.7.5 The first party appeal response states that the shop and yard is not unkempt or untidy and that the operator places a particular emphasis on having the yard clean, tidy, and safe for all users.

7.7.6 On the date of my site visit, I noted that the yard was in a clean and tidy condition. However, there were some large bags stacks up above the height of the rear fence. In my opinion any stacking of material should not come above the height of the fence. This matter could be dealt with by way of condition, should the Coimisiún be of a mind to grant retention planning permission.

8.0 AA Screening

8.1 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The application is for retention

planning permission for (1) the change of use from a former bank to a hardware shop, (2) a commercial shed, (3) perimeter fencing and all associated site works within a mixed use commercial / residential area of Bunbeg, Co. Donegal.

- 8.2 The appeal site is not located on or within any designated Natura 2000 site(s) or Natural Heritage Area(s). The Gweedore Bay and Islands SAC (Site Code: 001141) is located c. 452m to the southwest of the appeal site. The West Donegal Coast SPA (Site Code: 004150) is located c. 927m to the northwest of the appeal site.
- 8.3 In addition to this, the Gweedore Bay, and Islands pNHA (Site Code: 001141) is located c.07m to the west of the appeal site.
- 8.4 There is no hydrological link between the subject site and the European sites.
- 8.5 Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

9.0 Recommendation

- 9.1 I recommend that retention planning permission be granted.

10. Reasons and Considerations

- 10.1 Having regards to the grounds of appeal, the sites location with the he settlement framework for Bunbeg-Derrybeg, the established pattern of development in the area, the policy framework provided by the *Donegal County Development Plan 2024-2030*, it is considered that the retention of the development on site provides a vital commercial service for the area, which does not have an adverse impact on the amenity of neighbouring properties, does not constitute a road safety hazard and does not constitute a public health hazard and as such is consistent with the proper planning and sustainable development of the area.

11. Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application received on 16/07/2025 as amended by the further plans and particulars received by the planning authority on 21/7/25 and 4/9/25

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 to be retained hereby permitted relates only to:

- (a) Retention of change of use of a building from a bank to a hardware shop.
- (b) Retention for a commercial shed.
- (c) Perimeter fence and all associated site works.

Reason: In the interest of clarity and the avoidance of doubt and the proper planning and sustainable development of the area.

3. The hardware shop to be retained shall only be used in accordance with the uses defined under Use Class 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Reason: To ensure the orderly development of the area and to define the terms of the permission.

4. The yard shall be maintained in a clean and tidy manner at all times and shall not be used for the storage of any vehicles or materials which are not associated with the operation of the hardware business.

Reason: In the interests of development control.

5. Stacking of goods shall not be higher than the perimeter fence for which retention permission has been granted.

Reason: In the interests of the protection of the amenity of the area

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under

section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

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.

Ronan Murphy

28 January 2026

Form 1 - EIA Pre-Screening

Case Reference	PL-500269-DL-25
Proposed Development Summary	Change of use from former bank to hardware shop, erection of a storage shed and perimeter fencing
Development Address	Magheraclogher, Gweedore, Co. Donegal
In all cases check box /or leave blank	
<p>1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?</p> <p>(For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</p>	<input checked="" type="checkbox"/> Yes, it is a ‘Project.’ Proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5, or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

