



An
Coimisiún
Pleanála

Direction
CD-022445-26
ACP-323613-25

The submissions on this file and the Inspector's report were considered at a meeting held on 03/09/2026.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Patricia Calleary
Patricia Calleary

Date: 03/09/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the ground conditions on the site and inconsistencies contained in the submitted Site Characterisation Form and planning drawings in relation to the tests undertaken on the site, the slope of the lands and stated sub-surface characteristics, the Commission is not satisfied that sufficient evidence has been presented to demonstrate that the effluent from the proposed septic tank and percolation area can be satisfactorily treated and disposed of on the site in accordance with provisions of the Environmental Protection Area's Code of Practice for Domestic Waste water Treatment Systems (PE <10) (EPA 2021). As such, it is considered that the proposed development, if permitted, would adversely impact on ground and surface water quality and would contravene policy TOU-P-8 (i) of the Donegal County

Development Plan 2024-2030 and would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The appeal site is located proximate to the Leitrim_01 (which subsequently outflows to the Carrigans_010 watercourses which are indicated as having a 'Poor' Water Framework Directive status and stated as being 'At Risk'. It is considered that, as presented, there is a lack of detail in relation to proposals for surface water drainage and wastewater treatment system to serve the proposed development which could pose a risk to the ability of these waterbodies to achieve the required Water Framework Directive quality status. In addition, the Foyle Groundwater Body underlies the appeal site and is stated as being 'Not at Risk'. It is considered that insufficient information has been presented with the application to definitively determine whether or not the subject development will not result in a deterioration of the existing Water Framework Directive quality status of these waterbodies. As such, the Commission is not satisfied that the subject development will not impact negatively upon the ability of the aforementioned waterbodies to achieve the relevant water quality status required under the Water Framework Directive. Additionally, in such circumstances, it is considered that the proposed development does not comply with TOU-P-8 (p) of the development plan. The subject development, as presented, would, therefore be contrary to the proper planning and sustainable development of the area.
3. Having regard to the lack of information submitted with the application in relation to the proposed on-site well, it is unclear there is an adequate means of water supply to serve the tourist development. As such, the proposed development, if permitted, would thus contravene policy TOU-P-8 (h) of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Commission considered that insufficient information was presented with the application in relation to the totality of the nature and scale of the intended development, including lack of details on hard standing /gravel areas as bell tent bases, lack of detail on fencing or necessity to erect fencing between individual bell tents, insufficient information on the management of the facility and details of seasonal use. Furthermore, notwithstanding the request for further information from the Planning Authority, having regard to the intended scale and modest number of bell tents proposed, the Commission considered the second road section for egress or the provision of lay-bys would be excessive. While it was open to the Commission to seek further information from the applicant on these matters, having regard to the substantive reasons for refusal, the Commission did not pursue these matters further. However, in the event of any future application, these matters should be addressed.