

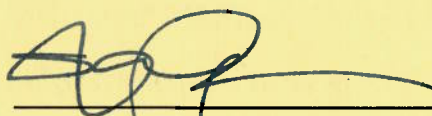
An
Coimisiún
Pleanála

Commission Direction
CD-001011
PL-501240-DL-26

The submissions on this file and the Inspector's report were considered at a meeting held on 29th July 2026.

The Commission decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:


Emer Maughan

Date:

5th day of August 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the location, nature and scale of the proposed development, the existing use, context and planning history relating to the site and relevant provisions of the Donegal County Development Plan 2024-2030 including inter alia CC-P-1, CC-P-2, ED-P-4, ED-P-7, and ED-P-9 it is considered that subject to compliance with conditions set out below, the proposed development would

not seriously injure the residential amenities of the area, would not be prejudicial to public health and would not give rise to a traffic hazard . The proposed development would , therefore, be in accordance with the proper planning and sustainable development of the area

The Commission noted that the development proposed as part of the current application had been previously approved by Donegal County Council under Reg. Ref. 12/60142. In deciding not to accept the Inspector's sole reason for a recommendation to refuse permission in relation to the disposal and treatment of effluent on site, the Commission considered that the existing wastewater treatment plant on site was designed, installed and stated to be operating in line with the Site Assessment Report associated with the previous application (12/60142). The Commission considered that as there is no intensification of use arising from the proposed development over that which was previously permitted, it is satisfied that the disposal and treatment of wastewater can be satisfactorily treated and disposed of on site, subject to compliance with conditions below.

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 received by the planning authority on the 16th day of March 2026, 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. a) Within three months of the date of this Order, the entrance arrangements to the site shall be relocated in accordance with the Site Layout Plan submitted as part of the Further Information Request on 16/03/2026. Written confirmation of completion shall be submitted to the planning authority.

b) Permanent visibility splays of 70m shall be provided to the nearside road edge in both directions from the relocated entrance point. Vegetation or any structure shall not exceed one metre in height within the site distance triangle.

c) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding

3. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

In this regard

(a) Uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways.

(b) All soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2025, as amended, or to a slatted tank. Drainage details shall be submitted to

and agreed in writing with the planning authority, prior to commencement of development.

Reason: in the interest of environmental protection and public health

4. The proposed development shall be designed, sited, constructed and operated in accordance with the requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2025, as amended. The applicant shall provide for the relevant (location dependent) storage requirements as outlined in schedule 3 of the aforementioned regulations. The landspreading of soiled waters and slurry shall be carried out in strict accordance with the requirements as outlined in the aforementioned regulations .

Reason: in order to avoid pollution and to protect residential amenity

5. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, watercourses or to appropriately sized soakaways. Uncontaminated waters shall not be allowed to discharge to soiled water and dungstead or to the public road.

Reason: in order to ensure that the capacity of soiled water tanks are reserved for their specific purposes

6. The use of the structures hereby permitted shall be used solely in conjunction with the existing use on site (the Donegal Donkey Sanctuary) and associated purposes only. The building shall not be used for human habitation or any commercial purpose, whether or not such use might otherwise constitute exempted development.

Reason: In the interest of orderly development and the amenities of the area.

7. a) All wastewater arising from the visitors centre shall be directed to the existing wastewater treatment system permitted under Planning Reference Number 12/60142

b) Within three months of the completion of the proposed development, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is operating in accordance with the Site Assessment Report associated with the previous application (12/60142).

Reason: In the interest of public health and to prevent water pollution

8. In the event of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or ground waterbody either at construction or operational phase, the planning authority and Inland Fisheries Ireland, shall be notified as soon as is practicable. A copy of the clean-up plan shall be submitted to the planning authority.

Reason: in the interest of public health.

9. Final details of the finishes of the proposed structures, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interests of visual amenity

10. No advertisement or advertisement structure, other than those that constitute exempted development under the Planning and Development Regulations 2001

(as amended), shall be displayed or erected on the building exterior or within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of visual amenity

11. During the course of the works, all necessary measures shall be taken by the contractor to prevent spillage or deposit of clay, rubble or other debris on adjoining roads. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the developer's own expense.

Reason: To protect the amenities of the area

12. Hours of operation (the use of the visitor's centre containing cafe, gift shop, classroom) shall be restricted to 08.00 to 18.00 hours Monday to Sunday or as otherwise agreed with the planning authority

Reason: To protect residential amenity

13. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1800 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.

14. All service cables associated with the proposed development shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual amenity.

15. Artificial lighting shall be designed in accordance with the 2023 BCT Lighting Guidance (GN08/23 Bats and Artificial Lighting At Night).

Reason: To minimise disturbance-related impacts on wildlife and adjoining residences.