

Planning and Development Acts 2000 to 2021

Planning Authority: Donegal County Council

Planning Register Reference Number: 21/50032

APPEAL by Bernard Whoriskey care of MH Associates of Convent Road, Letterkenny, County Donegal against the decision made on the 2nd day of September, 2021 by Donegal County Council to grant subject to conditions a permission to Flogas Ireland Limited care of T.S. McLaughlin Structural Engineers of Unit 4c Riverside Office Park, Neil T. Blaney Road, Letterkenny, County Donegal.

Proposed Development: Installation of a bulk LPG storage tank and road tanker filling facilities, fire suppression gantry with associated water storage tank and pump house and ancillary site services at Bunnagee, Letterkenny, County Donegal.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.



Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

The proposed development is located partly within Lough Swilly Special Area of Conservation (Site Code 002287) and is in close proximity to Lough Swilly Special Protection Area (Site Code 004075) to the east. On the basis of the information provided with the application and appeal, and in light of the Stage 2 Appropriate Assessment undertaken, the Board cannot be satisfied that the proposed development, individually, or in combination with other plans or projects, would not be likely to have a significant effect on the Lough Swilly Special Area of Conservation or the Lough Swilly Special Protection Area, in view of the sites' conservation objectives, by reason of the open nature of the east site boundary that allows for direct discharge of surface waters containing suspended solids and/or pollutants to the Special Area of Conservation. In such circumstances, the Board is precluded from granting permission.

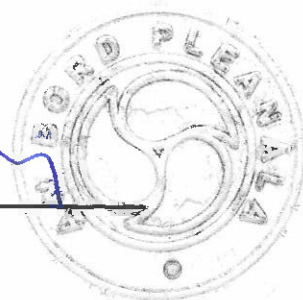


John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 4th day of APRIL 2022.