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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 21/52571**

**APPEAL** by John McGuinness care of Carr Consulting Engineers of Unit 1, Northern Point Business Park, Ballybofey, County Donegal in relation to the inclusion of special contribution condition number 7 by Donegal County Council in its decision made on the 17<sup>th</sup> day of February, 2022.

**Proposed Development:** Construction of a cold store building and associated high level conveyor link. Construction of a plant room and associated service gantry. Ground floor extensions to production building. Raising the roof level of existing production building and construction of new first-floor factory accommodation. Construction of an intake building and associated high level conveyor link, all on site of existing seafood facility at Conlin Road, Killybegs, County Donegal.

## **Decision**

**The Board, in accordance with section 48 of the Planning and Development Act 2000, as amended, based on the reasons and considerations under, directs the said Council, under section 48 (13) of the 2000 Act, to REMOVE condition number 7 and the reason therefor.**

## Reasons and Considerations

Having regard to:

- (a) Section 48(2)(c) of the Planning and Development Act 2000, as amended,
- (b) the Development Contributions Guidelines for Planning Authorities (2013),
- (c) the Donegal County Council Development Contribution Scheme 2016-2021,
- (d) the size and nature of the proposed development, and
- (e) the pattern of development in the area,

the Board, in accordance with section 48 of the Planning and Development Act 2000, as amended, considered that the condition failed to meet the requirements of Section 48(2)(c) of the Act and should, therefore, be omitted.



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**Joe Boland**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this *14<sup>TH</sup>* day of *June*, 2023.

