



Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 22/51050

APPEAL by Cloughanelly Angling Association care of Colm Gallagher of Meenderry, Falcarragh, County Donegal against the decision made on the 30th day of August, 2023 by Donegal County Council to grant subject to conditions a permission to Moyle Plant Limited care of Michael Friel Architects and Surveyors Limited of Creeslough, County Donegal.

Proposed Development: (1) Extraction of rock and gravel through mechanical excavation for a period of 20 years; (2) construction of on-site settlement ponds; (3) construction of on-site wheel wash and (4) all associated site development works at Derryreel, Falcarragh, County Donegal as revised by the further public notices received by the planning authority on the 6th day of July, 2023.

Decision

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

Reasons and Considerations

Having regard to Objective WW-O-1 and Policy WW-P-2 of the County Donegal Development Plan 2024–2030, the applicant has failed to demonstrate the following:

- (a) That the proposed settlement pond would be of an appropriate size and design to ensure that silted surface water and any disturbed ground water run-off from the proposed quarry would be capable of being handled satisfactorily, especially during storm events, during all phases of the proposal,
- (b) That the proposed re-use of abandoned, unauthorised, existing settlement ponds would be capable of handling silted surface water run-off from the on-site access road satisfactorily, especially during storm events, and
- (c) That the proposed silted water collection drainage system would be adequate to avert the risk of pollution to an existing pond adjacent to the siting of the proposed wheel wash.

As all of these ponds would discharge to the Derryreel Stream, the applicant has not established that its proposal would be consistent with maintaining, improving, and enhancing the quality of surface water in this Stream. In these circumstances, it would be premature to grant planning permission, as to do so would risk the contravention of Objective WW-O-1 and Policy WW-P-2 and the deterioration of water quality in the Derryreel Stream. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 25th day of Sept. 2024