



An
Bord
Pleanála

Board Order ABP-319597-24

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 24/60244

Appeal by Peter Sweetman and Wild Irish Defence CLG of PO Box 13611, Bantry, County Cork against the decision made on the 18th day of April, 2024 by Donegal County Council to grant subject to conditions a permission to Seamus Doherty care of EG Consulting Engineers Limited of Bellanascadden, Coolboy, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new agricultural slatted shed, associated effluent tank and ancillary site works, including external animal holding pens, all at Bellanascadden, Coolboy, Letterkenny, County Donegal.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the location of the proposed development within an established farmyard complex, and the modest scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or scenic amenity of the area, would be acceptable in terms of public health and environmental sustainability, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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,

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- (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 2022, as amended), or to a slatted tank. Drainage details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, and
- (c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended) shall be strictly adhered to.

Reason: In the interest of environmental protection and public health.

- 3. The removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (the Nitrates Directive) concerning the protection of waters against pollution caused by nitrates from agricultural sources.

Reason: In the interest of environmental protection.

- 4. Site preparation and construction works shall adhere to best practice and shall conform to the Inland Fisheries Ireland Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites (www.fisheriesireland.ie – section relating to Construction Stage).

Reason: To prevent water pollution.



5. Details of the materials, colours and textures of all the external finishes to the proposed development shall be as submitted with the planning application, unless otherwise agreed in writing with the planning authority prior to commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.



Mary Henchy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 13th day of February 2025.