

An
Coimisiún
Pleanála

**Commission Order
ABP-320504-24**

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

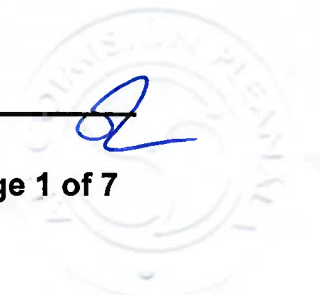
Planning Register Reference Number: 24/50098

Appeal by Michael O'Boyle of Lackenagh, Burtonport, County Donegal against the decision made on the 11th day of July, 2024 by Donegal County Council to grant subject to conditions a permission to Burtonport Fishermans CO-OP in accordance with plans and particulars lodged with the said Council.

Proposed Development: Erection of four dry-goods storage units totalling 1,100 square metres and 750 square metres. Two storey office unit with solar panels and underground rainwater storage facilities, including connection to the main sewerage system, proposed access road and parking with all associated site works on site at Leckenagh, Burtonport, 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 provisions of Objectives CS-O-7 and ED-P-3, of the Donegal County Development Plan 2024-2030, and Policy MRCM-P-3 which seeks, inter alia, to safeguard and enhance the role of Burtonport as a centre of fishing, fleet activity, seafood processing and/or ancillary marine services, and having regard to the location of the site within an established harbour area of Burtonport, the scale of the proposed development, the proposed access and parking arrangement and the overall landholding, it is considered that, subject to compliance with the conditions set out below, the proposed development would be appropriate in terms of scale, height and layout, would not adversely impact on the amenity of neighbouring properties, would not impact on the character or visual amenity of the existing harbour area, and would be acceptable in terms of flooding, traffic and pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further information received on 20th day of June 2024, and the additional information received by An Coimisiún Pleanála on the 9th day of February 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. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

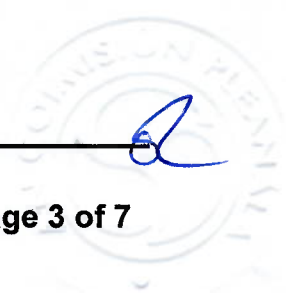
Reason: To protect the integrity of European Sites.

3. The mitigation and monitoring measures outlined in the plans and particulars, including the Flood Risk Assessment submitted on 9th February 2026 shall be carried out in full, except where otherwise required by the conditions attached to this permission.

Reason: In the interests of protecting the environment, public health and clarity.

4. Prior to commencement of development, final details shall be submitted to, and agreed in writing with, the planning authority of:
 - (a) the permanent visibility splays to the south and to the north provided to the nearside road edge in each direction, at a point 2.4 metres back from road edge at the location of the vehicular entrance, as indicated on the site layout drawing submitted with the application, and
 - (b) the exact location and design details of the speed bumps on the public road and raised pedestrian crossing at the access from the public road.

Reason: In the interest of traffic safety.



5. The internal road network serving the proposed development including turning bays, junctions and parking areas shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to and agreed in writing with the planning authority, prior to the commencement of development.

Reason: In the interests of traffic management, road safety, pedestrian safety, and to ensure that roads and associated infrastructure are constructed to an appropriate standard in the interests of proper planning and sustainable development.

6. Prior to the commencement of development, the developer shall submit for the agreement in writing of the planning authority, a Car Park Management Plan and details of car parking design, layout and management.

Reason: In the interest of sustainable transport and safety.

7. Details of the materials, colours and textures of all the external finishes to the proposed storage units and office building, including any proposed fences or walls within the site shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

8. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interests of sustainable drainage.

9. Signage shall be in the Irish Language only, or if bilingual signage is proposed, then the Irish language shall be first and shall be of an area, size and prominence that is greater than the area, size and prominence of other languages.

Reason: In the interest of proper planning.

10. Lighting for the development shall consist of low energy LED lights. Lighting shall comply with I.S. EN 60598-2-3. Details of same shall be agreed in writing with the planning authority prior to the commencement of development and thereafter the development shall proceed in strict conformity with the agreed details.

Reason: In the interests of amenity.

11. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) 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.

12. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including management measures for noise and dust, for the prevention of spillage or deposit of clay, rubble or other debris on adjoining roads, and for the off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

14. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.


MaryRose McGovern

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 5th day of June 2026