

An
Coimisiún
Pleanála

Commission Order
ABP-322521-25

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 24/62059

Appeal by Seamus O'Domhnaill of Gortahork, County Donegal against the decision made on the 17th day of April 2025, by Donegal County Council to grant subject to conditions a permission to Údarás na Gaeltachta care of The Planning Partnership of The Bank Building, 52 Oliver Plunkett Street, Mullingar, County Westmeath in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development for which retention is sought: Facilitate and support the existing agricultural/horticultural use of the lands, comprises of the following: nine number polytunnels (combined floor area of 1,818 square metres); one number rainwater storage tank (21 square metres); one number portacabin (26 square metres); two number containers (28 square metres); blockwork wall and semi-enclosed area (circa 36 square metres) adjacent to packing shed; and minor elevational changes to existing office building comprising two number additional windows to second storey all at Killult (Cill Ulta) townland, Falcarragh, 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 the County Donegal Development Plan 2024-2030, the specific nature of the development proposed to be retained, the scale of this development in the context of the agricultural landholding, the established nature of the agri-food social enterprise on this landholding, including the promotion of agricultural heritage and the Irish language, and the prevailing pattern and character of development in this Gaeltacht area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not endanger public safety by reason of a traffic hazard or adversely impact on public health or on the natural heritage of the area. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars submitted with the planning application, as amended by the further plans and particulars submitted to the planning authority on the 28th day of March 2025, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The existing septic tank shall be inspected monthly and emptied every six months in accordance with the recommendation contained within the Septic Tank Treatment System Assessment, which was prepared by Alvin Morrow, dated March 2025 and submitted as part of further information response on the 28th day of March 2025. The developer shall keep a record of such inspections and the emptying regime.

Reason: In the interest of public health.

3. The storage containers hereby permitted shall be removed from the site within two years from the date of this Order.

Reason: In the interests of visual amenity and orderly development.

4. (a) The polytunnels shall be used for horticultural purposes only.
(b) The polytunnels shall be maintained in good condition and any torn or defaced plastic covering shall be removed and replaced with new covering.
(c) The polytunnels shall be secured against wind and inclement weather.

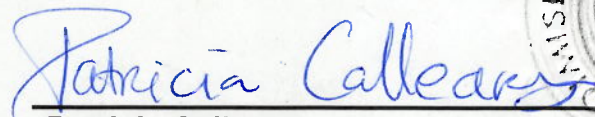
Reason: In the interests of visual amenity and orderly development.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. 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 within three months of the date of this Order 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.



Patricia Calleary

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



Dated this 15th day of September 2025.

P.C.