



An
Coimisiún
Pleanála

Commission Order
ACP-323371-25

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 25/60575

Appeal by John Boyle and others of Edenagor, Ballyshannon, County Donegal against the decision made on the 18th day of July, 2025 by Donegal County Council to grant subject to conditions a permission to Seamus Delahunty care of Owen Mangan of Drumhome, Ballintra, County Donegal in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of agricultural buildings comprising of new agricultural building comprising of dry floor area for hay and straw storage and roofing of existing cattle yard and all other site works, all at Edenagor, Ballyshannon, County Donegal.

Decision

GRANT permission for construction of agricultural buildings comprising of new agricultural building comprising of dry floor area for hay and straw storage and all other site works based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for roofing of the existing cattle yard for the reasons and consideration marked (2) below.

Reasons and Considerations (1)

Having regard to the principle of the proposed agricultural building, together with its location, scale and nature, it is considered that, subject to compliance with the conditions set out below, the proposed development would not pose a traffic hazard, would not seriously injure the amenity of the area, would be acceptable in terms of public health and environmental sustainability, would be consistent with Objective ED-O-3 (Rural Economic Development) of the County Donegal Development Plan 2024-2030, as supported by National Policy Objective 23 (Rural Economy) and Regional Policy Objective 4.24 (Agrifood Industry), and would be consistent with Policy L-P-2 (Areas of High Scenic Amenity) and Policy WW-P-2 (Protection of Surface and Ground Water) of the development plan. The proposed development 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, as amended by the further plans and particulars received by the planning authority on the 3rd day of July, 2025, 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. This permission relates to the new agricultural building comprising of dry floor area for hay and straw storage and associated works only and not to roof the existing cattle yard.

Reason: In the interest of clarity.

3. All external finishes of the proposed development shall be consistent with those of the existing agricultural buildings with regard to colour and materials used.

Reason: In the interest of visual amenity.

4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.
- (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

5. The existing front boundary hedge shall be retained except to the extent that its removal is necessary to provide for the entrance to the site.

Reason: In the interest of visual amenity.

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 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.

Reasons and Considerations (2)

The application to roof the existing cattle yard is not proposed works, as the development has already been completed on site, the development the subject of this appeal is, therefore, not that which was the subject of the public notices. In addition, the applicant has not clearly detailed how surface water from the roof structure will be managed. The development, therefore, is not in accordance with the proper planning and sustainable development of the area.



Mary Henchy

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



Dated this ^{15th} day of *December* 2025.