



Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Authority Reference Number: S526/56

WHEREAS a question has arisen as to whether the laying out and use of land for motorsports events on an occasional basis (no more than 29 days aggregate in any one calendar year with no event lasting more than four days) at Tinney's Coal, Bonagee, Letterkenny, County Donegal is or is not development or is or is not exempted development:

AND WHEREAS Elliott Coffey requested a declaration on this question from Donegal County Council and the Council issued a declaration on the 12th day of May, 2026 stating that the proposal is development and is not exempted development:

AND WHEREAS Elliott Coffey referred this declaration for review to An Coimisiún Pleanála on the 8th day of June, 2026:

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to—

- (a) the nature, scale, extent and scope of the use and the works to facilitate the use,
- (b) the existing and past site context,

- (c) Sections 2, 3, 4, 5 and 177U of the Planning and Development Act, 2000, as amended,
- (d) Sections 476 and 492 of the Planning and Development Act, 2024, as amended,
- (e) Articles 3, 6, 9 and 93 of the Planning and Development Regulations, 2001, as amended,
- (f) Class 37 of Part 1 of Schedule 2 and Class 11(a) of Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, as amended,
- (g) Regulations 2 and 3 of the Planning and Development (Licensing of Outdoor Events) Regulations, 2026,
- (h) the planning history of the referral site, and specifically the permission granted under planning reference numbers 00/6523, 23/50427 and 24/60379,
- (i) relevant precedent referrals and judgements,
- (j) the pattern of development in the area,
- (k) the provisions of the Donegal County Development Plan 2024-2030, as varied, and the provisions of the Letterkenny Plan and Local Transport Plan 2023-2029, as varied, as they apply to the referral site, and
- (l) the report and recommendation of the Inspector:

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) Having regard to the scale of the proposed motorsports events and the number of participants / spectators outlined in the referral documents, the particular events would not currently come within the scope of the provisions of an event for which licensing is required, pursuant to Regulation 3 of the Planning and Development (Licensing of Outdoor Events) Regulations, 2026, and therefore would not come within the

scope of Part 16 of the Planning and Development Act, 2024, as amended;

- (b) the laying out and use of the lands for occasional motorsport events would constitute a material change in the use of the land, would come within the scope of Section 3 of the Planning and Development Act, 2000, as amended, and would constitute development;
- (c) whilst the occasional basis of no more than 29 days aggregate in any one calendar year with no event lasting more than four days would comply with the first condition / limitation in Class 37 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, it has not been established on the basis of the submissions made with the referral, that the laying out and use of these lands for motorsports events would constitute a local event in the context of Class 37 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended;
- (d) the use of these lands for motorsports events is dependent upon the layout of the land, which includes a structure for which there is no evidence of it having the benefit of planning permission. Accordingly, the use is not within the scope of Class 37 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, as it would not comply with the second condition / limitation to which this class is subject, and is not exempted development;
- (e) furthermore, the use of these lands for motorsports events is dependent upon the layout of the land as a motor track which lies beside the Natura 2000 sites of Lough Swilly Special Area of Conservation (Site Code 002287) and Lough Swilly Special Protection Area (Site Code 004075). The impacts of the said use are such that it needs to be the subject of an Appropriate Assessment. Under Section 4(4) of the Planning and Development Act, 2000, as amended, it is thereby not exempted development; and

- (f) the use of these lands for motorsports events is dependent upon the layout of the land as a motor track and so it needs to be the subject of an Environmental Impact Assessment. Under Section 5(3)(a) of the Planning and Development Act, 2000, as amended, it is thereby not exempted development:

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the Planning and Development Act 2000, as amended, hereby decides that the laying out and use of land for motorsports events on an occasional basis (no more than 29 days aggregate in any one calendar year with no event lasting more than four days) at Tinney's Coal, Bonagee, Letterkenny, County Donegal is development and is not exempted development.



Mick Long

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



Dated this 12th day of October 2026