

An
Coimisiún
Pleanála

Commission Order
PL-500570-DL

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 25/61829

Appeal by Sinbad Marine Services Limited in relation to the inclusion of financial contribution condition number 8 by Donegal County Council in its decision made on the 5th day of December, 2025.

Proposed Development: Retention of temporary storage of engineering parts and components and permission for site levelling and raising of ground levels using excavated material and imported soil and stone fill, continuation of temporary storage of engineering parts and components and erection of perimeter site boundary fence and gate, all at Killybegs, County Donegal.

Decision

The Commission, in accordance with section 48 of the Planning and Development Act 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 8 and directs the said Council to AMEND condition number 8 so that it shall be as follows for the reason set out.

8. The applicant (or person at the relevant time entitled to the benefit of the permission) shall pay a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is already provided or is intended will be provided by the authority. The amount of the contribution will be as set out below and is determined in accordance with the "Donegal County Council Development Contribution Scheme 2016 - 2021" (made under Section 48 of the Planning and Development Act, 2000 (as amended)). The total contribution and breakdown of same in respect of the different classes of public infrastructure and facilities provided/to be provided by the authority are:

- Retention area of 1.1 hectares x €4.14 per square metre + 50% retention penalty = €68,310 (sixty eight thousand three hundred and ten euros).
- Proposed development area 3.1 hectares x €4.14 per square metre = €128,340 (one hundred and twenty eight thousand three hundred and forty euros);
- minus 70% open storage reduction = €38,502 (thirty eight thousand five hundred and two euros);
- Total = €106,812 (one hundred and six thousand eight hundred and twelve euros).


Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced. The total contribution shall be paid to the Council prior to commencement of the development unless the Council have agreed in writing beforehand to facilitate phased payment of the contributions in

which event as part of any such agreement the Council may require the giving of security to ensure payment.

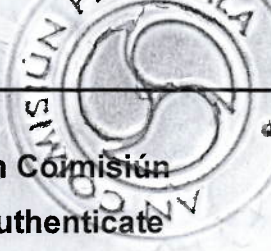
Reason: To facilitate provision of capital works.

Reasons and Considerations

The Commission must apply the conditions as specified in the relevant County Council's published Development Contribution Scheme. In calculating the amount payable, and in disagreeing with the Inspectors recommendation, the applicable published rate in the Donegal County Council Development Contribution Scheme 2016 - 2021 is €4.14 per square metre, and there is no provision to waive the retention penalty.



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



Dated this 30th day of APRIL 2026.