

An
Coimisiún
Pleanála

**Commission Order
PL-500850-DL-26**

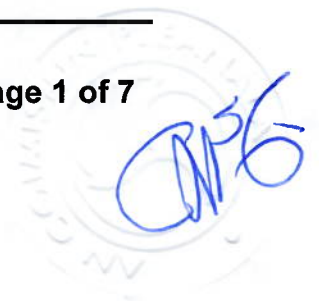
Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 2560502

Appeal by Samuel Harron against the decision made on the 30th day of January, 2026 by Donegal County Council to grant, subject to conditions, a permission to Glen Huey in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of demolition of two number outbuildings and permission for (1) demolition of existing over ground slurry storage tank (four metres high by 25 metres diameter) and all other associated site works at Sessigh, Castlefinn, County Donegal.

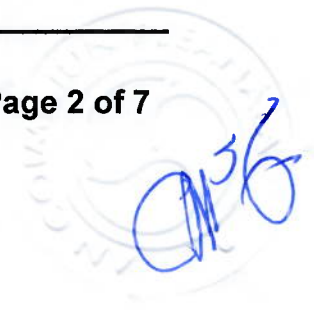


Decision

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 County Donegal Development Plan 2024-2030, the location of the proposed development in a dispersed rural area outside a defined settlement boundary limit and removed from any sensitive designations, the scale and nature of the proposal in the context of the appeal site and surrounding agricultural landholding, and the prevailing pattern and character of agricultural development in this area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would not endanger public safety by reason of a traffic hazard or impact on public health, would not impact on the environment, would not give rise to significant effects on any European site, and would otherwise constitute an appropriate form of development at this rural location. 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 and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received on the 11th day of September 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) Slurry/digestate stored by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025) (as amended).
- (b) Where slurry/digestate stored by the proposed development is moved to other locations, details of such movements are to be notified to the Department of Agriculture, Food and the Marine in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025) (as amended).

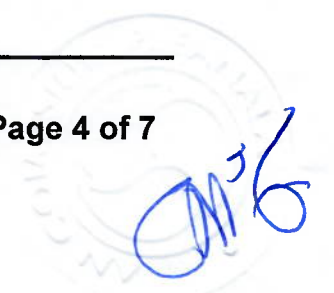


- (c) Where slurry/digestate is removed by a third party, by agreement, to be landspread elsewhere, details of such an agreement (to include name of third party, lands to be spread, amounts of material) should be furnished to the local authority in which said lands are located, including transboundary.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

3. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard:
- (a) no surface water shall discharge to or ingress from the public road,
- (b) uncontaminated surface water runoff shall be disposed of directly in a sealed system to ground in appropriately sized soakaways or to the existing storm drain on the local road (L2324), following attenuation. The details of which shall be submitted to and agreed in writing with the planning authority, prior to commencement of development; and
- (c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2025 (S.I. No. 588/2025) (as amended), shall be strictly adhered to.

Reason: In order to ensure sufficient capacity for soiled waters, in the interests of amenity, public health and to prevent pollution of watercourses.

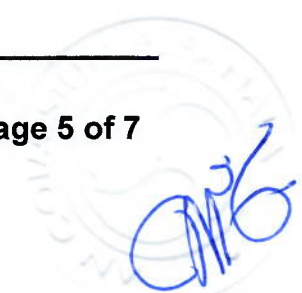


4. Vehicular access arrangements, including but not limited to sightlines, entrance width (cornering radii) and roadside drainage, shall be in accordance with the requirements and detailed construction standards of Donegal County Council, as the roads authority for such works.

Reason: In the interest of traffic safety.

5. (a) All existing trees and hedgerows shall be retained unless otherwise agreed in writing with the planning authority prior to the commencement of development.
- (b) A detailed planting plan shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. Unless otherwise agreed in writing with the planning authority, all planting shall be carried out within the first planting season following commencement of development.
- (c) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

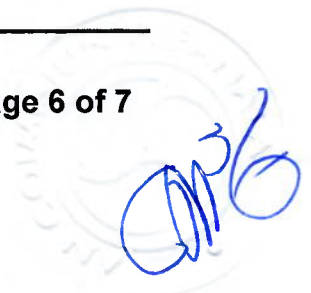
Reason: In the interests of visual amenity and biodiversity.



6. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management, environmental protection and public health.

7. 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.




Chris McGarry

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

Dated this 17th day of June 2026