



An
Coimisiún
Pleanála

Inspector's Addendum Report

ABP-320504A-24

Development

Erection of 4 no. dry good storage units totalling 1,100 sq. m. and a two storey office unit (750 sq. m.) with solar panels and underground rainwater storage facilities and connected to a main sewerage system and proposed access road and parking facilities including all other associated site development works.

Location

Leckenagh, Burtonport, Co. Donegal

Planning Authority

Donegal County Council

Planning Authority Reg. Ref.

2450098

Applicant(s)

Burtonport Fisheries Co-Op c/o Neil O'Doherty

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

Michael O'Boyle

Observer(s)

None

Date of Site Inspection

18th March 2025 –

No additional site visit required.

Inspector

Emma Nevin

1.0 Introduction

- 1.1. This is an addendum report and should be read in conjunction with the original Inspector's report prepared in respect of appeal ref. ABP-320504-24, dated 20th October 2025.
- 1.2. Commission Direction CD-021331-25, dated 18th November 2025, sets out the decision of the Commission to issue a Section 132 notice to the applicant regarding the following information, which may be necessary for the purpose of enabling it to determine the appeal:

“Objective SF-P-1 CC of the Donegal County Development Plan 2028, states at Chapter 11, under the heading ‘Land Use Zoning Policy Relating to Settlement Frameworks that,

Within flood risk areas identified within settlement frameworks, only the following developments will be considered:

Areas of established development, including those parts of the Ballintra, Kilcar, Pettigo, Burtonport, Dunfanaghy and Glenties, and Rathmullan Regeneration Opportunities,

Minor development only (e.g. small extensions to houses, and most changes of use of existing buildings and or extensions and additions to existing commercial and industrial enterprises, unless they obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substance); and Such applications shall be accompanied by a commensurate assessment of the risks of flooding to demonstrate that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities. Such proposals shall follow best practice in the management of health and safety for users and residents of the proposal...

New (currently undeveloped) areas.

Water compatible uses only as per Section 5.28 of the ‘Planning System and Flood Risk Guidelines’ (DEHLG and OPW, Nov. 2009).

The applicant is required to provide a site-specific flood risk assessment and justification for the proposed development at this location.

The applicant is also required to submit a detailed particulars of the nature of the goods to be stored in the proposed 4 no. dry good storage units, including anticipated storage periods”.

- 1.3. I note that the Commission Direction CD-021331-25 was reissued to the applicant on the 6th of January 2026, following a request to extend the time allowed for response from the applicant, which was agreed by the Commission on 23rd December 2025.
- 1.4. The applicant’s response was received by An Coimisiún Pleanála on 9th February 2026.
- 1.5. Notice of Commission Direction CD-022016-26, dated 13th March 2026, decided to defer the case for consideration at a further meeting and decided that in the particular circumstances of the appeal, it is appropriate in the interests of nature justice, to request, *“(i) the planning authority and (ii) the appellant, to make an observation on the following matter which has arisen in relation to this appeal:
The submission dated the 9th day of February 2026, with enclosed Flood Risk Assessment from DSM Consulting Engineers, dated 3rd day of February 2026, received by An Coimisiún Pleanála from the applicant by email on the 9th day of February 2026, and received again by post on the 11th day of February 2026.
Allow 3 weeks and, on receipt of any response from the parties, file to be returned to the Inspector for an Addendum Report”.*
- 1.6. A response was received from the Planning Authority on 14th April 2026.
- 1.7. A response was received from the third party appellant on 10th April 2026.
- 1.8. This addendum report has subsequently been prepared in response to the Commission Direction CD-022016-26 dated 13th March 2026.

2.0 Background

- 2.1. Appeal ABP-320504-24 concerns an application for permission for 4 no dry-goods storage units, office unit and all associated site works. A Natura Impact Statement accompanied the application.

- 2.2. On 11th of July 2024, the Planning Authority issued a Notification of Decision to Grant permission, following further information request, subject to 16 no. standard conditions.
- 2.3. A third party appeal was received by the Commission on 7th August 2024.
- 2.4. This appeal was assessed under the Donegal County Development Plan 2024 - 2030.
- 2.5. Under Section 132 of the Planning and Development Act 2000, as amended, the Commission in determining an appeal, may be of the opinion that certain information is necessary for the purpose of enabling it to determine the appeal. In this case, the matter relates to the location of the site within a Flood Risk Area and the provisions of the Donegal Development Plan, 2024 – 2030 in this regard, in particular Objective SF-P-1 CC and Chapter 11 of the Plan. Moreover, a justification for the proposal at this location, and clarification regarding the nature of the goods to be stored in the proposed units, and storage periods were requested.
- 2.6. Commission Direction CD-022016-26, dated 13th March 2026 (as noted above) was circulated to all parties to the appeal.
- 2.7. I note that a response from the applicant to the Section 132 request from the Commission was received on the 9th of February 2026 addressing the issues raised.
- 2.8. As requested in Commission Direction CD-022016-26, dated 13th March 2026, submissions are summarised below in this addendum report.

3.0 The Applicant's Response

- 3.1. On the 9th of February 2026 the Commission received the applicant's response to the Section 132 request comprising the following:
 - Cover letter from Boner Gallagher & Company Solicitors.
 - Flood Risk Assessment prepared by DSM Consulting Engineers.
 - Letter from Dennis Boner outlining the nature of the goods to be stored in the proposed units and anticipated storage periods.
- 3.2. In respect to Objective SF-P-1 CC and Chapter 11 of the Plan, the applicant submitted a Flood Risk Assessment for the proposed development. The report

assesses flood risk for proposed storage units and offices at Leckenagh, Burtonport, Co. Donegal. The report notes that the site area is 5,500 sq. m. previously farmland, now used for storage.

- 3.3. The assessment evaluates five flood sources including Tidal (coastal) flooding, Fluvial (river) flooding, Pluvial (rain/surface water) flooding, Groundwater flooding and Sewer/infrastructure failure.
- 3.4. In respect to tidal flooding the assessment noted that the site lies within Flood Zone A & B (high to moderate risk) in future scenarios. Flooding historically occurs when waves overtop nearby roads during extreme high tides. However, the proposed floor levels are raised above predicted flood levels. The development includes freeboard (≈ 0.6 m safety margin). The assessment concludes that risk can be successfully mitigated.
- 3.5. In respect to Fluvial (River) Flooding, the assessment states there is no predicted risk from rivers or streams at the site.
- 3.6. In respect to Pluvial (Rainfall) Flooding, the assessment noted that there is no historical flooding recorded, and therefore the risk is low, even during extreme rainfall. However, this will be managed in the proposal via surface water attenuation system and controlled discharge rates.
- 3.7. In respect to groundwater flooding, the assessment notes that it is considered low risk due to the site conditions and drainage design directing water away from any structures.
- 3.8. Regarding sewer/infrastructure failure, the assessment notes that the risk is very unlikely and that the existing drainage capacity is considered adequate.
- 3.9. The assessment noted that protections are built into the design including raised building and road levels, stormwater attenuation system, controlled drainage outflow, maintenance of existing drainage network, boundary wall/flood protection, and warning systems for extreme tides.
- 3.10. The assessment considers that the development is classified as “less vulnerable”, making it acceptable in flood zones with justification, and it meets planning criteria in respect to zoning, flood risk mitigation, no increased risk elsewhere and safe access/egress during flood events.

- 3.11. In respect to the nature of the goods to be stored in the proposed warehouses and the anticipated storage periods, the applicant states the 'Four Dry-Goods Storage Units' and a further two storey 'Office Unit' are intended to replace an existing property, which was the subject of a CPO by Donegal Co. Council as part of the *"Burtonport Harbour & Village Regeneration & Development Scheme"*.
- 3.12. The goods to be store will be, generally, Marine Tourism and Inshore Fishing related, and seasonally rotated such as;
- i). Nets used and stored for seasonal fishing.
 - ii). Crab & Lobster Pots used and stored for seasonal fishing.
 - iii). Marine related material supporting the two local "Ferry Service" and island community.
 - iv). Storage for the anticipated growth in marine tourism and associated leisure activities which is envisaged to form part of the overall regeneration and promotion of Burtonport Village Area being the gateway to "Arranmore Island" and surrounding islands.
- 3.13. The applicant states that storage periods will generally follow the fishing seasons for example; *"The fish seasons can range between three to six months depending on weather and good fishing, valuable trawl nets and equipment are removed from boats to storage and replaced by other net types and equipment from storage to extend the fishing season, for other fish species. Marine Tourism activity will require storage etc in off season periods"*.
- 3.14. The applicant further states that *"the traffic associated with the change overs will be very limited as it will mainly be a 'drop and collect' process assisted by on site forklift, which will be the case for all storage units"*.

4.0 Third Party Appellants Response

- 4.1. The appellant, Michael O'Boyle, made a further submission dated 9th April 2026. I have summarised the key issues as follows:

Previous Concerns

- Reiterates earlier concerns with respect to traffic and parking and responds to new material submitted by the applicant.

Flood Risk Still Exists

- The applicant's own report confirms the site is in Flood Zones A & B (high risk).
- Claim of "no flood risk" is described as contradictory and overstated.

Reliance on Mitigation Measures

- Proposal depends on raised floor levels, drainage/attenuation systems.
- Argument that this does not prove the site is suitable, only that risks might be managed.

Flood Information is Inconsistent

- Document highlights conflicting statements, acknowledges tidal flood risk yet concludes no flood risk.
- Suggests decision-makers should treat conclusions with caution.

Parking & Traffic Not Properly Assessed

- No adequate analysis of parking demand (staff, visitors), loading/unloading, peak seasonal use, truck movements and site access.
- Concerned that traffic impacts are underestimated.

Existing Parking Problems Ignored

- Burtonport already has serious parking shortages, especially in summer.
- Proposal does not address cumulative pressure from tourism, ferry traffic, etc.

Regeneration / Compensation Unclear

- Proposal linked to regeneration and loss of previous buildings.
- However, details of compensation or relocation are not clearly explained.

Operational Impact Not Quantified

- Lacks detail on daily vehicle movements, delivery frequency, peak usage periods. Therefore, real-world impact remains uncertain.

Overall

- New material does not resolve key issues.
- Major concerns remain about flood risk, parking and traffic, lack of clarity and evidence.
- Requests that these concerns be fully considered in the appeal decision.

5.0 Planning Authority Response

5.1. Donegal County Council in a response dated 14th April 2026, made the following points:

- The Planning Authority note that additional correspondence has been submitted by the first party in relation to the appeal.
- The Council wishes to rely on the context of the Planning Authority's previous report in response to the appeal and has no further comment to make on this appeal.
- The Planning Authority would respectfully request that the Commission uphold the decision of the Planning Authority to grant permission for the development.

6.0 Assessment

6.1. Having reviewed the applicant's response and the submission received from the third party appellant and the Planning Authority, I am satisfied that the main matters to be considered in this addendum report to the original Inspectors report for appeal ref. ABP-320504-24 dated 20th October 2025, are as follows:

- Flood Risk Assessment
- Nature of Goods and Storage Periods, and
- Other Matters

- 6.2. This addendum report will refer back to my original Inspectors report assessment, whilst addressing any additional points of note in the applicant's response relating to this matter.
- 6.3. **Flood Risk Assessment**
- 6.3.1. The original Inspector's report (ABP-320504-24, 20th October 2025) sets out a detailed assessment in respect to Flooding in Section 7.4, with particular reference to the Donegal Development Plan, the Planning System and Flood Risk Management, Guidelines for Planning Authorities, and the flood maps (source: [Flood Maps - Floodinfo.ie](#)) and concluded that the proposed development is unlikely to pose any adverse impact on flooding at this location.
- 6.3.2. The objector notes that the site is located within a predicted future flood Zone A and B and considers that the conclusion of no risk of flooding is inconsistent given the site location. The objector also noted that the flood case depends on mitigation assumptions rather than inherent site suitability.
- 6.3.3. Objective SF-P-1-CC of the Development Plan states that certain developments including *"extensions and additions to existing commercial and industrial enterprises, unless they obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substance"* will be considered within flood risk areas, and that *"such applications shall be accompanied by a commensurate assessment of the risks of flooding to demonstrate that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities"*, as referenced in the original inspector's report.
- 6.3.4. Having regard to the Flood Risk Assessment submitted, whilst the site is located within a Flood Risk Area, there is no recorded flood events at the location of the proposed development and the assessment concludes that the flood risk is low overall, with tidal flooding being the only notable concern. The proposed floor levels are raised above predicted flood levels, however, the development includes a freeboard, which will ensure that the risk of the proposed development can be mitigated.
- 6.3.5. Various mitigation measures are also proposed including:

- All hardstanding site drainage to be collected in suitably sized pipework and discharged to the new attenuation system and existing storm drainage network.
- Existing drains to remain untouched and any material falling into the drains should be removed. Any Drains to be crossed or piped should be done with suitably sized drainage pipework.
- The gradient of the proposed finished levels should match the gradients of the existing ground in order to ensure that water falling on the surface does not enter the adjoin water courses at a faster rate than happens at present.
- A boundary wall with flood gate should be constructed around the site boundary where levels may be low in order to give a minimum 0.6m freeboard during extreme high tides.
- Warning system should be installed to notify staff of increasing tide levels.

6.3.6. I am satisfied that the proposed mitigation measures will ensure that the development as proposed will not result in significant flood risk to the site or the surrounding areas.

6.3.7. Moreover, surface water attenuation is to be installed with flow limiting devices which restricts the outfall from the site to that of the existing outfall, therefore not increasing any flood risk elsewhere.

6.3.8. Having regard to Objective SF-P-1-CC of the Development Plan, the submitted Flood Risk Assessment which concludes that the floor overall flood risk is low, and the proposed mitigation measures, I am satisfied that the proposal is compliant the Development and relevant guidance.

6.3.9. Having examined the received submissions, I consider that the information submitted by the applicant addresses the concerns raised by the Commission in relation to Flood Risk. Accordingly, I recommend that the decision to grant permission be upheld and an addition be condition included that the development be carried out in accordance with the submitted Flood Risk Assessment and proposed mitigation measures therein.

6.4. Nature of Goods and Storage Periods

- 6.4.1. The original Inspector's report (ABP-320504-24 20th October 2025) Section 7.3.3 considered that "*the proposal to be compatible with the adjacent use and will provide accommodation for the Burtonport Fisherman's Co-operative society and will support industry within the harbour area*".
- 6.4.2. I note that the applicant's response has clarified the nature of the goods to be stored and the proposed anticipated storage periods. Given the location of the proposed development within an existing industrial/employment area, within the harbour with adjacent commercial buildings I am satisfied that the proposed nature and storage periods of the goods to be acceptable.
- 6.4.3. The applicant has referenced various timeframes i.e. that the storage periods will follow the fishing seasons, however, again noting the location of the proposed development, within an operational harbour area, I do not consider that a condition is warranted regarding storage periods, etc.

6.4.4. Other Matters

6.4.5. Parking Issues

The appellant states that parking, loading, servicing and traffic impacts have not been properly assessed and articulated truck access is asserted but not demonstrated.

Concerns relating to parking and access were assessed in the original Inspector's report (ABP-320504-24 20th October 2025) in Section 7.5 and it was concluded that proposed development within the harbour would not impact on parking provision or result in an unacceptable level of traffic generation at this location or within the village overall.

The matter of traffic and parking was not raised as part of the Section 132 request. However, I note that the applicant's response to the Section 132 request, states that the traffic associated with the proposal will be very limited as it will mainly be a "drop and collect" process assisted by on site forklift, this will be the case generally for all storage units. Therefore, I am satisfied that the development will not impact negatively on parking in the immediate vicinity.

6.4.6. Miscellaneous Issues:

The appellant has made reference to the regeneration and loss of previous buildings, and notes that details on compensation or relocation are not clearly explained. However, I consider that the circumstances are not relevant to the assessment of the additional information.

7.0 Conclusion

7.1. With reference to Commission Direction CD-022016-26, the applicant's submitted Section 132 response dated the 9th February 2026, the submissions from the third party appellant and the planning authority with respect to the same, and the relevant provisions under the Donegal County Development Plan 2024 - 2030, this addendum report as requested in Commission Direction CD-022016-26 concurs with the recommendation presented in Section 10 of my original report, i.e. to grant permission.

8.0 Recommendation

8.1. The recommendation remains that permission be GRANTED subject to the recommendation set out in Section 10, the reasons and considerations set out in Section 11 and Section 11.1 and the conditions set out in Section 12.0 of the original Inspector's report and shall include the following condition:

- Mitigation and monitoring measures outlined in the plans and particulars, including the Flood Risk Assessment submitted on 9th February 2026 shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interests of protecting the environment, public health and clarity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Emma Nevin
Planning Inspector

11th May 2026