



Development	Demolition of 2 no. outbuildings, demolition of existing house, and construction of an overground slurry tank
Location	Sessiagh (Allison) Td., Castlefinn, Lifford PO, County Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	25/60502
Applicant(s)	Glenn Huey
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	Samuel Harron
Observer(s)	None
Date of Site Inspection	5 th June 2026
Inspector	Philip Maguire

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1.0 Introduction

- 1.1. This case relates to an appeal by Samuel Harron under the provisions of Section 37 of the Planning and Development Act 2000, as amended ('the Act'), following a grant of permission by Donegal County Council in accordance with Section 34 of the Act.
- 1.2. This Inspector's Report (IR) and recommendation is made pursuant to Section 146(2) of the Act. The Commission is required to consider both before determining the case.

2.0 Site Location and Description

- 2.1. Situated in the townland of Sessiagh (Allison), the appeal site is located some 1.5km north, northwest of the settlement of Castlefinn in southeast Co. Donegal. The site lies to the southwestern side of the L2324 where a 60kph speed limit applies. The road rises steadily from the south towards the site at an elevation of 67mAOD, and more gently to the rear at c. 70mAOD. The surrounding area is characterised by undulating farmland with dispersed rural housing. The nearest neighbouring dwellinghouse is some 80 metres to the northwest with another farmstead 290 metres to the southeast.
- 2.2. The appeal site is roughly rectangular shaped with a road frontage of 130 metres and a stated area of 0.64ha. It consists of a detached two-storey farmhouse, farm shed and part of a field to the rear which is under crop. The farmhouse is setback marginally from the road edge and is derelict in appearance. It includes low walls and a pedestrian access to the front. The adjoining farmyard to the southeast has no defined front boundary and is thus open to the public road. The roadside boundary to the northwest of the farmhouse is defined by hedgerow with mature trees to the northern gable of the house. The farm shed, which is a mainly barrelled roof structure, is set further back from the road edge to the southeast of the farmhouse, albeit on a similar alignment. The area between the farmhouse and shed includes concreted and stoned surfaces and is defined by a post and wire fence to the southwest which ties into the rear wall of the farm shed. As noted, the field immediately to the rear rises gradually and thus

the remaining site boundaries, save for a section of hedgerow, are generally undefined. There are no drainage ditches or streams evident within or adjoining the appeal site.

3.0 Proposed Development

3.1. Planning permission is sought for an overground slurry tank along with demolition of the existing farmhouse. I note that the demolition of previously existing farm sheds between the farmhouse and remaining farm shed is also included in the proposal.

3.2. The proposed development is described in the statutory notices as:

1. *Retention of demolition of 2 no. outbuildings,*
2. *Permission to demolish existing house,*
3. *Construction of an over ground slurry storage tank – (4m high x 25m diameter) and all associated site works at Sessiagh, Castlefinn, Co. Donegal.*

3.3. The proposed tank and demolition works have stated areas of 490sq.m and 100sq.m.

3.4. The proposed development was amended by further information (FI), including an Ecological Report (Greentrack Environmental Consultants, March 2025). Appendix 1 of that report includes a Nutrient Management Plan summary. It confirms that the applicant takes the grass grown on the subject farmlands to his main farmyard in Co. Tyrone to be ensiled, and states that the resulting silage is added to cattle slurry and used as a food stock for his Anaerobic Digester (AD) plant on that site. It also notes that the byproduct of this AD process is digestate which is a valuable organic fertiliser and in line with recognised best practice, some of this digestate is returned to the lands.

4.0 Planning Authority Decision

4.1. Decision

4.1.1. Permission was granted on 30th January 2026 subject to 7 no. conditions, including:

Condition 2 relates to effluent storage, landspreading, clean/contaminated water.

Condition 3 slurry storage tank shall be used for agricultural purposes only ancillary to the existing farm and not used for any other purpose etc.

Condition 4 slurry tank shall remain covered at all times.

4.2. Planning Authority Reports

4.2.1. The Planner's Report (20/05/25) can be summarised as follows:

Principle of Development

- Acceptable in a locational context given i.e., surrounding agricultural development.

Siting and Design

- Notes the appeal site is readily visible from the adjoining local road.
- Proposed tank will be setback c. 27m from the road with a 490sq.m floor area.

Residential Amenity

- Consideration given to the nature of the site and nearby farmstead to the southeast.
- Consideration also given to neighbouring dwelling to the northwest and concerns raised by a third-party regarding loss of amenity and odour/noise pollution.
- Considers the proposals requires justification given excessive scale / submission.

Access

- No concerns given the proposal will utilise an existing and established access.
- Notes the comments from the roads engineer regarding road strengthening and states that this shall be strictly conditioned in the event of a grant of permission.
- Also notes the submitted traffic survey i.e., seasonal due to silage cutting.

Public Health

- Notes existing connection to public water mains.
- Notes contaminated surface water will be recirculated to the proposed tank via interceptor whereas uncontaminated stormwater will be directed to a drain.

Appropriate Assessment

- Considers the proposal would be unlikely to have a significant effect, individually or in combination with any other plan or project, and thus AA screening is not required.

Recommendation

- Requires justification for the proposal in terms of the scale within the specified landholding and clarification whether proposal will serve other farms.

4.2.2. The Planner's Report (29/09/25) can be summarised as follows:

Assessment of Further Information

Item 1

- Refers to the Nutrient Management Plan (Appendix 1 of Ecological Report) which:
 - Clarifies that the tank will be used to store digestate (from the main farmlands in N. Ireland) for ease of application once weather conditions permit.
 - States that the tank will assist in reducing a high volume of agricultural traffic on the roads during application periods.
 - Confirms that the tank will remain covered and thus assist in odour reduction.
- Notes that Appendix 1 also confirms that the digestate will comprise of silage and slurry and states that this should not be problematic in terms of odour emissions, referring to advice from the Council's Senior Executive Chemist in this regard.

Item 2

- Notes the overall landholding as detailed in the Ecological Report i.e., including lands on the opposite side of the road and another landbank to the southwest.
- Notes that this holding is used solely for grazing i.e., does not receive fertiliser.
- Notes the intended use of the tank is for the storage of digestate produce from the applicant's main farmland in Co. Tyrone.
- Notes the Ecological Report considers the overall landholding in Co. Donegal thus states that an AA screening (Stage 1) is required.

Appropriate Assessment

- AA (Stage 2) not required as it can be excluded on the basis of objective scientific information that the proposed development individually or in combination with other plans/projects will have a significant effect on a European site – River Finn SAC.

Recommendation

- Considers that the FI contains significant additional information and recommends that the applicant be requested to publish Article 35 public notices.

4.2.3. The Planner's Reports (09/10/25 and 21/11/25) can be summarised as follows:

- No Article 35 notices evident during site inspections – invalidation issue.

4.2.4. The Planner's Report (26/01/26) can be summarised as follows:

- Previous reports have considered all the main planning issues.

Recommendation

- Considers the proposal would not injure the amenities of the area, would not be prejudicial to public health and would not endanger public safety by reason of a traffic hazard, having regard to the location of the subject site within Sessiagh Td., outside of and removed from any sensitive designations; the nature and scale of the development; and the policies of the current Plan, and recommends a grant.

4.2.5. Other Technical Reports

- Roads (09/05/25) No objection subject to condition(s).

4.3. Prescribed Bodies

None.

4.4. Third Party Observations

4.4.1. The planning authority received 1 no. initial observation. Issues raised reflect third-party appeal grounds. Concerns, as summarised from the Planner's Report, relate to:

- Refers to the demolition of previous structures without the benefit of permission.
- Queries the need for slurry tank in the absence of livestock on the farm.
- Raises concerns regarding the use of the tank to draw slurry / leading to odours.
- Raises concerns regarding risk of water pollution to drains.
- Raises residential amenity concerns / noise pollution.
- Devaluation of residential properties.
- Traffic safety concerns.
- Raises concerns over future uses i.e., possible AD plant.
- Wildlife concerns.

4.4.2. The planning authority received 1 no. observation at FI stage. Concerns, as summarised from the Planner's Report, relate to:

- Queries where wastes from previous demolition works have been removed to.
- Refers to proposed planting and the impact of odours on residential amenity.
- Raises concerns regarding increase in agricultural traffic, noise and devaluation.

5.0 Planning History

5.1. Appeal Site

- 5.1.1. PA ref. 24/60694 – in July 2024, the planning authority determined that a similar proposal, albeit with a 30m diameter, was invalid in relation to the failure to identify the previously demolished farm buildings in the vicinity of the proposed storage tank etc.

5.2. Surrounding Area

Farmstead c. 290m Southeast

- 5.2.1. PA ref. 21/52602 – in March 2022, the planning authority granted permission for a milking parlour with slatted tank and all associated site development works etc.
- 5.2.2. PA ref. 17/50766 – in August 2017, the planning authority granted permission for 2 no. slatted sheds with slurry storage tank below and all associated site works etc.

5.3. Relevant to Applicant

Strabane Road, Castlederg, Co. Tyrone

- 5.3.1. PA ref. LA11/2017/1116/F – in October 2021, the planning authority granted permission for retention and completion of an AD plant, gas tight digestate storage tank, combined heat and power (CHP) units etc. Condition 2 specifies the waste types to be accepted for processing at the AD plant. Condition 6 prohibits the applicant from deviating from the digestate disposal plan as detailed in the submitted NMP's and Condition 7 requires the maintenance of up-to-date NMP's annually. Condition 8 states that there shall be no slurry / digestate storage in the associated farm sheds.
- 5.3.2. PA ref. J/2010/0488/F – in July 2011, the planning authority granted permission for an AD plant, CHP building etc. A variation to Condition 2 (Waste Types) was permitted in December 2012 (J/2011/0314/F) to allow additional waste types to be accepted along with the removal of Condition 3 to accept material from outside the farm holding.

6.0 Policy Context

6.1. Local Planning Policy

County Donegal Development Plan

- 6.1.1. The current Development Plan came into effect on 26th June 2024. The Plan was subject to a draft Ministerial Direction in July 2024 and is pending a final decision by the Minister following public consultation and OPR recommendations (Sept. 2024). The planning authority decision was made under the provisions of this current Plan.
- 6.1.2. I also note that Proposed Variation No. 1 was on public display until 13th February 2026. It proposes new Area Plans for An Clochán Liath, Bridgend, Ballyshannon, Carndonagh, Donegal Town and Killybegs, the making of various Residential Zoned Land Tax (RZLT) related zoning changes, and other minor changes to the Buncrana, Ballybofey/Stranorlar and Letterkenny Area Plans, none of which affect the site. Proposed Variation No. 1 is subject to Proposed Material Alterations at time of writing.
- 6.1.3. The site is located within a rural area c. 1km north of the northern extent of the settlement boundary of Castlefinn (Map 21.48) and is subject to the provisions of Chapter 7 which explicitly recognises the role of agriculture in economic development.
- 6.1.4. The appeal site and surrounding lands are designated as ‘Areas of Moderate Scenic Amenity’ whereas further north they are designated as ‘Areas of High Scenic Amenity’.
- 6.1.5. Other policies and objectives are set out in Chapter 16 (Technical Standards).
- 6.1.6. The following sections are relevant to the proposed development.
- 7.4.4 – Supporting and Facilitating Growth in Key Industry and Business Sectors
- 6.1.7. Summary of policies relevant to the appeal site:
- | | |
|--------|--|
| L-P-2 | Seeks to protect areas identified as High Scenic Amenity’ and ‘Moderate Scenic Amenity’. Within these areas, only development of a nature, location and scale that integrates with, and reflects the character and amenity of the landscape may be considered etc. |
| TS-P-1 | Requires compliance with the relevant technical standards in the Plan. |

6.2. Natural Heritage Designations

- 6.2.1. The nearest proposed Natural Heritage Area (pNHA) is Feddyglass Woods – c. 8.2km.

6.2.2. Nearest Special Areas of Conservation (SACs) and Special Protection Areas (SPAs):

- River Finn SAC (002301) – c. 1.7km south, southwest
- River Foyle and Tributaries SAC (UK0030320) – c. 4.3km southeast
- Moneygal Bog SAC (UK0030211) – c. 7.8km south, southwest
- Lough Swilly SAC (002287) – c. 14.6km north, northwest
- Lough Swilly SPA (004075) – c. 15.2km north, northwest

7.0 EIA Screening

7.1. The proposed development is not a class of development set out in Schedule 5, Part 1 or Part 2 of the Planning and Development Regulations 2001, as amended ('the Regulations'), and therefore no preliminary examination is required (see Appendix 1).

8.0 The Appeal

8.1. Grounds of Appeal

8.1.1. A third-party appeal has been lodged by Mr Samuel Harron. The grounds of appeal reflect the observations made to the planning authority and are summarised as follows:

- Raises concerns proximity to neighbouring houses.
- Raises concerns in relation to air / odour pollution.
- Raises concerns in respect of additional traffic volumes given the road condition.
- Submits that the proposal will negatively impact on residential property values.

8.2. Applicant Response

None.

8.3. Planning Authority Response

8.3.1. The planning authority's response can be summarised as follows:

- Refers to the Planner's Reports dated 20th May and 9th October 2025, and 26th January 2026.
- Advise that they have no further comments to make.

9.0 Assessment

9.1. Preliminary Points

9.1.1. Having examined the application details and all other documentation on the appeal file, including the appeal submissions and observations, and inspected the site, and having regard to relevant local, regional and national policies and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal.

9.1.2. The issues can be addressed under the following headings:

- Residential Amenity
- Traffic Issues
- Other Issues

9.2. Residential Amenity

9.2.1. Planning permission is sought to demolish the existing two-storey farmhouse and construct an overground slurry tank with a stated 25mØ (diameter) and height of 4m.

General Comments

9.2.2. I note that the submitted floor plans and elevations indicate 5m high wall panels, an average diameter of 29.948mØ and a maximum tank volume of 3,522cu.m with an effective capacity of 3,311cu.m. The stated floor area is 490sq.m and this would correspond to a radius of 12.5m or 25mØ whereas a 29.948mØ would have a corresponding floor area of c. 704sq.m. The tank would have a FFL of 67.90mAOD which is consistent with existing ground levels to the front of the site. This will, however, require some deeper excavations given the rising landform to the rear of the appeal site. The tank will be covered and the roof level is illustrated as 71.90mAOD.

9.2.3. Appendix 1 of the submitted ecological report states that the covered tank has a projected volume of 1,960cu.m and the maximum amount of digestate that can be stored is 1,800cu.m given the 300mm freeboard i.e., the effective capacity. I also note that the maximum amount of digestate that can be used in one growing season is stated as 2,700cu.m which is less than two fills of the proposed tank. It is also important to note that no storage allowance is required for rainfall given the covering.

- 9.2.4. An area of concrete apron is illustrated around the proposed tank, extending from the rear of the site (where ground levels will be lowered) to the front of the site where the existing yard area includes concrete and stoned surfaces. The proposed concrete hardstand has a stated area of 1,873sq.m and includes a perimeter drain to the north, south and west. It is designed to convey contaminated stormwater back to the proposed tank via an interceptor/sump located to the north. Uncontaminated runoff from the roof of the proposed structure is shown to connect to the existing drainage network which outfalls to a drain on the applicant's landholding c. 56m to the southeast.
- 9.2.5. I note that all existing trees and hedgerows to the north of the site, including those to the northern gable end of the existing farmhouse, are to be retained where possible. Additionally, the northern boundary of the applicant's landholding, which adjoins the curtilage of the nearest house, is to be augmented with semi-mature trees and hedging, the exact details of which should be conditioned in the event of a grant of permission.
- 9.2.6. Retrospective permission has also been sought for the demolition of pre-existing farm sheds which were located between the existing farmhouse and barrelled roof structure. In this regard, I note the content of the planning authority's invalidation letter in respect of PA ref. 24/60694. It refers to the provisions under Class 50 of Part 1 of Schedule 2 of the Planning Regulations, which exempts the demolition of buildings within the curtilage of a farmyard complex up to a maximum cumulative floor area of 100sq.m.
- 9.2.7. Whilst I also note that the application form states that proposed demolition extends to 100sq.m, and this appears to relate to the two-storey farmhouse, the illustrated footprint of the house, with a main elevation of 10.369m and gable depth of 6.890m, suggest that a marginally greater floor space is to be demolished. This is, however, of no significant concern and there is no legal requirement to submit floor plans of same. A RWMP would, however, be required in the event of a grant of planning permission.

Appeal Grounds

- 9.2.8. As noted, the appellant raises concerns regarding the proximity of the proposal to neighbouring houses, in addition to concerns in respect of odour pollution and noise.
- 9.2.9. Whilst I note that the applicant has not availed of the opportunity to respond to the appeal grounds, the planning authority refers to the Planner's Reports which ultimately recommended a grant of permission. In this regard, I note that consideration was given to the nature of the site and nearby farmstead to the southeast and to the neighbouring

dwelling to the northwest. Whilst a justification for the proposal was initially sought under FI, given it was perceived to be 'excessively scaled', the rationale put forward by the applicant was accepted. I specifically note that the applicant takes the grass from the subject farmlands to his main farmyard in Co. Tyrone to be ensiled, and states that the resulting silage is added to cattle slurry and used for his AD plant on that site, with the resultant digestate, a byproduct of this process, returned to the subject lands.

9.2.10. The nearest dwelling, as noted, is located c. 80 metres northwest of the proposed storage tank and sufficiently removed in terms of odour nuisance, particularly given the covered nature of the proposed tank and prevailing south-westerly winds. I do not, therefore, consider there will be any adverse impacts on localised air quality as a result of the development, notwithstanding the associated filling and landspreading activities. Moreover, the submitted ecological report indicates that the proposed planting along the western boundary will help screen the tank whilst also absorbing odours during associated landspreading and this is considered reasonable in such a farming context.

9.2.11. The wider area is characterised by dispersed rural housing and undulating farmland with the next nearest houses some 230 and 290 metres from the proposed tank respectively; the latter of which is an established farmhouse with adjoining slurry storage tanks. Any additional nuisance from the proposed development in terms of odour, including during landspreading, would, in my opinion, be imperceptible at those locations. Beyond that, the next nearest house is some 450 metres to the southeast and I do not therefore consider there are any residential amenity impacts by reason of proximity alone or by reason of odour or air pollution as a result of such proximity. In this regard, I am satisfied that an odour / air quality impact assessment is not required.

9.2.12. In terms of noise, the appellant has not elaborated on any specific issue, and whilst I appreciate that the proposal will result in a more intensive use of the partly derelict farmyard, with associated noise impacts, it must be borne in mind that the farmyard is existing, has not been abandoned and would benefit from the statutory exemption under Section 4(1)(a) of the Planning Act in any event i.e., development consisting of the use of any land for the purpose of agriculture etc. Thus, claims of increased noise in such a scenario must be considered in this relevant context. I am therefore unpersuaded that the proposal will adversely impact on residential amenity by reason of increased noise, particularly given the seasonal nature of trips to the appeal site.

Conclusion on Residential Amenity

- 9.2.13. On balance, I do not consider that the proposed development, which is sited within an established, albeit partly derelict farmyard and part of a wider 53 hectare (130 acre) farm holding in Co. Donegal, and operationally associated with a significant holding in Co. Tyrone, some 12km south, southeast of the site, would adversely impact on the residential amenities of the area by reason of odour, noise or general nuisance. The source of the proposed slurry and digestate from the applicant's main farmyard has been adequately documented and verified through a search of the planning history.
- 9.2.14. Moreover, the ability of the farmlands within the townlands of Sessiagh, Breaghy and Donaghmore Glebe, and Castlefinn, Co. Donegal to accept 2,700cu.m of digestate annually, which is less than two tank fills, has been documented in the NMP summary. In this regard, I agree with the planning authority that reasonable justification for the proposal has been submitted and I accept that this helps reduce chemical fertiliser use and moreover supports the principle of the circular economy through byproduct reuse.
- 9.2.15. I recommend standard landspreading and water management conditions in the event of a grant of permission in the interests of amenity and public health, in addition to tree and hedgerow retention and supplementary planting along the western site boundary.

9.3. Traffic Issues

- 9.3.1. The proposed development would be accessed via an existing entrance off the adjoining local road, the L2324. The layout drawing indicates that no changes are proposed to the existing site entrance as corroborated in the submitted TTS1 form. The layout drawing also indicates that existing sightlines will be maintained at all times.
- 9.3.2. As noted, the existing farmyard has no defined roadside boundary to the front of the farmyard area and thus sufficient visibility exists over the grassed verge in a southeasterly direction. The entrance width, at c. 18 metres, is also sufficient to ensure adequate visibility in a north-westerly direction. The local authority roads section has not raised any concerns other than recommending the existing entrance be strengthened and I note that the initial Planner's Report states it shall be conditioned.
- 9.3.3. Road strengthening was not conditioned and there is no indication in the subsequent Planner's Reports as to why it was not. The proposed layout drawing shows the new concrete apron extending towards, but not as far as the road edge. The intervening

area across the entrance is in relatively poor condition with broken surfaces and large puddles evident during my site inspection. In this regard, I consider it reasonable to attach a standard access condition, including roadside drainage, in the event of a grant.

Appeal Grounds

- 9.3.4. As noted, the appellant has also raised concerns in respect of additional traffic volumes, including large / heavy agricultural machinery, given the condition of the road.
- 9.3.5. In general, I found the road surface along the L2324 to be in reasonable condition in the vicinity of the appeal site and notwithstanding the challenging vertical and horizontal alignment in places. Whilst I accept that the surface condition across the site entrance is poor, it can be addressed by condition. Moreover, I do not consider the seasonal nature of the trips to the appeal site, as detailed in the TTS1 form (i.e., approx. 10 per day over 2-3 days – April, June and August), would result in significant traffic volumes. In this regard, I specifically note that traffic to / from the development is indicated as less than 10% of existing traffic and thus below the threshold for a TTA.

Conclusion on Traffic Issues

- 9.3.6. On balance, I do not consider that the proposed development would result in traffic volumes that would adversely impact on road users or give rise to a traffic hazard and I am unpersuaded that the road surface will be significantly affected. In any event, I recommend a development contribution condition be attached in respect of public infrastructure, which includes road surfaces, should planning permission be granted. To this end, the planning authority did not see it fit to attach a special development contribution under the provisions of Section 48(2)(c) of the Planning Act and I concur.

9.4. Other Issues

- 9.4.1. The appellant has also raised concerns in relation to devaluation of their property as result of the proposal in addition to possible future developments at the appeal site.

Property Values

- 9.4.2. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposal would not seriously injure the amenities of the area to such an extent that would adversely affect property value in the vicinity.

Future Development

- 9.4.3. The appellant's raise specific concerns in relation to a possible AD plant at the appeal site in the future. Whilst I note that the proposed tank would receive digestate from the applicant's AD plant at his main farm in Co. Tyrone as considered above, there is no suggestion in the appeal documentation that the proposal would facilitate or justify a similar plant at the appeal site. Such a development would be considered on its own merits in any event and in line with the relevant planning policy framework at the time.
- 9.4.4. Whilst I do note that planning conditions attached to the applicant's consolidated permission for his AD plant in Co. Tyrone restrict the disposal of digestate from that plant to specific areas detailed in the associated NMP's submitted with that application, there is sufficient flexibility built into the conditions to allow for annual updates etc.

Drainage – New Issue

- 9.4.5. As noted, the proposal conveys contaminated stormwater from the apron back to the storage tank via an interceptor whilst clean runoff will be directed to a roadside drain.
- 9.4.6. The ecological report states that roadside drainage comprises storm pipes, culverted drains and drainage ditches. The exact nature of the infrastructure to the road frontage was unclear during my inspection and whilst not raised by the planning authority, I consider that disposal by soakaway or discharge to the roadside drain following initial attenuation is more appropriate. This should be conditioned in the event of a grant.
- 9.4.7. Similarly, whilst there is no allowance required for rainfall in the tank capacity given it is a covered structure, I have no information before me to confirm capacity for the intercepted soiled stormwater. Thus, soiled waters should be directed to an appropriately sized storage tank in accordance with the requirements of the GAP Regulations, and this may include the proposed slurry tank should capacity be proven.

Conclusion on Other Issues

- 9.4.8. The above assessment represents my *de novo* consideration of all planning issues material to the proposal to construct an above-ground storage tank at the appeal site.

10.0 AA Screening

10.1. In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the River Finn SAC or River Foyle and Tributaries SAC (UK), or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (submission of a NIS) is not therefore required.

10.2. This determination is based on:

- Information provided in the ecological report, including AA Screening,
- The relatively modest scale of the development and lack of impact mechanisms that could significantly affect a European site,
- Lower-scale potential for source impacts of any magnitude notwithstanding the tenuous link to the River Finn,
- Distance, dilution and dispersal within the River Finn waterbody,
- Consideration of the conservation objectives of:
 - River Finn SAC (site code IE0002301),
 - River Foyle and Tributaries SAC (site code UK0030320), and

Taking into account:

- Provisions under the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025) (as amended) during operation, and
- The screening determination of the planning authority.

10.3. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion (see Appendix 2).

11.0 Water Framework Directive

11.1. A screening for the purposes of the Water Framework Directive (2000/60/EC) has also been carried out. On the basis of objective information, I conclude that the proposal

will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any waterbody in reaching its WFD objectives. Therefore, it can be excluded from any further assessment (Appendix 3).

12.0 Recommendation

12.1. I recommend that permission be **granted** for the reasons and considerations below.

13.0 Reasons and Considerations

13.1. 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. The proposal would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 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 interests 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 & 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.

(c) all soiled waters shall be directed to an appropriately sized storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2025 (S.I. No. 588/2025) (as amended). The details of which (including the proposed tank,

should capacity be proven) shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

(d) 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 interest 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 interest 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 EPA'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.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Philip Maguire

Inspectorate

11th June 2026

Appendix 1 (EIA Screening)

Form 1 – EIA Pre-Screening

Case Reference	PL-500850-DL-26
Proposed Development Summary	Overground slurry tank (see IR for full description).
Development Address	Sessiagh (Allison) Td., Castlefinn, Lifford PO, Co. Donegal
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 2 (AA Screening)

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Overground slurry tank (see IR for full description).
Brief description of development site characteristics and potential impact mechanisms	<p>Generally level, 0.64ha site around 67mAOD, rising gradually to the rear to c. 70mAOD. Works will involve excavation of c. 3mBGL in places and thus require the removal of excavated soils, boulder clay, rock / bedrock and vegetation (arable) in addition to C & D waste arising from the demolition including hardstand.</p> <p>I note that stone will be reused on the landholding for rebuilding gate piers, entrances etc. with other materials recycled removed to an authorised waste facility. It is indicated that a similar approach was adopted for the previously demolished farm buildings.</p> <p>Boundaries, where they exist, are generally defined by hedgerow, trees and fencing, including the front wall of the farmhouse. Habitats are thus classified as stone walls (BL1), buildings and artificial surfaces (BL3), including concrete and stoned yard, recolonising bare ground and scrub (ED3 and WS1), treeline and scrub (WL2), hedgerow (WL1), and arable crops (BC1) to the rear of the yard, which appears to be rye. No drainage ditches or groundwater vectors evident.</p> <p>Construction and demolition activities will require the use of potentially harmful materials, such as fuels, concrete etc. and give rise to waste for disposal. Such wastes are typical of construction and significant wastes; emission or pollutants are not anticipated. Tank prefabrication and on-site assembly is noted.</p> <p>Noise and dust emissions during construction are likely, particularly during demolition, but such impacts would be localised and temporary. All contaminated surface water to be intercepted with uncontaminated runoff to connect to existing storm drain on road.</p> <p>Slurry/digestate stored in the proposed tank will be land spread during the course of normal farming practice and in accordance with the GAP Regulations and as detailed in a Nutrient Management Plan, a summary of which has been included in the ecological report and refers to a 52.92ha landbank.</p>
Screening report	Yes – Greentrack (March 2025)

Natura Impact Statement	No
Relevant submissions	None
Additional information	Donegal Co. Council screened out the need for AA. I note that the application was referred to DHLGH (DAU) and Uisce Éireann – no objections received.

Step 2. Identification of relevant European sites using the Source-Pathway-Receptor model

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
River Finn SAC (IE0002301)	Salmon Otter Oligotrophic waters Wet heaths Blanket bogs (priority if active) Transition mires Conservation Objectives Link (NPWS, 2017)	c. 1.7km south, southwest of appeal site (from closest point)	Yes – indirect, tentative connection via surface water which may enter the catchment of the Bridge Burn Stream, a tributary of the Finn at a hydrological distance of c. 2.4km to its confluence south of Castlefinn.	Y
River Foyle and Tributaries SAC (UK0030320)	Salmon Water courses of plain to montane levels Otter Conservation Objectives Link (NIEA, 2024)	c. 4.3km southeast of appeal site	Yes – indirect, tentative connection via surface water which may enter the catchment of the Bridge Burn Stream, a tributary of the Finn at a hydrological	Y

			distance of c. 6.9km to the SAC at Clady Bridge.	
Moneygal Bog SAC (UK0030211)	Active raised bogs Conservation Objectives Link (NIEA, 2015)	c. 7.8km south, southwest of appeal site	No – no downstream hydrological connection or mobile QI associated with this SAC.	N
Lough Swilly SAC (IE0002287)	Estuarine, coastal and marine habitats, <i>molinia</i> meadows, sessile oak woods Otter Conservation Objectives Link (NPWS, 2011) Addition of harbour porpoise Amendment Notification Link (NPWS, 2024)	c. 14.6km north, northwest of appeal site	No – no downstream hydrological connection or relevant mobile QI's associated with this SAC.	N
Lough Swilly SPA (IE0004075)	Wintering water birds (24x species) Wetland and waterbirds Conservation Objectives Link (NPWS, 2011)	c. 15.2km north, northwest of appeal site	No – no downstream hydrological connection – the SPA is sufficiently remote and the appeal site is unsuitable for roosting or foraging.	N
¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report ² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species ³ if no connections: N				

Further Commentary / Discussion

All Conservation Objective links above are up to date at the time of writing and have been cross-referenced against the Statutory Instruments, where relevant.

Due to the limited scope of the works and the nature of the appeal site, I consider that the proposed development is unlikely to generate impacts that could extend to a large geographical area, thus a potential zone of influence limited to c. 15km is reasonable.

Sources of impact and likely significant effects are considered in the Table below.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
River Finn SAC (IE0002301) Salmon <i>Salmo salar</i> Otter <i>Lutra lutra</i> Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) Northern Atlantic wet heaths with <i>Erica tetralix</i> Blanket bogs (priority habitat if active bog) Transition mires and quaking bogs	Direct: none. Indirect: Localized, temporary, low magnitude impacts from demolition and construction related emissions to surface water (overland / via roadside drain) during construction. Lower-scale magnitude impacts from emissions to surface water during operation via similar pathway, including fugitive runoff on road, but these will be largely localized. Resultant degradation of water quality has the potential to adversely impact on QIs of this SAC.	The sloping topography of the site gives rise to an indirect hydrological connection / pathway to the River Finn via the Bridge Burn Stream but given the interrupted / impeded nature of the pathway from the appeal site to the stream (c. 0.4km hydrologically overland / roadside drain) and the subsequent distance from the stream to the receiving features connected to the SAC, make it highly unlikely that the proposal will generate (has generated) impacts of a magnitude that could affect habitat quality within the SAC for QIs listed. Clean runoff follows above pathway and contaminated runoff will be intercepted / redirected to the tank. Conservation objectives would not be undermined.

	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
River Foyle and Tributaries SAC (UK0030320) Atlantic Salmon <i>Salmo salar</i> Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche-Batrachion</i> vegetation Otter <u><i>Lutra lutra</i></u>	Direct: none. Indirect: As above.	As above. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	

Further Commentary / discussion (only where necessary)

The screening determination (Table 5.2) set out in the submitted ecological report (Greentrack, March 2025) draws similar conclusions in respect of each of the elements of the proposal in respect of the River Finn SAC i.e., demolition of previously existing farm sheds, proposed demolition of the existing farmhouse, proposed construction of concrete apron and base, and new slurry tank, which will mostly be prefabricated with minimal assembly. Whilst the River Foyle SAC was excluded at initial screening (Table 5.1), it was considered for further screening above given the similar S-P-R, albeit further downstream.

During the operational phase of the proposal, the spreading of organic fertilisers is managed under the GAP Regulations 2025, as amended. These regulations are for the purpose of preventing water pollution. They provide for the limitation of quantities of nitrates and phosphate that can be directly applied to land. Surface water is protected through the provision of buffers from surface water features. Groundwater is protected by the prohibition of direct discharge to groundwater and measures to prevent indirect pollution through discharge to ground and percolation through the soil. Therefore, I am satisfied, subject to the adherence to the GAP Regulations 2025, that no in-combination or cumulative impacts arise from any land spreading associated with the proposal.

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone / in combination with other plans and projects) would not result in likely significant effects on European sites. No further assessment is required for this project.

No mitigation measures are required to come to this conclusion.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the River Finn SAC or River Foyle and Tributaries SAC (UK), or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (submission of a NIS) is not therefore required.

This determination is based on:

- Information provided in the ecological report, including AA Screening,
- The relatively modest scale of the development and lack of impact mechanisms that could significantly affect a European site,
- Lower-scale potential for source impacts of any magnitude notwithstanding the tenuous link to the River Finn,
- Distance, dilution and dispersal within the River Finn waterbody,
- Consideration of the conservation objectives of:
 - River Finn SAC (site code IE0002301),
 - River Foyle and Tributaries SAC (site code UK0030320), and

Taking into account:

- Provisions under the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025) (as amended) during operation, and
- The screening determination of the planning authority.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

Appendix 3 (WFD Screening)

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-500580-DL-26	Townland, address	Sessiagh (Allison) Td., Castlefinn, Lifford PO, Co. Donegal
Description of project	Overground slurry tank (see IR for full description).		
Brief site description, relevant to WFD Screening	<p>Generally level, 0.64ha site around 67mAOD, rising gradually to the rear to c. 70mAOD.</p> <p>Works will involve excavation of c. 3mBGL in places and thus require the removal of excavated soils, boulder clay, rock / bedrock and vegetation (arable) in addition to C & D waste arising from the demolition including hardstand.</p> <p>Boundaries, where they exist, are generally defined by hedgerow, trees and fencing, including the front wall of the farmhouse.</p> <p>The submitted ecological report classifies habitats as stone walls (BL1), buildings and artificial surfaces (BL3), including concrete and stoned yard, recolonising bare ground and scrub (ED3 and WS1), treeline and scrub (WL2), hedgerow (WL1), and arable crops (BC1) to the rear of the yard, which appears to be rye.</p> <p>No drainage ditches or groundwater vectors evident on site or identified by applicant.</p>		

Proposed surface water details	'Other' ticked in Q. 20 of the Application Form. Specified as follows: <i>"All contaminated surface water to flow to proposed infiltration sump system. All uncontaminated surface water to connect to existing storm water drainage system on site - please refer to site layout map and ecological report for further details."</i>
Proposed water supply source & available capacity	'Existing' 'public mains' ticked in Q. 20 of the Application Form.
Proposed wastewater treatment system & available capacity, other issues	'Not Applicable' ticked in Q. 20 of the Application Form.
Others?	Section 3.2 of the ecological report (Greentrack, March 2025) states that the slurry/digestate stored in the tank will be land spread by the applicant during the course of their farming practice as per a Nutrient Management Plan (NMP) and notes that the spreading of this slurry is regulated under the GAP Regulations, as amended.

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface runoff, drainage, groundwater)
Groundwater Waterbody	Underlying site	Raphoe IE_NW_G_054	Good	Not at risk	None identified	Uncertain – no information in relation to permeability in the underlying soils i.e., disrupting any S-P-R to groundwater / water table

River Waterbody	c. 420m	FINN (DONEGAL)_080 IE_NW_01F011 100	Poor	At risk	Ag, DWTS, UWW	Yes – via storm runoff	
Step 2: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Ground	Raphoe IE_NW_G_05 4	Existing - none. New – works will involve excavation of c. 3mBGL in places and thus requires the removal of excavated soils – no detail regarding water table.	Siltation, pH (Concrete), hydrocarbon spillages. Impact on hydrological regime due to site excavation and	None proposed but standard construction practices anticipated.	No.	Screened out.

				increased ponding.			
2.	River	FINN (DONEGAL)_ 080 IE_NW_01F0 11100	Existing - surface water pathway overland / roadside drain / drainage ditch. New – stormwater pathway which outfalls to drainage ditch and in turn discharges to River Finn via Bridge Burn Stream.	Siltation, pH (Concrete), hydrocarbon spillages.	As above.	No.	Screened out.
OPERATIONAL PHASE							
1.	River	FINN (DONEGAL)_ 080 IE_NW_01F0 11100	New – stormwater pathway which outfalls to drainage ditch and in turn discharges to River Finn via Bridge Burn Stream.	Degradation of receiving water quality.	Standard operational practices anticipated as per NMP with specific measures to prevent	No	Screened out.

					contaminated runoff from reaching clean runoff i.e., interceptor / sump. Additional attenuation measures to be conditioned to reduce the volume of roof runoff discharge to road drain.		
DECOMMISSIONING PHASE							
1.	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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