



An
Coimisiún
Pleanála

Inspector's Report PL-501240-DL-26

Development	Construction of a visitor's centre as previously granted under planning ref. 12/60142 and construction of a hay barn with adjoining paddocks with fencing, construction of storage shed with paddocks with fencing and all associated site works.
Location	Castledooey, Manorcunningham, Lifford Po, Co. Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2560916
Applicant(s)	Donegal Donkey Sanctuary
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Alistair & Amelia Glenn
Observer(s)	None

Date of Site Inspection

1/7/26

Inspector

Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site is located within the townland of Castledooley which is a rural area punctuated with single dwellings c.5.15km to the south-east of Manorcunningham, Co. Donegal.
- 1.2. The appeal site which has a stated area of c. 3.73ha comprises of an existing two storey dwelling and agricultural sheds and yard area associated with a donkey sanctuary and area set aside for car parking.
- 1.3. The is bound by residential development to the south and east and open fields to the north and west of the site.
- 1.4. Access to the site via a narrow lane which in turn is accessed from the L-5314 Local Road which a single lane, undulating rural road which is predominantly used for local traffic.

2.0 Proposed Development

- 2.1. The application seeks permission for the following:
 - A 1.5 storey building to be used as a visitor centre including a café, gift shop, classroom, and storage area. This building would have a height of 7.4m and a floor area of c. 282m² over both floors. The building would be finished in a part black larch effect and a smooth plaster finish.
 - A hay barn with a height of c.5.3m and would have an area of c. 118m². The hay barn would be part finished in a smooth plaster and part Kingspan insulated wall cladding.
 - A storage shed and paddocks. The proposed storage shed would have a height of c.5.5m and an area of 138m² and the paddocks would have an area of c. 155m². The storage shed would be part finished in a smooth plaster and part Kingspan insulated wall cladding.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 2/4/26 the Planning Authority decided to grant planning permission, subject to 10 conditions.
- 3.1.2 Condition 2 requires that within three months of the Notification of Final Grant, the entrance arrangements to the site shall be relocated.
- 3.1.3 Condition 3(a) requires that the use of the structures shall be used only in conjunction with the existing use on site i.e. the Donegal Donkey Sanctuary
- 3.1.4 Condition 4 requires that permanent visibility splays of 70m be provided to the nearside road edge in both directions from the relocated vehicular entrance point (as submitted on the 16/03/2026).

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two planning reports on file. The first planners report is dated 18/7/25 and considers that having regard to the permitted established nature of the sanctuary and previous associated permission for visitor centre (planning ref: 12860142 subsequently extended under 17/51350) the principle is acceptable. However, concerns are outlined relating to the location of the access to the site and the wastewater system on site.

- 3.2.1.1 Concerns are also outlines with respect the potential for bedding being used in the housing of animals, that aa suitable dung stead system is provided to ensure that all seepage is captured and stored in holding tank of adequate capacity for land spreading in compliance with SI 610 of 2010- European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2010.

- 3.2.1.2 Further Information was requested on this basis.

3.2.2. Other Technical Reports

- **Road Design:** Response dated 10/6/25 stating there are no comments.

- **Building Control:** Response dated 13/6/25 providing advise relating to building control compliance.
- **Donegal Roads Office:** Response dated 11/7/25 stating that this application does not affect the progression of any current national road or active travel projects managed by Donegal NRO.

3.3. Prescribed Bodies

Transport Infrastructure Ireland: Response dated 12/6/25 stating that in the case of this planning application, Transport Infrastructure Ireland requests that the planning authority has regard to the provisions of official policy for development proposals including DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII Publications.

Loughs Agency: Response dated 4/7/25 outlining no objections, subject to conditions.

3.4 Post further information

3.4.1 A second planning report dated 30/3/26 assessed the applicants Further Information response. I make the Coimisiún aware that the applicant was granted an extension of time of three months to respond to the Further Information request by the Planning Authority.

3.4.2 The area planner noted that the applicant's response to the Further Information request was acceptable and recommended that planning permission be granted, subject to conditions.

3.4.3 Other Technical Reports-Post Further Information

EE Roads: Report dated 19/3/26 outlining no objection, subject to conditions.

3.5 Third Party Observations

3.5.1 One third party observation was received by the Planning Authority. The observer outlined concerns that the applicant does not have any consent form the landowner to the north for the vision lines which are necessary to provide safe access and egress to the proposed development on the site.

4.0 Planning History

Reg. Ref. 06/40209: Application for the erection of a dwelling and septic tank. Permission refused.

Reg. Ref. 07/40590: Application for a dwelling and septic tank. Permission granted, subject to conditions.

Reg. Ref. 07/40056: Application for dwelling house and the use of an existing access road via entrance already approved under Reg. Ref. 05/6339. Permission refused.

Reg. Ref. 12/60142: Application for Donkey sanctuary facility consisting of 5 stables, separate storage shed, change of use of agricultural land to donkey sanctuary paddocks with fencing and donkey trek and single storey building containing toilets and 5 no. stables, single storey portal frame shed containing museum, demonstration and exhibit area and storage, storey and a half type building containing a coffee shop at ground floor level and offices at first floor level and new septic tank / percolation area and all associated site works. Permission granted, subject to conditions.

Reg. Ref. 12/60143: Application for dwelling / septic tank / percolation area and domestic storage shed. Permission granted subject to conditions.

Reg. Ref. 17/51350: Application for erection of a single storey building containing toilets and 5 no. stables, single storey portal frame shed containing museum, demonstration and exhibition area and storage, storey and a half type building containing coffee shop at ground floor level and offices at first floor level and new septic tank and percolation area and associated works. Permission granted, subject to conditions.

5.0 Policy Context

5.1 Development Plan

5.1.1 The *Donegal County Development Plan 2024-2030* is the operative plan for the area. The following plans and policies are relevant to the proposed development:

- The subject site is located within an area designated as 'Structurally Weak Rural Area.'

- **CC-P-1:** Which seeks to support the provision of new social and community infrastructure/service-related developments, including *inter alia*:
 - a) At locations within the defined boundaries of settlement framework/urban areas which are within safe walking distance.
 - b) At alternative locations within settlement framework/urban areas.
 - c) In rural locations in close proximity to existing rural infrastructure.
 - d) At other rural locations where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location.
- **CC-P-2:** Which seeks that social, community cultural development proposals generally comply with the policies and technical standards of this plan *inter alia*:
 - a) Are compatible with adjacent existing or approved land uses.
 - b) Do not have a significant impact on adjacent residential amenities.
 - c) Provide adequate effluent treatment.
 - d) Do not cause a traffic hazard and ensure the existing road network can safely handle any extra vehicular traffic.
 - e) Provide adequate parking provision, access arrangements, manoeuvring, and servicing areas.
 - f) Prioritises, and provides for a high level of, pedestrian and cycling permeability.
 - g) Do not create a noise nuisance and or cause significant environmental emissions.
 - h) The location siting and design of the development is of a high quality, successfully integrates with the host environment.
 - i) Provides appropriate boundary treatment and screening of storage areas from public view.
 - j) Does not have a negative impact on the built or natural heritage of the area and complies with the built and natural policies of the plan.

- k) Complies with the flood risk management guidelines.
- l) Have suitable soil depth and water table.
- **ED-P-4:** Which seeks to consider proposals for the businesses in rural areas of the nature identified *inter alia*:
 - a) Valuable additions to the local economy and/or tourism offering in an area.
 - b) Genuine Farm Diversification Schemes where the diversification scheme is to be run in conjunction with the agricultural operations of the farm.
 - c) i. As far as possible, proposed developments should reuse or adapt existing redundant farm buildings.
 - ii. Any new proposed building must be of a scale, form, and design appropriate to the rural area.
 - iii. Compliance with all the relevant criteria of Policy ED-P-9.
 - iv. Where there are deficiencies in water infrastructure and/or where it is not possible to connect to the public systems, the developer will be required to demonstrate that bespoke development-led solutions can be identified, agreed in writing, implemented, and maintained.
- **ED-P-7:** Which seeks to consider proposals for the expansion or re-development of an existing economic development in the countryside provided the scale and nature of the resultant development will contribute positively to the long-term sustainability of the existing enterprise, subject to compliance with all relevant provisions of Policy ED-P-9. A proposal which would not meet these criteria will only be permitted in exceptional circumstances where it can be demonstrated that:

The proposal would provide for consolidation and/or remediation of the existing facilities.

 - a. Where relocation of the enterprise would not be possible.

- b. The proposal would make a significant contribution to the local economy,
 - c. The development would maintain the existing rural character of the area;
and
 - d. Where infrastructural improvements are required that a developer-led solution can be identified and delivered.
- **ED-P-9:** It is a policy of the Council that any proposal for economic development use, in addition to other policy provisions of this Plan, will be required to meet all the following criteria.
 - a) It is compatible with surrounding land uses.
 - b) It would not be detrimental to the character of any area designated as being of Especially High Scenic Amenity.
 - c) It does not harm the amenities of nearby residents.
 - d) There is existing or programmed capacity in the water infrastructure.
 - e) The existing road network can safely handle any extra vehicular traffic generated by the proposed development.
 - f) Adequate access arrangements, parking, manoeuvring, and servicing areas are provided in line with the development and technical standards.
 - g) It does not create a noise nuisance.
 - h) It is capable of dealing satisfactorily with any emission(s).
 - i) It does not adversely affect important features of the built heritage or natural heritage including natura 2000 sites.
 - j) It is not located in an area at flood risk and/or will not cause or exacerbate flooding.
 - k) The site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity.
 - l) Appropriate boundary treatment and means of enclosure are provided.
 - m) In the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape.

n) It does not compromise water quality nor conflict with the programme of measures contained within the current northwestern river basin management plan.

- **L-P-2:** Which seeks to states, 'to protect areas identified as 'High Scenic Amenity' and 'Moderate Scenic Amenity' on Map 11.1 'Scenic Amenity'.
- **BIO-P-1:** Which seeks to require all developments to comply with the requirements of the EU Habitats Directive and EU Bird Directive.
- **TS-P-1:** Which seeks to require compliance with the technical standards, where applicable.

5.2 Relevant National or Regional Policy / Ministerial Guidelines

- Nitrates Action Programme (NAP) 2026-2028
- Climate Action Plan 2025.
- S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025
- DN-GEO-03031 (TII, May 2023)
- DN-GEO-03060 (TII, May 2023)

5.3 Natural Heritage Designations

5.3.1 The subject site is not located within or adjacent to a European Site. The nearest designated sites are the Lough Swilly SAC (Site Code: 002287) which is located c. 5.4km to the north-west of the site and the Lough Swilly SPA (Site Code: 004075) which is located c. 6.0km to the north-west of the site.

5.3.2 In addition to this, the River Finn SAC (Site Code: 002301) which is located c.6.3km to the south-east of the site. The Lough Swilly Including Big Isle, Blanket Nook & Inch Lake is pNHA (Site Code: 000166) is located c.4.3km to the north-west of the site and the River Foyle, Mongavlin to Carrigans pNHA (Site Code: 002067) is located c. 7km to the south-east of the site.

6.0 EIA Screening

- 6.1 The proposed development does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. Refer to Form 1 in Appendix 1 of report].

7.0 The Appeal

7.1. Grounds of Appeal

A first party appeal has been received from M.H. Associates Architects and Surveyors on behalf of Alistair and Amelia Glenn. The appeal can be summarised as follows:

- A legal wayleave is required over our client's site to remove the existing hedging, set back front boundary and maintain the visibility splays as specified on the Notification of Decision to Grant Planning Permission.
- Until our clients legally provide the required visibility splays to the Donkey Sanctuary the planning permission, if approved, cannot fully comply.
- The applicants for the proposed development have never approached our clients to-date to discuss the visibility splays.

7.2. Applicant Response

- 7.2.1 There is no response from the applicant on file.

7.3. Planning Authority Response

- 7.3.1 A response has been received from the Planning Authority dated 18/5/26 which states that the proposal an established sanctuary which requires same to be located in a rural area with the visitor centre / coffee shop / classroom element being assessed and approved under the 2012 application.
- 7.3.2 Conditions have been imposed in order to alleviate any residential amenity concerns of any third-party properties. In terms of traffic safety, current development proposals will not impact on the approved revised entrance location to the facility.
- 7.3.3 Details submitted during the course of the application coincide with the layout approved under Reg. Ref. 12/60143 whereby it was previously established no third-

party consent was required in respect of same and have been conditioned accordingly with timeframe referenced.

7.4. Observations

7.4.1 There are no observations on file.

7.5. Further Responses

7.5.1 There are no further responses on file.

8.0 Assessment

8.1. Having examined the appeal details and all other documentation on file, including the applicant's response to Further Information, the report of the local authority and having inspected the site, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Traffic Safety
- Wastewater Treatment
- Flooding
- Appropriate Assessment Screening.
- Water Framework Directive

8.2. Principle of Development

8.2.1 The subject site is located in a rural area of County Donegal which is designated as a 'Structurally Weak Rural Area.' While I note that the proposed development proposes a number of relatively large buildings which would not be typically associated with a rural area, the proposed buildings support an existing donkey sanctuary which is a use type most suitable in a rural area such as the appeal site is located.

8.2.2 Further to this, I note that the development which is proposed as part of this application has been previously approved by Donegal County Council under Reg. Ref. 12/60142.

Having considered the foregoing, I am satisfied that the proposed development is acceptable in principle, this is subject to a full assessment of the proposed development.

Design / Scale

- 8.2.3 The proposed development comprises of the erection of a 1.5 storey building to accommodate a visitors' centre which includes a gift shop, classroom, and storage area. The building would have a height of c.7.4m and a floor area of c. 282m². This building would be finished in part black larch effect, a smooth plaster finish with a Kingspan insulated roof. The proposed visitors building would be set back c. 35m from the southern boundary of land.
- 8.2.4 The proposed hay barn would have a height of c.5.3m and would have an area of c. 118m². The proposed hay shed would have similar finish to the visitors' centre. The proposed hay shed would be set back c.31m from the southern boundary of the land and c. 6.2m from the western boundary of the land.
- 8.2.5 The proposed storage shed would have a height of c.5.5m and an area of 138m². The storage shed would have a similar finish to the hay barn and the visitors' centre. The proposed storage shed would be set back c. 14.6m from the western boundary of the land. The proposed paddocks would be located in an area between the hay barn and the storage shed.
- 8.2.6 In assessing the proposed development, I have considered policies CC-P-1, CC-P-2, ED-P-4, ED-P-7, and ED-P-9 of the *Donegal County Development Plan 2024-2030*. I am satisfied that the proposed development complies with these policies as the proposed development is functionally dependent on a rural location, would comprise of valuable additions to the local economy and/or tourism offering in an area, the scale and nature of the development would contribute positively to the long-term sustainability of the existing Donkey Sanctuary enterprise.
- 8.2.7 In addition to the above, with respect to policy ED-P-9 which sets out a number of criteria against which commercial developments are to be assessed, I note that the proposed development supports an existing Donkey Sanctuary, the proposed buildings would have the appearance of typical agricultural buildings which are reasonably set back from the property boundaries, the existing road network has the capacity to handle extra traffic (a car /coach parking area is provided on the land), the

proposed development would not impact on any Natura 2000 site and would not have any impacts with respect to flooding and boundary treatments which assist in integrating the proposed development into the countryside.

- 8.2.8 Having considered the plans submitted with the application, I am satisfied that the proposed development would not have a detrimental impact on the residential amenity of dwellings to the south and east of the appeal site. I have come to this conclusion having regard to the set back of the buildings from the southern and eastern boundaries of the land and the design of the buildings. Therefore, I am satisfied that the proposed development would comply with policies CC-P-1, CC-P-2, ED-P-4, ED-P-7, and ED-P-9 of the *Donegal County Development Plan 2024-2030*.

Dung stead

- 8.2.9 In addition to the above, given that the proposed development is in support of an existing donkey sanctuary, the proposal includes a Dung Stead. A Dung Stead is an area where dung is piled. In this regard, I refer the Coimisiún to Drawing No. 23-057-02 'Site Layout' submitted with the applicants Further Information response which shows that the proposed Dung Stead is proposed to be located to the northwest of the storage shed and paddocks and has an area of 20m². The proposed Dung Stead will have a concrete floor as well as 1.2m high walls on three sides and a lip at the entrance and a gate to ensure that no outward seepage of effluent to surrounding lands. The submitted site layout plan also states that there is a storage tank associated with the Dung Stead.

- 8.2.10 There is no information relating to what will happen to the dung which is to be stored (where or not it is to be spread over the land or taken off-site). In any case, the Coimisiún should note that land spreading does not form part of this application, and such process is regulated under S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025. The regulations contain specific measures to protect surface waters and groundwater from nutrient pollution arising from agricultural sources. This includes, inter alia, no land spreading within 5-10 metres of a watercourse following the opening of the spreading period. If the Coimisiún is of a mind to grant planning permission, then a condition could be included which requires that the removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the

systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (The Nitrates Directive).

8.3 Traffic Safety

- 8.3.1 The third-party appellants outline concerns that the visibility splay to the north of the junction between the access to the appeal site and the local road (L-5314) are encumbered by existing hedging. This hedging is on third party land and there is no agreement in place for this hedging to be removed to facilitate the visibility splay.
- 8.3.2 I note that the Planning Authority has stated that details submitted during the course of the application coincide with the layout approved under Reg. Ref. 12/60143 whereby it was previously established no third-party consent was required in respect of same and have been conditioned accordingly with timeframe referenced.
- 8.3.3 I refer the Coimisiún to Drawing No. 23-057-02 'Site Layout' which shows that the existing access is proposed to be moved in a southerly direction. This arrangement was approved under the previous application related to this development. Drawing No. 23-057-02 'Site Layout' states that the entrance will be realigned as per planning permission Reg. Ref. 12/60142 and that these works will be completed within 3 months of the date of the final grant of planning permission.
- 8.3.4 Table 16.5 of the *Donegal County Development Plan 2024-2030* sets out vision lines at accesses to non-national rural roads, outside the 60km speed limit. In this regard, I make the Coimisiún aware that there is a rural speed limit sign on the local road to the front of the site (black circle with diagonal black lines) which indicates a maximum speed of 60 km/h is permitted on this road. On the face of this, vision lines of 90m would be required in both directions as set out in Table 16.5 of the *Donegal County Development Plan 2024-2030* and not 70m as previously considered to be acceptable under Reg. Ref. 12/60142. In this regard I note that the report of the Roads and Transportation Planning Report Form as submitted as a response to the receipt of Further Information highlights that a vision line of 90m is required. I have concerns that a sightline of 90m in both directions could not be achieved in this case, even considering the relocation of the access.
- 8.3.5 Notwithstanding this, it would appear to me that vision lines set out in Table 16.5 of the *Donegal County Development Plan 2024-2030* does not consider the TII

publication 'Rural Road Link Design' (DN-GEO-03031) published by TII in May 2023. Table 1.3 of this document outlines that the desirable minimum stopping site distance for a road with a speed limit of 60km is 90m. However, one step below the desirable minimum stopping sight distance is 70m. Section 1.8 of the Rural Road Link Design' (DN-GEO-03031) states that designs with at least Desirable Minimum standards will produce a high standard of road safety and should be the initial objective. However, the level of service may remain generally satisfactory, and a road may not become unsafe where these values are reduced.

- 8.3.6 I also refer the Coimisiún to the TII publication Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) (DN-GEO-03060). Table 5.4 details the X-distances on the minor road for visibility measurements and Table 5.5 details the required Y-distances on such roads. Table 5.4 outlines a relaxed 'X' distance of 2.0m with Table 5.5 outlining a 'Y' distance of 90m. The submitted layout plan shows an 'X' distance of 2.4m which complies with DN-GEO-03060, however the proposed 70m 'Y' distance would not comply, however I refer the Coimisiún to Section 1.4.1 of DN-GEO-03060 which outlines that in difficult circumstances, the Designer may relax a standard set out in this document, where specifically provided for within the text (refer to DN-GEO-03031) As discussed above. DN-GEO-03031 outlines that one step below the desirable minimum stopping sight distance is 70m and therefore the proposal complies.
- 8.3.7 While I note the concerns of the third party, I have considered the plans submitted by the applicant and I note that the plans submitted align with the road layout permitted under Reg. Ref. 12/60142. I have considered this arrangement in light of TII publication 'Rural Road Link Design' (DN-GEO-03031) and Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) (DN-GEO-03060) both published by TII in May 2023 and I satisfied that the realigned entrance would achieve adequate sightlines and geometric design and would not comprise of a traffic hazard. I am further satisfied that the relocated entrance would not require the removal of hedging on third party land.
- 8.3.8 I note that the layout plan submitted by the applicant at Further Information stage does not indicate sightlines. This matter could be dealt with by way of condition requiring

the applicant to provide a layout plan with sightlines of 70m to be agreed in writing with the Planning Authority, should the Coimisiún be of a mind to grant planning permission.

8.4 Wastewater Treatment-New issue

- 8.4.1 By way of response to Further Information the applicant confirmed that new septic tank and polishing filter had been installed in accordance with the recommendations of the Site Assessment submitted with the planning application Ref 12/60142. It is noted that this arrangement was to facilitate the proposed new development of a museum, demonstration and exhibition area, coffee shop, and offices.
- 8.4.2 In the first instance, I make the Coimisiún aware that the Site Assessment Report submitted by way of a response to Further Information was not updated to take account of the requirements of the EPA Code of Practice, Domestic Wastewater Treatment Systems (2021). In addition to this, while the site layout plan does show the general location of the treatment plant and percolation area, it does not provide sufficient detail for me to be satisfied that the proposal would comply with the setbacks set out in the EPA Code of Practice, Domestic Wastewater Treatment Systems (2021). In addition to this, I note that there was no response from the Environmental Health Officer of Donegal County Council on file.
- 8.4.3 Having considered the foregoing, while I note that the Wastewater Treatment System is in place and that the applicant has clearly stated the system is operating in line with the Site Assessment Report prepared by TecSoil associated with the previous application on the land, I am of the opinion that it is not possible to ascertain whether the installed effluent treatment system and polishing filter is suitable in this instance or complies with the EPA Code of Practice, Domestic Wastewater Treatment Systems (2021).
- 8.4.4 Therefore, while I do not have any overall concerns with respect to the proposed development *per se*, I have serious concerns that the application and appeal lack sufficient detail with respect to the disposal and treatment of wastewater and given that I am unable to verify that the wastewater treatment system complies with relevant EPA guidelines, I consider the proposal to be prejudicial to public health. In this regard, I recommend that planning permission be refused for the proposed development.

8.4.5 However, this is a new issue, and the Coimisiún may wish to seek the views of the parties in this regard.

8.4.6 In the event that the Coimisiún considers that the proposed development should be granted, a condition regarding the requirements of the wastewater treatment system should be included.

8.5 Flooding

8.5.1 I have consulted the flood mapping system (www.floodinfo.ie) and I note that the subject land is within Flood Zone 'C'.

8.5.2 Having considered all the foregoing; I consider the proposed development would not result increase the risk of flood either within the site itself or the surrounding area. The proposal is acceptable from a flood risk perspective.

9 AA Screening

9.1 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The proposed development is located within a rural area of County Donegal and comprises of a 1.5 storey building to be used as a visitor centre including a café, gift shop, classroom and storage area, a hay barn and a storage shed and paddocks.

9.2 The subject site is not located within or adjacent to a European Site. The nearest designated sites are the Lough Swilly SAC (Site Code: 002287) which is located c. 5.4km to the north-west of the site and the Lough Swilly SPA (Site Code: 004075) which is located c. 6km to the north-west of the site.

9.3 In addition to this, the River Finn SAC (Site Code: 002301) which is located c.6.3km to the south-east of the site. The Lough Swilly Including Big Isle, Blanket Nook & Inch Lake is pNHA (Site Code: 000166) is located c.4.3km to the north-west of the site and the River Foyle, Mongavlin to Carrigans pNHA (Site Code: 002067) is located c. 7km to the south-east of the site.

- 9.4 There is no hydrological link between the subject site and the European sites.
- 9.5 Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.5 This determination is based on:
- The nature, scale, and location of the development.
 - The intervening land uses between the subject site and the European site.
 - The distance between the appeal site and European site and the absence of hydrological or other ecological pathways to any European site.

10 Water Framework Directive

- 10.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.
- 10.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a deterioration in water quality.
- 10.3 The ST JOHNSTON_010 (IE_NW_01S010280) is c. 552m to the north-east of the site and the LESLIE HILL STREAM_020 (IE_NW_39L050660) is located c.684m to the west of the site. The ST JOHNSTON_010 (IE_NW_01S010280) is classified as 'not-at-risk' ecological status and the LESLIE HILL STREAM_020 (IE_NW_39L050660) is classified as 'at-risk' ecological status. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/>).
- 10.4 I have assessed the proposal and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning

both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.5 The reason for this conclusion is as follows:

- The scale of the proposed development, and
- The distance between the appeal site and the River Waterbodies.

11 Recommendation

11.1 I recommend that planning permission be refused for the following reasons and considerations:

12 Reasons and Considerations

1. Given the discrepancies and lack of detail submitted with the planning application and the appeal in respect to the proposals for the disposal and treatment of wastewater on site, the Coimisiún is not satisfied that effluent from the development can be satisfactorily treated and disposed of on site. The development would be prejudicial to public health and would, therefore, be contrary to proper planning and sustainable development of the area.

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.”

Ronan Murphy
Planning Inspector

23 July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501240-DL-26
Proposed Development Summary	A 1.5 storey building to be used as a visitor centre including a café, gift shop, classroom and storage area, a hay barn and a storage shed and paddocks.
Development Address	Castledooey, Manorcunningham, 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?	☐ Yes, it is a 'Project.' Proceed to Q.2.
	☒ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ 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?	

☒ No, the development is not of a Class Specified in Part 2, Schedule 5, or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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)?	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Appendix 2: Standard AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects				
Case Reference Number: PL-501240-DL-26				
Step 1: Description of the project and local site characteristics A 1.5 storey building to be used as a visitor centre including a café, gift shop, classroom and storage area, a hay barn and a storage shed and paddocks. The appeal site is a residential site with a rural area which includes several single, one-off dwellings.				
Brief description of development site characteristics and potential impact mechanisms		An existing donkey sanctuary including paddocks, stables, yard, and separate residential dwelling.		
Screening report		No		
Natura Impact Statement		No		
Relevant submissions		No third-party submissions raised specific concerns in terms of impacts on the European Sites.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Lough Swilly SAC (site code: 002287)	Estuaries [1130] Coastal lagoons [1150] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Molinia meadows on calcareous, peaty, or clayey-silt-laden soils (Molinion caeruleae) [6410]	c.5.4km to the north-west	No, no hydrological connection from the appeal site	No

	Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Phocoena phocoena (Harbour Porpoise) [1351] Lutra lutra (Otter) [1355]			
Lough Swilly SPA (Site Code: 004075)	Great Crested Grebe (Podiceps cristatus) [A005] Grey Heron (Ardea cinerea) [A028] Whooper Swan (Cygnus cygnus) [A038] Greylag Goose (Anser anser) [A043] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Mallard (Anas platyrhynchos) [A053] Scaup (Aythya marila) [A062] Goldeneye (Bucephala clangula) [A067] Red-breasted Merganser (Mergus serrator) [A069] Coot (Fulica atra) [A125] Oystercatcher (Haematopus ostralegus) [A130] Knot (Calidris canutus) [A143] Dunlin (Calidris alpina) [A149] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Greenshank (Tringa nebularia) [A164] Black-headed Gull (Chroicocephalus ridibundus) [A179]	c.6km to the north-west	No, no hydrological connection from the appeal site	No

	Common Gull (Larus canus) [A182] Common Tern (Sterna hirundo) [A193] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wigeon (Mareca penelope) [A855] Shoveler (Spatula clypeata) [A857] Sandwich Tern (Thalasseus sandvicensis) [A863] Wetland and Waterbirds [A999]			
River Finn SAC (Site Code: 002301)	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Northern Atlantic wet heaths with Erica tetralix [4010] Blanket bogs (* if active bog) [7130] Transition mires and quaking bogs [7140] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]	c.6.3km to the south-east of the site	No, no hydrological connection from the appeal site	No
No	Likelihood of significant effects from proposed development (alone): N			
None	If no, is there likelihood of significant effects occurring in combination with other plans or projects? N			
Step 4: Conclude if the proposed development could result in likely significant effects on a European site. I conclude that the development (alone / in combination with other plans and projects) does not result in likely significant effects on a European site. No mitigation measures are required to come to this conclusion.				
Screening Determination				

In accordance with Section 177U of the Planning and Development Act 2000, as amended, I conclude that the development individually or in combination with other plans or projects does not give rise to significant effects on the Lough Swilly SAC (site code: 002287), the Lough Swilly SPA (Site Code: 004075), the River Finn SAC (Site Code: 002301) or any other European site, in view of the sites Conservation Objectives, an Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relatively modest scale of the development and lack of impact mechanisms that could significantly affect a European site,
- The lack of any hydrological connection with any of Natura 2000 sites
- Consideration of the conservation objectives of:
Lough Swilly SAC (site code: 002287), the Lough Swilly SPA (Site Code: 004075) and the River Finn SAC (Site Code: 002301).

Appendix 3: Water Framework Directive Screening and Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	PL-501240-DL-26	Townland, address	Castledooley, Manorcunningham, Lifford PO, Co. Donegal
Description of project		A 1.5 storey building to be used as a visitor centre including a café, gift shop, classroom and storage area, a hay barn and a storage shed and paddocks.	
Brief site description, relevant to WFD Screening		The appeal site is located in a rural area of County Donegal which is interspersed with one off dwellings. The appeal site which has a stated area of c. 3.730ha and is currently used as a Donkey Sanctuary which includes a number of paddocks, a yard with stables, an area for car parking and a separate dwelling.	
Proposed surface water details		To existing land drain	
Proposed water supply source & available capacity		Public water supply	
Proposed wastewater treatment system & available capacity, other issues		Discharge to WWTP	
Others?		The site is not within a Flood Zone.	

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 run-off, drainage, groundwater)
River Waterbody		c.552m	ST JOHNSTON_010 (IE_NW_01S010280)	Not at risk	Moderate	None identified	Surface water run-off.
River Waterbody		c.684m	LESLIE HILL STREAM_020 (IE_NW_39L050660)	At risk	Moderate	None identified	Surface water run-off
Groundwater Waterbody		Below grounds	Manor Cunningham (IE_NW_G_052)	Good	Not at risk	None identified	Groundwater
Step 4: 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.							
Operational 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.
3.	Surface	ST JOHNSTON_010 (IE_NW_01S010280)	Surface water discharged to watercourse	Sedimentation, Siltation due to construction, Hydrocarbon spillages/leaks from machinery, plant	Standard construction practice CEMP & SUDS which will reduce run-off volumes and	No. I am satisfied that surface water, in principle, could be adequately managed on	Screened out.

					improve run-off water quality	site and that there will be no significant pollution risks to any surface waterbody.	
	Surface	LESLIE HILL STREAM_020 (IE_NW_39L0 50660)	Surface water discharged to watercourse	Sedimentation, Siltation due to construction, Hydrocarbon	Standard construction practice CEMP & SUDS which will reduce run-off volumes and improve run-off water quality	No. I am satisfied that surface water, in principle, could be adequately managed on site and that there will be no significant pollution risks to any surface waterbody.	Screened out
4.	Ground	Manor Cunningham (IE_NW_G_05 2)		Wastewater from the proposed development will be discharged via a septic tank and polishing filter	Conditions to ensure that the Wastewater Treatment facility maintained to appropriate EPA standards.	No, no mitigation required.	Screened out.
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A