



An
Bord
Pleanála

Board Direction
BD-005538-20
ABP-306086-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/03/2020.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the soil and ground conditions noted on site, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.
2. On the basis of the information provided with the application and appeal particularly in relation to the infilling of the site, the efficacy of the proposed wastewater treatment system and in relation to the presence/absence of hydrological connections to European Sites and in the absence of an Appropriate Assessment Screening Report or Natura impact statement, the Board cannot be satisfied that the development, individually, or in combination with other plans or projects, would not be likely to have a significant effect on European site no. 002176 (River Leannan SAC), in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

Note: It is considered that insufficient evidence of a demonstrable economic or social need to live in this rural area has been provided as required under Policy RH-P-3 of the Donegal County Development Plan 2018-2024 and National Objective 19 of the National Planning Framework. Thus, the proposed development would contribute to the encroachment of rural development in this area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area. However, the Board considered that this was a new issue and decided not to pursue this issue in the light of the substantial reasons for refusal set out above.

Board Member

Date: 27/03/2020

Maria FitzGerald