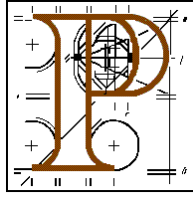


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2006

Donegal County

Planning Register Reference Number: 06/50818

An Bord Pleanála Reference Number: PL 05C.219199

APPEAL by Declan McGettigan of McMenamin Leadley Partnership of New Line House, New Line Road, Letterkenny, County Donegal against the decision made on the 28th day of July, 2006 by Donegal County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a single private dwelling with integrated garage and connection to sewage treatment plant at Cratlagh, Milford, County Donegal in the townland of Cratlagh.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

1. The site is located in an area described as being under strong urban influence in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, the objective of which is to facilitate the housing requirements of the rural community while directing other development to towns and villages. Having regard to the provisions of the said Guidelines and the current Donegal County Development Plan, it is considered that the applicant has not demonstrated a genuine rural housing generated need at this location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would constitute undesirable haphazard development in a rural area lacking certain public services and community facilities. The proposed development would, therefore, give rise to demands for the provision of further public services and community facilities and would be contrary to the proper planning and sustainable development of the area.
3. It is considered that, by reason of its scale and bulk, the proposed two-storey house would be visually obtrusive in this open rural area which is characterised by single-storey houses. The proposed house would, therefore, be contrary to the proper planning and sustainable development of the area.
4. Having regard to the soil conditions and high water table, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the site can be drained satisfactorily by means of a septic tank, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2007.