



An
Bord
Pleanála

Board Direction
BD-002561-19
ABP-302899-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/03/2019.

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

Reasons and Considerations

1. Donegal County Development Plan 2018-2024 requires entrance arrangements to be in accordance with the standards set out in Appendix 3 to Part B of the Development Plan. Having regard to the additional use of an existing access in a shared arrangement and the location of the proposed vehicular entrance/egress to serve the house at an existing substandard access onto the national road, it is considered that given the restricted sightlines to the northeast, where traffic turning movements generated by the development would interfere with the safety and free flow of traffic along the public road, the proposed development would endanger public safety by reason of traffic hazard and would be contrary to policy outlined in Section 2.5 of the Spatial Planning and National Roads, Guidelines for Planning Authorities (2012), which aims to avoid the generation of increased traffic from existing accesses to national roads where speed limits of greater than 60km/hr apply. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the ground, soil and subsoil conditions observed on the

site with shallow peat cover over compacted sands, gravels and silts and extensive water ponding evident on site, the Board is not satisfied that the site is suitable for the treatment and disposal of domestic foul effluent in accordance with the 'Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)', 2009 and subsequent clarifications issued by the Environmental Protection Agency. The proposed development would, therefore, be prejudicial to public health.

3. On the basis of the information submitted with the planning application and the appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Fawnboy Bog/Lough Nacung cSAC (Site Code: 000140), or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

Board Member

Date: 12/03/2019

Terry Ó Niadh