

**An  
Bord  
Pleanála**

**Board Direction  
BD-010455-22  
ABP-311398-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/03/2022.

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

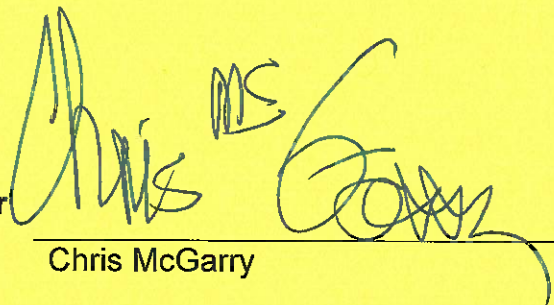
### **Reasons and Considerations**

1. Having regard to the soil conditions on site, including the peat soils in the area of the proposed percolation area, the Board is not satisfied, on the basis of the information submitted with the planning application and appeal, that effluent from the development can be satisfactorily treated or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. In this regard, the development for which retention permission is sought and the proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The development for which retention permission is sought and the proposed development is located in an area designated as Especially High Scenic Amenity in the County Donegal Development Plan 2018-2024 for the area. The Development Plan recognises the extremely limited capacity of these landscapes to assimilate additional development and records policies to protect these areas from intrusive and/or unsympathetic development. This objective is considered reasonable. It is considered that the construction of the proposed house on this site would introduce further built development into

the largely open and undeveloped character of the coastal landscape, would adversely affect the character of the area, would be to the detriment of the high scenic amenity of the area and would be contrary to the objectives of the Development Plan. The development for which retention permission is sought and the proposed development would therefore, contrary to the proper planning and sustainable development of the area.

**Note:** the Board noted the commentary of the Inspector that she was not satisfied the development would comply with the relevant policies of the County Development Plan in respect of rural housing need and considered that this issue would, ordinarily warrant further consideration and information to enable a determine as to whether the applicant has a demonstrable economic or social need to live at this specific rural location. However, given the substantive reasons for refusal as set out above, it was decided not to pursue this matter further under the current appeal.

Board Member



Chris McGarry

Date: 05/04/2022