



An
Bord
Pleanála

Board Direction
BD-010786-22
ABP-311703-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/05/2022.

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 Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in April 2005 which states that "the key to protecting water quality in the context of providing new dwellings in un-sewered rural areas is ... avoiding sites where it is inherently difficult to provide and maintain such facilities", the Board noted the sloping nature of the topography of the site, the evidence for a high-water table in the area and the inadequate detail on the file in relation to the proposed polishing filter for the waste water treatment system and the surface water drainage proposals for the site, and was not satisfied that the proposed development would not be prejudicial to public health. The proposed development would not therefore be in accordance with the proper planning and sustainable development of the area.
2. Having regard to the topography of the site, the elevated positioning of the proposed dwelling, together with its elongated form and the scale and the resulting extensive access driveway, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape

at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the advice on the location, siting and design of new rural dwelling houses provided for in Policy RH-P-1 and Appendix 4 of the County Donegal Development Plan 2018-2024 and would not be in accordance with the proper planning and sustainable development of the area.

3. Notwithstanding the applicant's submission of a Woodland Management Plan, and noting the attractive woodland nature of the site and the extent of trees on the appeal site, as well as the insufficient detail on the layout plan regarding the canopy spread and probable extent of the root systems, the Board was not satisfied that the proposed development could be constructed and inserted into this site without having an unacceptable adverse impact on existing trees on the site. The Board considered that the proposed development would not represent "a sensitive building intervention which sits harmoniously within its environs" and considered that the proposed development would be contrary to the Design Guide for Building a House in Rural Donegal as set out in Appendix 4 of the County Development Plan.

Note: In considering the proposed development, the Board also had regard to the Policy RH-P-3 on rural housing in the County Donegal Development Plan 2018-2024, to the Sustainable Rural Housing Guidelines (2005), and to NPO 19 of the National Planning Framework (February 2018) and was not satisfied, based on the information on the file, that the applicant had a demonstrable economic or social need to live in this rural area. However, the Board considered that this was a new issue but in the context of the substantive reasons for refusal set out above, decided not to pursue this issue in the context of this appeal.

Board Member

Maria FitzGerald

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Date: 26/05/2022

