

An
Bord
Pleanála

Board Direction
BD-014344-23
ABP-314342-22

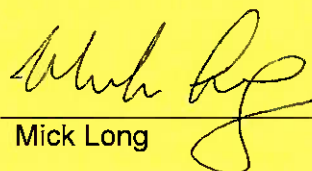
The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/10/2023.

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 site's proximity and direct hydrological connection to the Lough Swilly Special Area of Conservation (Site Code: 002287) and the Lough Swilly Special Protection Area (Site Code: 004075), on the basis of the information provided with the planning application and the appeal, the Board is unable to ascertain that the development proposed to be retained would not adversely affect the integrity of a European site. In such circumstances, the Board is precluded from granting permission for the development proposed to be retained.
2. The Board was not satisfied that the development proposed to be retained, has not been shown to serve any agricultural use of the applicant's land and will not in and of itself enable further landfilling, has not been adequately justified and would result in the encroachment of random development in the rural area, contrary to policy NH-P-7 of the current development plan for the area, which seeks to facilitate development of a nature, location and scale that integrates within and reflects the character and amenity designation of the landscape. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member


Mick Long

Date: 26/10/2023