

An
Bord
Pleanála

Board Direction
BD-014392-23
ABP-314955-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/10/2023.

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 location of the site in an area under strong urban influence, as set out in the Donegal County Development Plan 2018-2024,
- The provisions of Policy RH-P-5 of the development plan, which requires applicants for new one-off rural housing in areas under strong urban influence to have a demonstrated housing need in the area,
- National Policy Objective 19 of the National Planning Framework which, for rural areas under urban influence seeks to facilitate rural housing proposals based on the core consideration of demonstrable economic or social need to live in the rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements, and
- The documentation on file provided as part of the application and appeal.

The Board considers that, in the absence of a demonstrated housing need at this location, the proposed development would result in a haphazard and unsustainable form of development, would contribute to the encroachment of

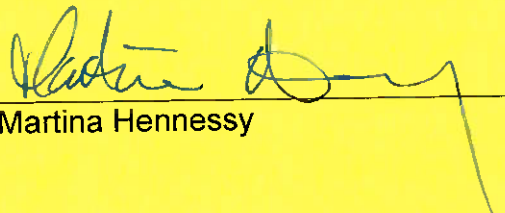
random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the ground conditions encountered on the site, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and appeal, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. In the absence of adequate treatment of wastewater on the site, the proposed development would be prejudicial to public health.

Note:

The Board noted the inclusion of works outside the red line boundary as part of the proposed development, a matter which was raised as part of the appeal. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue this matter under the current appeal.

Board Member



Martina Hennessy

Date: 01/11/2023