

An  
Bord  
Pleanála

**Board Direction**  
**BD-015071-24**  
**ABP-315187-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/01/2024.

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 Donegal County Development Plan 2018-2024, original application and further information submitted to the planning authority by the applicant, the Board is not satisfied that sufficient information has been provided to fully assess specific aspects of the proposal including the following:
  - Efficacy of the current wastewater treatment system, pumping system and percolation area on site, including details of on-going maintenance arrangements, to ensure the proposed development can be adequately serviced.
  - Drainage arrangements including the attenuation and disposal of surface water.
  - Delivery of a link footpath along the northern side of the L3571 between the site and the existing footpath to the east or a comparable pedestrian facility, as conditioned under the parent permission 05/4780.

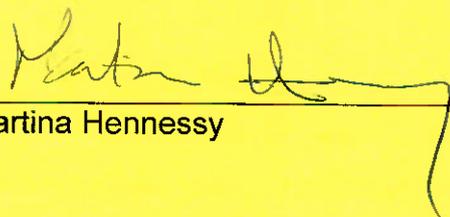
In these circumstances it would be premature for the Board to determine the appeal, as, potentially, to do so would be seriously injurious to the amenities of future residents and would risk water quality in local watercourses and water

bodies. The proposal would thus be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and 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 result in adverse effects on the integrity of European sites 002287 and 004075, in view of the site's conservation objectives.
  - As submitted, the proposed development is not the subject of a construction management plan, which addresses the control of surface water run-off from the site into a watercourse that flows into the European sites. Likewise, as submitted, the proposed development is not the subject of a Sustainable Drainage System. Thus, during the construction and operational phases, water borne pollutants from the site may be conveyed to the European sites, thereby affecting water quality.
  - As submitted, the proposed development is not the subject of any confirmation that the percolation area has been properly installed, and this percolation area is the subject of a maintenance agreement, which expires in 2026. Thus, during the operational phase, water borne pollutants from the percolation area may be conveyed to the European sites, thereby affecting water quality.

In such circumstances, the Board is precluded from granting planning permission.

**Board Member**

  
Martina Hennessy

**Date:** 16/01/2024