



An
Bord
Pleanála

Board Direction
BD-015621-24
ABP-316224-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/02/2024.

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

Reasons and Considerations

1. It is considered that the proposed development would introduce a building and associated site works into a highly scenic area, designated as an area of High Scenic Amenity, that contributes significantly to the quality of the character of the landscape that has remained free from one-off houses and it is considered the proposal would fail to assimilate into the receiving landscape. It is also considered that to permit development in the proposed location would set an undesirable precedent for further one off housing to the south of the subject site with individual accesses onto the local road. It is considered that the proposed development would interfere negatively with the character and high quality of the landscape which is designated as an area of High Scenic Amenity and would cause a detrimental change to and further erode the rural character of the area, contrary to policies RH-P-1, RH-P-2 and NH-P-7 in the County Donegal Development Plan 2018-2024.
2. Having regard to the features and fauna on the subject site identified in the Ecological Report for Screening for Appropriate Assessment received by the Planning Authority on the 27th of February 2023, it is considered that the Site Characterisation Report received by the Planning Authority on the 27th of February 2023 does not reflect fully the identified features and fauna on the

site and does not provide sufficient detail in accordance with the Environmental Protection Agency Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), 2021. Accordingly, 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 and the incorporation of site drainage improvement works. The proposed development would, therefore, be considered prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

3. On the basis of the information provided with the application and in response to the 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 be likely to have a significant effect on the Sheephaven SAC Site Code 001190 in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission.

Board Member



Liam Bergin

Date: 28/02/2024