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**Board Direction**  
**BD-017506-24**  
**ABP-317353-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/09/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered having regard to the source - path - receptor chain, the scale and location of the development, and the information submitted by the applicant on the 12<sup>th</sup> day of April 2023, that it is reasonable to consider that that the development will not impact on water quality.

The Board concurred with the Inspector's assessment regarding the design amendments, the impact on adjoining property, and amendment to condition number 3 and condition number 10(a) of planning permission reference 19/51842.

The Board considered that the proposed development is compliant with the provisions of the Donegal County Development Plan 2024-2030, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Appropriate Assessment**

In completing the screening for Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment Screening and conclusions in the report submitted by the applicant, prepared by Greentrack Environment Consultants, in respect to the identification of the European sites which could potentially be affected and the identification and assessment of potential significant effects of the proposed development, either individually or in combination with other plans or projects. The Board was satisfied the proposed development would not be likely to have a significant effect on European Sites, the Hornhead and Rinclevan Special Area of Conservation (Site Code: 000147) or the Hornhead to Fanad Head Special Protection Area (Site Code: 004194) or any other European site, in view of the sites' conservation objectives.

This screening determination is based on the following: the source path receptor chain, the likely source of influence for adverse effects, the nature, small scale and location of the development, and the absence of mitigation. Therefore, a Stage 2 Appropriate Assessment is not required.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further particulars received by the Board on the 12<sup>th</sup> day of April 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All external finishes shall match those of the existing dwelling in terms of colour, texture and materials, or as otherwise agreed by the Planning Authority in writing.

Reason: In the interests of visual amenity.

3. (a) No surface water from site shall be permitted to discharge to public road and applicant shall take steps to ensure that no public road water discharges onto site.  
(b) Storm water/ Surface water disposal shall be piped to existing services onsite.

Reason: To prevent flooding and ensure the protection of waters.

4. Condition No's. 3 and 10 (a) as attached to grant of planning permission for parent dwelling Ref. No. 19/51842 shall cease to apply.

Reason: To define the permission.

5. Within three months of this order, optimum visibility splays shall be provided at the point of access onto the private road serving the subject dwelling. Visibility in the vertical plane shall be measured from a driver's eye- height of 1.05 metres and 2 metres positioned at the setback distance in the direct access to an object height of between 0.26 metres and 1.05 metres. Vision Splays shall be calculated and provided as per Figure 2 of Appendix 3 (Development Guidelines and Technical Standards) of Part B of the County Donegal Development Plan 2018-2024 (as varied).

Reason: In the interests of traffic safety.

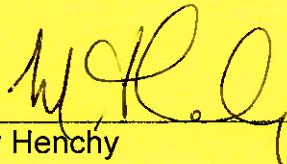
6. The extension to the polishing filter as proposed in the information submitted to the Board on the 12<sup>th</sup> of April 2024 shall be completed within 3 months of this order.



All aspects of the waste water treatment system as amended by way of this permission shall otherwise accord with the requirements of condition 10 (b)-(i) of Planning Reference Ref. No. 19/51842.

Reason: In the interest of Orderly Development and Public Health.

**Board Member**

  
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Mary Henchy

**Date:** 19/09/2024