



An
Coimisiún
Pleanála

Direction
CD-020556-25
ABP-322507-25

The submissions on this file and the Inspector's report were considered at a meeting held on 28/08/2025.

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

Planning

Commissioner:

Eamonn James Kelly

Date: 28/08/2025

Eamonn James Kelly

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. On the basis of the information provided with the planning application and the appeal, and in the absence of definitive findings and conclusions with regard to the implications of the proposed development for the Conservation Objectives and integrity of a European Site, the Commission is not satisfied that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of the Gweedore Bay and Islands Special Area of Conservation (Site Code: 001141). In such circumstances, the Commission is precluded from granting permission for the proposed development.

2. It is considered that, by reason of its position on the highest point of the site and location to the rear of a line of existing residential development, its elevated siting significantly above the roadway with resultant extensive access roadway, and its deep plan footprint and shallow roof pitch design, the proposed development would result in a visually intrusive development that would be detrimental to the visual amenities of this Area of Especially High Scenic Amenity, as designated in the County Donegal Development Plan 2024-2030. The Commission is not satisfied that it has been demonstrated that the proposed development is 'site led' and of an appropriate quality of design, having regard to the 'Rural Housing Local, Siting and Design Guidance' and Policy RH-P-9 of the development plan, that would integrate successfully into the landscape and would not cause further erosion of this Area of Especially High Scenic Amenity character. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. It is considered that, by reason of its backland position, proximity and elevated nature to the rear of the existing dwelling, the proposed development would have a detrimental impact on the existing residential amenities of the adjoining property by reason of a significant reduction in privacy of rear amenity space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note

The Commission noted the Inspector's assessment that further information is warranted from the applicant to demonstrate their circumstances of housing need; however, given the substantive reasons for refusal the Commission decided not to pursue this matter further at this time.