

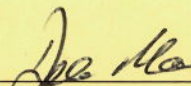
An
Coimisiún
Pleanála

Direction
CD-020989-25
ACP-322922-25

The submissions on this file and the Inspector's report were considered at a meeting held on 17/10/2025.

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

Planning Commissioner:


Declan Moore

Date: 21/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the nature and scale of the proposed development and the relevant policies contained within the County Donegal Development Plan 2024-2030, and there being no significant negative impact on residential amenity due to the absence of overlooking on the adjoining property, and noting that (potential) damage to property is a civil matter which lies outside the remit of the planning system, the proposed development would be in accordance with the proper and sustainable development of the area, subject to the conditions set out below.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, received by the planning authority on the 17th day of April 2025.

Reason: In the interests of clarity

2. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity.

3.
 - a. No surface water from site shall be permitted to discharge to the public road and the 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. The existing septic tank shall be decommissioned and removed under the supervision of a suitably qualified competent person who can verify same. This decommissioning shall be documented and submitted to the Planning Authority prior to completion of the development.

Reason: In the interests of public health.

5. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 17 April 2025 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) " – Environmental Protection Agency, 2021.

(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

(d) A gravel filled land drain shall be constructed around the perimeter of the sand polishing filter, set back at a distance of at least 2 metres in order to protect the area from surface water run-off from the higher ground on the site. This land drain shall connect to existing storm water drains.

(e) Any existing drainage ditches along the site borders and at the roadside shall be piped and back filled with 50mm clean graded stone. This shall not interfere with the discharge and distribution of surface water from the site.

Reason: In the interest of public health and to prevent water pollution.

6. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, off-site disposal of construction/demolition waste, and alternative methods of construction to avoid excessive rock breaking.

Reason: In the interest of public safety and amenity.

7. Site development and building works shall be carried out between the hours of 0800 to 1900 hours Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.