



An
Coimisiún
Pleanála

Commission Direction
CD-000589
PL-500048-DL

The submissions on this file and the Inspector's reports were further considered at a meeting held on 15 May 2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation in the report dated 7 May 2026, as indicated hereunder.

Planning Commissioner:

Tom Rabbette

Date:

20th day of May 2026

Draft Order

Reasons and Considerations

The proposed development in an area designated as an 'Area Under Strong Urban Influence' in the Donegal County Development Plan 2024-2030 is compliant with Policy RH-P-1 as outlined in the development plan. It is considered that, subject to compliance with the conditions as set out below, the proposed

development would not seriously injure the amenities of property in the vicinity, would be acceptable in terms of traffic safety, would not be prejudicial to public health, noting that it has been adequately demonstrated that the site is suitable for the disposal and treatment of effluent, and would be acceptable in terms of surface water drainage. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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. The proposed garage shall be omitted.

Reason: Having regard to the absence of any justification for the excessive scale of the garage, and in the interest of visual amenity.

3. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter. Prior to commencement of development, the

applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicants stated housing needs and that development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.

4. Prior to commencement of development, permanent visibility splays of 70 metres shall be provided in each direction to the nearside road edge at a point 2.4 metres back from the road edge at the location of the vehicular entrance.

Reason: In the interest of traffic safety.

5. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. The existing front grassed bank boundary shall be retained except to the extent that its removal is necessary to provide for the entrance to the site. Details of the proposed replacement front boundary shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interests of biodiversity and visual amenity.

7. (a) The entrance gates to the proposed development shall be set back not less than 2.4 metres from the edge of the public road. Boundary treatment forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed 1.1 metres in height.

(b) Sight distance triangles shall be maintained and kept free from vegetation or other obstructions that would reduce the minimum visibility required.

Reason: In the interest of road safety.

8. (a) The roof colour of the proposed house shall be blue-black, black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof.
- (b) The external walls shall be finished in neutral colours such as grey or off-white.
- (c) Stone cladding shall comprise natural local stone.
- (d) Window frames shall be finished in a neutral colour and comprise either powder coated aluminium, timber frame or non-white uPVC, unless otherwise agreed in writing with the planning authority prior to the commencement of development.
- (e) The external front door shall be of timber construction unless otherwise agreed in writing with the planning authority prior to the commencement of development.
- (f) All rainwater goods and soffit/fascia shall be dark in colour.

Reason: In the interest of visual amenity.

9. All service cables associated with the proposed development (such as electrical and telecommunications cables) shall be located underground.

Reason: In the interest of visual amenity.

10. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from

roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

11. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 8th day of August 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 wastewater treatment system shall be discharged to a percolation area 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 wastewater treatment system and associated works are constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

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

12. Prior to commencement of development, the developer shall enter into a water supply connection agreement with Uisce Éireann.

Reason: In the interest of public health.

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0700 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

14. All necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

15. 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.