

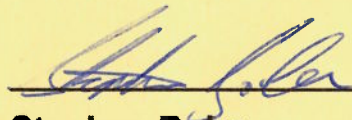
An
Coimisiún
Pleanála

Commission Direction
CD-001219
PL-501404-DL-26

The submissions on this file and the Inspector's report were considered at a meeting held on 04 September 2026.

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

Planning Commissioner:


Stephen Bohan

Date:

7th day of September 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the location of the site of the proposed development within an 'Area Under Strong Urban Influence' as identified in the *Donegal County Development Plan 2024-2030*, Policy RH-P-1 considers proposals

for new one-off rural housing within 'Areas Under Strong Urban Influence' from prospective applicants which can provide evidence of a demonstrable economic or social need to live in these areas. Having regard to the information provided by the application, it is considered that the applicant has not demonstrated either an economic or social need to live in the area. The proposed development, therefore, does not accord with the policy RH-P-2 of the *Donegal County Development Plan 2024-2030*. Accordingly, the proposed development would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the proximity of the appeal site to nearby European sites and the lack of information submitted with the application in this regard, including the full extent of groundworks, including those required to facilitate the proposed sewerage treatment system and the possibility of the associated effects of these works on the Lough Swilly SAC (site code: 002287) or the Lough Swilly SPA (Site Code: 004075) or any other European site the Commission cannot be satisfied that the proposed development, individually, or in combination with other plans and projects would not be likely to have an adverse effect on these European sites in view of the sites conservation objectives. There remains significant reasonable scientific doubt that the proposed development would not adversely impact on the integrity of the Lough Swilly SAC (site code: 002287) or the Lough Swilly SPA (Site Code: 004075) and other European sites, and these matters cannot be addressed by way of planning conditions. In such circumstances, the Commission is currently precluded from granting permission.

[Note:

The proposed development is located outside the settlement boundary of Fahan where the existing wastewater treatment plant is indicated as having potential spare capacity in Uisce Eireann's Wastewater Treatment Capacity Register (April 2026). It is therefore considered that the proposed development would be premature having regard to the existing capacity constraint of the sewerage facilities and the unprescribed time period within which these capacity constraints might reasonably be expected to cease or be resolved. However, given the substantive reasons for refusal set out above, it was decided not to pursue these matters in the context of the current appeal.]