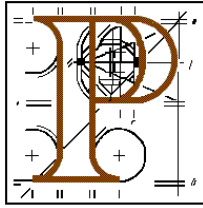


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Donegal County

**Planning Register Reference Number: 15/51044**

An Bord Pleanála Reference Number: PL 05E.246399

**APPEAL** by An Taisce of The Tailors' Hall, Back Lane, Dublin against the decision made on the 10<sup>th</sup> day of March, 2016 by Donegal County Council to grant subject to conditions a permission to Katie Ní Ghallachóir care of Moneybeg Planning and Engineering Limited of Dunlewey, Gweedore, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** An teach cónaithe atá tréigthe ar an suíomh a leagaint agus teach úr a thógail ina áit le dabhach searachais, istigh leis an iarratas tá Measnúchán Iombualadh Natura (Natura Impact Assessment) agus Ráiteas ag Mín Doire Dhamh, Na Doirí Beaga, Leitir Ceanainn, Contae Dhún an nGall.

## DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

1. Having regard to:

- policy RH-P-1 of the Donegal County Development Plan 2012-2018 which requires that proposals for individual dwellings shall be subject to the application of Best Practice in relation to the siting, location and design of rural housing as set out in Appendix B of the plan,
- the provisions of Appendix B of the Plan which require that a house in the countryside should, inter alia, integrate satisfactorily within the landscape, reflect its location and contribute satisfactorily to the character of the area and be well designed informed primarily by site specifics,
- the modest nature and extent of the traditional dwelling on site in comparison to the bulk, scale and mass of the proposed replacement dwelling which is of a suburban type design, and
- the extent of the proposed modifications to the landscape including the removal of woodland and vegetation and extensive site filling to facilitate the construction of the house on an expansive developed apron,

it is considered that the proposed development would be contrary to the provisions of policy RH-P-1 of the Donegal County Development Plan 2012-2018, would seriously injure the amenities of this sensitive rural area and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the proposals for an extensive surface water drainage system, and the construction and servicing of the proposed dwelling by a private effluent treatment system on soils of poor drainage characteristics, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. In view of the effluent treatment concerns, the Board also cannot be satisfied on the basis of the documentation on file, that the proposed development would not adversely affect the integrity of the adjacent European site in view of the site's conservation objectives. The proposed development would, therefore, be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.

---

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**