

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Donegal County

Planning Register Reference Number: 16/51355

An Bord Pleanála Reference Number: PL 05E.247571

APPEAL by Stephen Menarry of Cloughbolie, Ballyshannon, County Donegal and by John Menarry of Cloughbolie, Ballyshannon, County Donegal against the decision made on the 27th day of October, 2016 by Donegal County Council to grant subject to conditions a permission to Creevy and District Community Development Co-Operative Society Limited care of Allan Curran Architects Limited of 3 Mill Row, Donegal Town, County Donegal in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Erection of two number semi-detached dwelling houses with connection to existing effluent treatment unit and associated site works at Ballyshannon, County Donegal in the townland of Cloughbolie.

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. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development either individually, or in combination with other plans or projects, would not be likely to have a significant effect on European site Donegal Bay Special Protection Area (Site Code 004151), or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.
2. The Board is not satisfied, on the basis of the information submitted, that the proposed on-site effluent treatment and disposal system, in conjunction with the potential use of the adjacent boathouse, would not cause water pollution or be prejudicial to public health.

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

Dated this day of 2017.