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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 17/51686**

**APPEAL** by Jacinta Mussett care of John McCallum of Main Street, Milford, County Donegal against the decision made on the 21<sup>st</sup> day of December, 2017 by Donegal County Council to refuse permission.

**Proposed Development:** Erection of a dwellinghouse, garage, wastewater treatment system and percolation area and demolition of existing dwellinghouse and five number outhouses at Crislaghmore Townland, Fahan, Inishowen, County Donegal.

**Decision**

**REFUSE permission for the above proposed development in accordance with 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**

Having regard to the existing development on the site, which contributes to the architectural heritage and character of the rural area, and having regard to the policies of the Donegal County Development Plan 2018–2024 and the provisions of the Architectural Heritage Protection – Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in October, 2011 and notwithstanding the additional details that accompanied the appeal, it is considered that the proposed development, by reason of the loss of an existing range of buildings that are included within the National Inventory of Architectural Heritage (NIAH), the demolition of which has not been adequately justified by the applicant as being essential or exceptional, would detract from the character of the rural area, would materially contravene Policies BH-P-3 and BH-P-4 of the Donegal County Development Plan 2018–2024, which aim to maintain and reuse historic structures including those in the NIAH, and would be contrary to the Ministerial Guidelines as set out in the Architectural Heritage Protection – Guidelines for Planning Authorities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Philip Jones**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2018.**