



Planning and Development Acts 2000 to 2018

Planning Authority: Donegal County Council

Planning Register Reference Number: 18/51180

APPEAL by Patrick Joseph Sweeney of Greenhill, Letterkenny, County Donegal against the decision made on the 13th day of September, 2018 by Donegal County Council to grant subject to conditions a permission to Paul and Eileen Speer care of Morgan Architects of Unit 2a Riverside Office Park, Neil T Blaney Road, Letterkenny, County Donegal.

Proposed Development Construction of a new storey and a half dwelling house, detached garage, sewage treatment plant with sand polishing filter and all associated site works. A Natura Impact Statement (NIS) accompanies this application, all at Castlewray, Letterkenny P.O., 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:-

- (i) the location of the site within an "Area Under Strong Urban Influence" as identified in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April 2005,
- (ii) the location of the site in an area where housing is restricted to persons demonstrating local need in accordance with the Donegal County Development Plan 2018-2024, and
- (iii) National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February 2018, which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements,

it is considered that the applicant does not comply with National Policy Objective 19 and does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. Based on the information submitted with the planning application and appeal, the proposed development, which does not cater for locally derived housing needs, would conflict with the policies of the Development Plan and would be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.