



Planning and Development Acts 2000 to 2019

Planning Authority: Donegal County Council

Planning Register Reference Number: 19/50869

APPEAL by Daniel Arnold of Meenacahan, Inver, County Donegal against the decision made on the 7th day of November, 2019 by Donegal County Council to grant subject to conditions a permission to Paul Arnold care of Corner Stone Architecture of Front Street, Ardara, County Donegal.

Proposed Development Erect dwelling house with attached domestic garage, sewerage treatment system and all associated site development works at Meenacahan, Inver, 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

1. Having regard to the soil conditions on site, 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. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. On the basis of the information provided with the application and appeal, including the Natura Impact Statement, and in light of the assessment carried out, the Board is not satisfied that the proposed development, either individually or in combination with other plans or projects, would not adversely affect the integrity of European Site Numbers 004110 and 00165 (Lough Nillan Bog Special Protection Area and Lough Nillan Bog (Carrickatlieve) Special Area of Conservation) in view of the site's conservation objectives. In such circumstances the Board is precluded from granting permission.

3. Having regard to the location of the access/egress point onto a regional road served by a continuous white line and where the speed limit of 80 km/h applies, it is considered that the introduction of an additional dwelling would result in the material intensification of traffic movements at this access/egress point onto the public road network, which would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

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

Dated this day of 2020.