



Planning and Development Acts 2000 to 2020

Planning Authority: Donegal County Council

Planning Register Reference Number: 20/50943

APPEAL by John McFeely of Campbellstown, Letterkenny, County Donegal against the decision made on the 3rd day of December, 2020 by Donegal County Council to grant subject to conditions a permission to Shaun McGinley care of McGinley Architectural Design of 73 Ashfield, Letterkenny, County Donegal.

Proposed Development: Construction of a two-storey dwelling, domestic garage and treatment system with polishing filter at Deenystown, Letterkenny, 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. Taken in conjunction with existing development in the area, the proposed development would constitute an excessive density of suburban type development in a rural area that is under strong urban influence. The development, if permitted, would result in the expansion and consolidation of a suburban pattern of ribbon development in the rural area, would further erode the rural character of the area and would be contrary to the provisions of Policy RH-P-2 of the County Donegal Development Plan 2018-2024 and would be contrary to the relevant provisions of the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to 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, wherein it is policy to distinguish between urban-generated and rural generated housing need, and having regard to National Policy Objective 19 of the National Planning Framework in relation to rural areas under urban influence, which states that it is policy 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 has not demonstrated that he comes within the scope of the housing need criteria as set out in the Guidelines and has not demonstrated an economic or social need to live in this rural area in accordance with national policy.

Notwithstanding the rural housing provisions of the County Donegal Development Plan 2018-2024, the proposed development, by itself and the precedent it would set for further development in a rural area under strong urban influence, would be contrary to the provisions of the 2005 Guidelines and National Policy Objective 19 of the National Planning Framework, and, accordingly, 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 2021