

Planning and Development Acts 2000 to 2021

Planning Authority: Donegal County Council

Planning Register Reference Number: 21/51099

APPEAL by Daniel Arnold of Meenacahan, Inver, County Donegal against the decision made on the 22nd day of July, 2021 by Donegal County Council to grant subject to conditions a permission to Órlaith Nic Suibhne and Pól Mac Árnóide care of Corner Stone Architecture of Front Street, Ardara, County Donegal in accordance with plans and particulars lodged with the said Council.

Proposed Development: Is é a bheas san fhorbairt ná teach cónaithe le garaiste baile ceangailte agus córas cóireala searachais. Béidh Raiteas Tionchar Natura (NIS) mar pháirt don iarratas at Mínacatan, Inbhear, Contae Dhún na nGall.

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 and the incorporation of site improvement works on the subject site which seek to improve the overall percolation characteristics of the site. 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 individually, or in combination with other plans or projects, would not adversely affect the integrity of the Lough Nillan Bog (Carrickatlieve) Special Area of Conservation (Site Code: 000165) in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting planning 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/hour applies, it is considered that the introduction of an additional dwelling would result in a material intensification of traffic movements at this access/egress point onto the public road network, which would endanger public safety by reason of a traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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



Dated this ^{1st} day of *February* 2022.