

An
Bord
Pleanála

Board Order
ABP-314342-22

Planning and Development Acts 2000 to 2021

Planning Authority: Donegal County Council

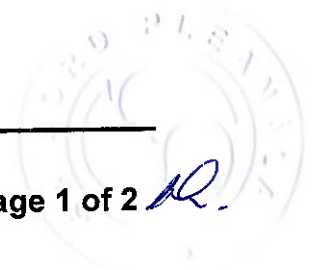
Planning Register Reference Number: 22/50941

APPEAL by John A. McLaughlin of Crislamore, Burnfoot, County Donegal against the decision made on the 21st day of July, 2022 by Donegal County Council to grant subject to conditions a permission to Joseph Toland care of MG Architects and Valuers of Millbrae House, Lower Main Street, Buncrana, County Donegal.

Proposed Development: Retention of hardcore yard and all associated site works at Crislaghmore, Burnfoot, County Donegal.

Decision

REFUSE permission for the above development for the reasons and considerations set out below.



Reasons and Considerations

1. Having regard to the site's proximity and direct hydrological connection to the Lough Swilly Special Area of Conservation (Site Code: 002287) and the Lough Swilly Special Protection Area (Site Code: 004075), on the basis of the information provided with the planning application and the appeal, the Board is unable to ascertain that the development proposed to be retained would not adversely affect the integrity of a European site. In such circumstances, the Board is precluded from granting permission for the development proposed to be retained.
2. The Board was not satisfied that the development proposed to be retained, has not been shown to serve any agricultural use of the applicant's land and will not in and of itself enable further landfilling, has not been adequately justified and would result in the encroachment of random development in the rural area, contrary to policy NH-P-7 of the current development plan for the area, which seeks to facilitate development of a nature, location and scale that integrates within and reflects the character and amenity designation of the landscape. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.


Mick Long

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

Dated this ^{7th} day of November 2023