

An
Bord
Pleanála

Board Order

ABP-314955-22

Planning and Development Acts 2000 to 2021

Planning Authority: Donegal County Council

Planning Register Reference Number: 21/52578

Appeal by Paul McLaughlin of Umrycam, Buncrana, County Donegal against the decision made on the 29th day of September, 2022 by Donegal County Council to grant permission, subject to conditions, a permission to Peter Bradley care of North West Modern Designs of 42 Marian Park, Buncrana, County Donegal.

Proposed Development: (a) Retention of access road and (b) permission for erection of a dwelling with effluent treatment plant, access via existing access road and all associated site development works at Umrycam, Buncrana, County Donegal.

Decision

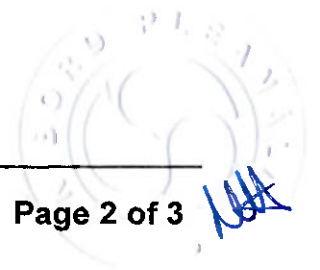
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to: -

- (a) The location of the site in an area under strong urban influence, as set out in the County Donegal Development Plan 2018-2024 (As Varied),
- (b) The provisions of Policy RH-P-5 of the development plan, which requires applicants for new one-off rural housing in areas under strong urban influence to have a demonstrated housing need in the area,
- (c) National Policy Objective 19 of the National Planning Framework which, for rural areas under urban influence seeks to facilitate rural housing proposals based on the core consideration of demonstrable economic or social need to live in the rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements, and
- (d) The documentation on file provided as part of the application and appeal.

The Board considers that, in the absence of a demonstrated housing need at this location, the proposed development would result in a haphazard and unsustainable form of development, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



2. Having regard to the ground conditions encountered on the site, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and 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. In the absence of adequate treatment of wastewater on the site, it is considered that the proposed development would be prejudicial to public health.



Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this 10th day of November 2023