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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 22/51455**

**APPEAL** by Wilson's Creek Residents' Association care of Aglet Architecture of Bushy Island Cottage, Ballysheedy, County Limerick against the decision made on the 20<sup>th</sup> day of October, 2022 by Donegal County Council to grant subject to conditions a permission to Felix Gillespie care of William Donoghue and Associates of Main Street, Mountcharles, County Donegal.

**Proposed Development:** The development will consist of the following: (1) demolition of existing derelict dwellinghouse and associated outbuilding. (2) Removal of existing substructure of dwellinghouse approved under planning register reference numbers 13/51104 and 14/50934. (3) Erection of four number detached two-storey dwellings with effluent treatment systems and (4) all associated site works at Wilsons Creek Housing Development, Donegal Town, County Donegal in the townland of Rossylongan.

**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 the confined nature of the site, the proposed location of domestic wastewater treatment systems and absence of comprehensive information on the arrangements for drainage of surface water and foul water in the wider area, the Board is not satisfied that the arrangements for the disposal of effluent are satisfactory or that the applicant has demonstrated that the site can be adequately drained. The proposed development would, therefore, be prejudicial to public health.
2. On the basis of the information provided with the application and appeal and in the absence of further information in respect of the arrangements for the arrangements for the disposal of surface and foul water and of a Natura Impact Statement (which refers to mitigation measures during construction), the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on European sites – the Donegal Bay (Murvagh) Special Area of Conservation (Site code 000133) and the Donegal Bay Special Protection Area (Site code 004151), or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.



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Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 26 day of October 2023.