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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 22/52087**

**APPEAL** by Desmond McDaid of Drumenan, New Mills, Letterkenny, County Donegal against the decision made on the 27<sup>th</sup> day of April, 2023 by Donegal County Council to grant subject to conditions a permission to Gerard Friel care of LL Architecture of 46 Carraig Croabh, Oldtown, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Erection of a dwelling house with a domestic garage together with sewage treatment system and percolation area with all other associated site development works at Drumenan, Newmills, Letterkenny PO, 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 the location of the subject site within a 'Stronger Rural Area' in close proximity to Letterkenny, where housing is restricted to persons demonstrating local need in accordance with Policy RH-P-3 as set out in the Donegal County Development Plan 2018-2024, the Board is not satisfied, on the basis of the documentation available on file, that the applicant has adequately demonstrated that they come within the scope of the specific housing need criteria set out in the development plan for a house in this location. In the absence of an identified locally based need for a house at this rural location, it is considered that the proposed development would contribute to the excessive pattern of 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 policies and objectives of the development plan and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would constitute undesirable ribbon development and would exacerbate an emerging suburban pattern of development in this rural area and would be contrary to the provisions of Policy RH-P-2 of the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the soil conditions and high-water table, 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 or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.



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**Mary Henchy**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this 22 day of March 2024.