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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 22/52023**

**APPEAL** by Daniel Gallagher of 18 The Mall Demesne, Mountcharles, County Donegal against the decision made on the 20<sup>th</sup> day of July, 2023 by Donegal County Council to grant subject to conditions a permission to Evelyn Cassidy Kierans care of McCabe Architects of Old Laghey Road, Donegal Town, County Donegal.

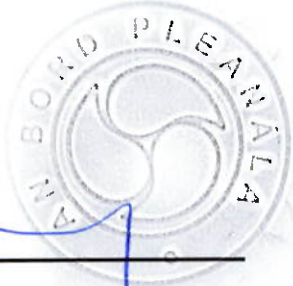

**Proposed Development:** Construction of a split-level dwelling house with basement garage, provision of an effluent treatment system with percolation area and all associated site works, at Beefpark, Mountcharles, County Donegal. The proposed development was revised by further public notices received by the planning authority on the 29<sup>th</sup> day of May, 2023.

**Decision**

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

## Reasons and Considerations

Having regard to the site of the proposed development which is located in a Stronger Rural Area as defined in the Donegal County Development Plan 2018 to 2024, and to relevant provisions of that plan including policy RH-P-3, where applicants are required to comply with specified criteria regarding persons who are deemed to have a rural housing need, the Board was not satisfied that the applicant has established that they have a vital link to this rural area by reason of the existence of long-established ties with immediate family members in this rural area for a minimum period of seven years. The proposed development would, therefore, be contrary to policy RH-P-3 of the development plan and to the proper planning and sustainable development of the area.



**Martina Hennessy**

**Member of An Bord Pleanála**

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

Dated this 8<sup>th</sup> day of April 2024.