



An
Bord
Pleanála

Board Order

ABP-317932-23

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 23/50688

Appeal by Paul Gallagher of Castlegay, Letterkenny, County Donegal against the decision made on the 24th day of August, 2023 by Donegal County Council to grant subject to conditions a permission to John and Denise Coyle care of McHugh Planning and Design of Carrick, Carrigart, Letterkenny, County Donegal.

Proposed Development: Construction of a new dwellinghouse and domestic garage, installation of a wastewater treatment system and temporary permission for placement of a mobile home, all at Cashelgay, Coolboy, Letterkenny, County Donegal.

Decision

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

Reasons and Considerations

1. Having regard to Policy RH-P-3 of the County Donegal Development Plan 2018-2024, it is considered that the applicants have failed to demonstrate that their exceptional health circumstances would warrant a genuine need to develop the subject site in order to provide the proposed dwellinghouse. The proposed development would contravene relevant local rural housing policy and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the site conditions, the applicants have failed to demonstrate that the proposed wastewater treatment system and soil/sand polishing filter would not give rise to the risk of pollution of ground and surface waters. The proposed development would be contrary to the EPA Code of Practice for Domestic Waste Water Treatment Systems 2021, would be prejudicial to public health, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Joe Boland

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

Dated this *22nd* day of *March* 2024.