

An  
Bord  
Pleanála

**Board Order**  
**ABP-320735-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 24/60993**

**Appeal** by Charles Duffy of Liafin Townland, Linsfort, Buncrana, County Donegal against the decision made on the 15<sup>th</sup> day of August, 2024 by Donegal County Council to grant permission, subject to conditions, to Shaun and Caroline Donaghey care of North West Modern Designs of 42 Marian Park, Buncrana, County Donegal.

**Proposed Development:** Construction of a dwelling with connection to an on-site effluent treatment plant, domestic garage and all associated site development works, at Liafin, Linsfort, 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. The site of the proposed development is located within an 'Area under Strong Urban Influence', as set out in the Donegal County Development Plan 2024-2030. Within these areas, it is the policy of the council as stated in Policy RH-P-1 to consider proposals for new one-off rural housing based on the core considerations of demonstrable 'economic or social' need as defined in the plan. The applicant is seeking a house in this rural area on the basis of 'social need'. Based on the information submitted in support of the application and the appeal, the Board is not satisfied that the applicant has adequately demonstrated a 'social need' to reside in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria set out in the plan. The proposed development would, therefore, be contrary to Policy RH-P-1 of the development plan and would be contrary to the proper planning and sustainable development of the area.
2. The site of the proposed development is located within in an 'Area of High Scenic Amenity' as set out in the Donegal County Development Plan 2024-2030. Within these areas, it is the policy of the council as stated in Policy L-P-2 to consider only development that integrates with and reflects the character and amenity of the landscape. The Board considered that the proposed development, due to its scale, mass, height and extended footprint on this prominent and exposed site necessitating an extended roadway to provide access and the removal of a significant length of roadside vegetation to achieve adequate sightlines, would constitute an obtrusive feature in this exposed location and would seriously injure the visual amenities of the area. It is considered, therefore, that the proposed development would seriously impact on the character and amenity of the landscape in this location and would be contrary to Policy L-P-2 of the development plan. The

proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

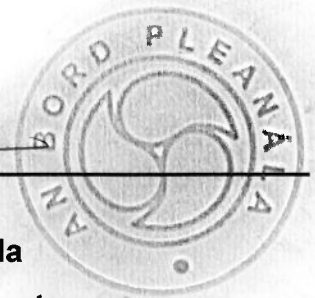
3. The site is located in an open view between the road and the sea over which there are panoramic views towards Lough Swilly. Policy L-P-8 of the Donegal County Development Plan 2024-2030 which seeks to protect such views from inappropriate development. Having regard to the elevated and exposed nature of the site and the location, scale and mass of the proposed development, it is considered that the proposed development would intrude significantly and materially alter the view from the local road. The proposed development would, therefore, be contrary to the Policy L-P-8 of the development plan and would be contrary to the proper planning and sustainable development of the area.



**Paul Caprani**

**Member of An Bord Pleanála**

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



**Dated this 20<sup>th</sup> day of March 2025.**