



An  
Coimisiún  
Pleanála

Commission Order  
ACP-322922-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 25/60610**

**Appeal** by Gavin Wright of Breaghy, Castlefinn, County Donegal against the decision made on the 6<sup>th</sup> day of June, 2025 by Donegal County Council to grant subject to conditions a permission to Rachel McGlinchey care of MAC Designs of Tiernisk, Castlefinn, Lifford, County Donegal in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of extension and renovation works to existing dwellinghouse, demolition of existing single storey flat roof extension to the rear of the dwellinghouse and installation of new septic tank/sewage treatment system and associated site development works, all at Breaghy and Dooghan, Castlefinn, Lifford Po, County Donegal.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development and the relevant policies contained in the County Donegal Development Plan 2024-2030, and there being no significant negative impact on residential amenity due to the absence of overlooking on the adjoining property, and noting that (potential) damage to property is a civil matter which lies outside the remit of the planning system, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. (a) No surface water from the site shall be permitted to discharge to the public road and the developer shall take steps to ensure that no public road water discharges onto the site.  
(b) Storm water/surface water disposal shall be piped to the existing services on the site.

**Reason:** To prevent flooding and to ensure the protection of waters.

4. The existing septic tank shall be decommissioned and removed under the supervision of a suitably qualified competent person who can verify same. This decommissioning shall be documented and submitted to the planning authority prior to completion of the proposed development.

**Reason:** In the interest of public health.

5. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included in the site characterisation report submitted with the planning application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.

- (b) Treated effluent from the septic tank/wastewater treatment system shall be discharged to a percolation area/polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.
- (d) A gravel filled land drain shall be constructed around the perimeter of the sand polishing filter, set back at a distance of at least two metres in order to protect the area from surface water run-off from the higher ground on the site. This land drain shall connect to existing storm water drains.
- (e) Any existing drainage ditches along the site borders and at the roadside shall be piped and back filled with 50 millimetres clean graded stone. This shall not interfere with the discharge and distribution of surface water from the site.

**Reason:** In the interest of public health and to prevent water pollution.

6. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including noise and dust management measures, off-site disposal of construction/demolition waste, and alternative methods of construction to avoid excessive rock breaking.

**Reason:** In the interest of public safety and amenity.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 hours Mondays to Fridays, inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.



8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

  
Declan Moore

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 30<sup>th</sup> day of October 2025.