



An
Coimisiún
Pleanála

Commission Order
PL-501404-DL-26

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 2650039

Appeal by Sean McDonagh against the decision made on the 30th day of April, 2026 by Donegal County Council to refuse permission for the proposed development.

Proposed Development (a) Construction of dwelling house with connection to primary wastewater treatment plant along with connection to existing public sewer and (b) construction of a domestic garage with all associated site works at Figary, Fahan, Lifford, 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 site of the proposed development within an 'Area Under Strong Urban Influence' as identified in the Donegal County Development Plan 2024-2030, Policy RH-P-1 considers proposals for new one-off rural housing within 'Areas Under Strong Urban Influence' from prospective applicants which can provide evidence of a demonstrable economic or social need to live in these areas. Having regard to the information provided by the application, it is considered that the applicant has not demonstrated either an economic or social need to live in this area. The proposed development, therefore, does not accord with policy RH-P-2 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proximity of the appeal site to nearby European sites and the lack of information submitted with the application in this regard, including the full extent of groundworks, including those required to facilitate the proposed sewerage treatment system and the possibility of the associated effects of these works on the Lough Swilly Special Area of Conservation (site code: 002287) or the Lough Swilly Special Protection Area (Site Code: 004075) or any other European site, the Commission cannot be satisfied that the proposed development, individually, or in combination with other plans and projects would not be likely to have an adverse effect on these European sites in view of the sites' conservation objectives. There remains significant reasonable scientific doubt that the proposed development would not adversely impact on the integrity of the Lough Swilly Special Area of Conservation (site code: 002287) or the Lough Swilly Special Protection Area (Site Code: 004075) and other European sites, and these matters cannot be

addressed by way of planning conditions. In such circumstances, the Commission is currently precluded from granting permission.



Declan Moore

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

Dated this 21st day of September 2026

