



An
Bord
Pleanála

Inspector's Report ABP308461-20

Development	Change of use of commercial premises to a crematorium, funeral home including changes to the elevational treatment, the provision of a memorial garden, ancillary accommodation and all associated site works.
Location	Monclink, Manorcunningham, County Donegal.
Planning Authority	Donegal County Council.
Planning Authority Reg. Ref.	2051053.
Applicants	Lawrence Donnelly and Sane Stewart.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party.
Appellants	Lawrence Donnelly and Sane Stewart.
Observers	(i) June and Patrick Rodgers. (ii) Donna Dill.
Date of Site Inspection	14 th January, 2021.
Inspector	Paul Caprani.

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1.0 Introduction

ABP308461-20 relates to a first party appeal against the decision of Donegal County Council to issue notification to refuse planning permission for a change of use of a commercial premises to a crematorium, funeral home, ancillary accommodation and associated works outside the village of Manorcunningham, County Donegal.

Donegal County Council issued notification to refuse planning permission for four reasons. The reasons for refusal stated that the nature of the development was unsuited for the site in question, that insufficient information has been submitted, that it has not been adequately demonstrated the proposal is capable of appropriately dealing with emissions generated. Concerns are also expressed that the proposed development is located within the zones of influence of a Natura 2000 site and the Planning Authority is not satisfied that the proposal would not have an adverse impact on the integrity of the said Natura 2000 site. Concerns are also expressed that there are insufficient sightlines at the proposed entrance to the proposed crematorium and funeral home.

2.0 Site Location and Description

- 2.1. The subject site is located to the south of the N13 between Manorcunningham and Newtowncunningham in north-east Donegal. The site is located at the junction of two local roads to the south of the N13 (Letterkenny to Derry) and to the north-east of the N14 (Letterkenny to Strabane Road). The site is roughly triangular in shape and the junction between the local roads is located at the south-western corner of the site. The site constitutes a brownfield site containing an old commercial unit, to the rear and is undeveloped and open to the front. It is approximately 0.83 hectares in size. According to the grounds of appeal the site originally accommodated the Clonleigh Co-Operative and has been vacant for a number of years. There are a number of dwellinghouses located along the local road to the north-west of the subject site. Some of these dwellings are currently vacant but in relatively good condition. At the time of my site inspection there was a planning notice erected on site seeking permission to refurbish one of the dwellings.

2.2. The site currently has access onto both local roads which run along the boundary. It is proposed to block the access onto the local road which runs along the western boundary of the site the L5434-1 and the main access to the development is proposed to be retained off the local road which runs along the eastern boundary of the site the L1214-4. The site currently accommodates a single storey agricultural shed and a large area of hardstanding. An additional single storey agricultural shed is located on lands to the immediate north of the site. The area contiguous to the junction of the two local roads incorporates a triangular area of grass.

3.0 Proposed Development

- 3.1. Planning permission is sought for a change of use of the existing unit to accommodate a funeral home and a crematorium. The building is to incorporate new elevational treatments including the addition of a new porch area and a new natural stone plinth along the base of the front elevation and within the porch area. It is also proposed to incorporate new arched windows to the front of the building and retain the existing pebbledash finish. Drawings submitted with the appeal documentation indicate that it is proposed to incorporate a new roof and a substantial landscaping plan to the front and site of the building.
- 3.2. Inside the building the northern portion of the structure is to incorporate the rail line and furnace area with a new chimney to the rear. The chimney rises to a height of 13 metres c.6 metres above the ridge height of the existing building. It is also proposed to provide a chapel of rest, a waiting room, a storage room, a reception area, lobby area and office area within the building. It is also proposed to provide a memorial garden to the front of the building in a triangular area of open space adjacent to the junction of the two roads.
- 3.3. The existing hardstanding area to the rear and side of the building is to be laid out to accommodate approximately 50 car parking spaces. It is also proposed to utilise the existing septic tank in the north-eastern corner of the hardstanding area.
- 3.4. The building has a gross floor area of 684 square metres.

4.0 Planning Authority's Decision

Donegal County Council issued notification to refuse planning permission for four reasons which are set out in full below.

1. *The subject site occupies a prominent location adjacent to public roads on low-lying lands which afford the site no natural screening, on a site of limited size, adjacent to an industrial complex, within a building which presents as industrial located close to a cluster of established dwellings, with features such as the chimney prominent within the public view and on a site devoid of natural landscaping. These matters cumulatively render the use of the site as a crematorium with ancillary services unacceptable due to its prominent location, industrial presentation within an industrial complex and lack of privacy afforded users and residents. It is considered that the respect and gravitas which should be afforded this sensitive human experience cannot be achieved on the subject site. Accordingly, to permit the proposed development would be contrary to the proper planning and sustainable development of the area.*
2. *It is a policy of County Donegal Development Plan at ED-P-14 that “any proposal for economic development use, in addition to other policy provisions of this plan, would be required to meet all the following criteria. The said criteria include that:*
 - (i) it is compatible with surrounding land uses,*
 - (ii) that it would not harm the amenities of nearby residents,*
 - (iii) foul effluent can be treated and disposed of satisfactorily,*
 - (iv) that the existing road network has (sic),*
 - (v) that it does not create noise,*
 - (vi) that it is capable of dealing satisfactorily with any emissions,*
 - (vii) that it does not impact on Natura 2000 sites,*
 - (viii) that it will not pose a flood risk,*
 - (ix) design, layout and landscaping are of a high quality,*

- (x) *boundary treatments are satisfactory to effect integration into the landscape.*

It is considered that

- (i) *the proposed use is not compatible with adjoining residential use,*
 - (ii) *that the noise, traffic and type of use would harm the amenities of nearby residents,*
 - (iii) *it has not been indicated that foul effluent can be treated and disposed of satisfactorily,*
 - (iv) *vision lines in compliance with the Donegal Development Plan 2018 to 2024 have not been indicated,*
 - (v) *it has not been proven that no unacceptable noise levels will result,*
 - (vi) *it has not been proven that the proposal is capable to dealing satisfactorily with any emissions,*
 - (vii) *due to insufficient information regarding surface water and a foul effluent collection, treatment and disposal, impacts on noise and airborne pollution and the arrangements for waste disposal, it has not been possible to determine that it does not impact on Natura 2000 sites,*
 - (viii) *it has not been proven that the proposal will not pose a flood risk due to site topography,*
 - (ix) *the design, layout and landscaping are not of a quality commensurate with the proposed sensitive use which demands privacy and sensitivity and that,*
 - (x) *boundary treatments are not satisfactory to afford the site's users and nearby residents both privacy using the service and avoid on-going distress to residents due to the nature of the service proposed.*
- Accordingly, to permit the proposed development would be contrary to Policy ED-P-14 of the said Plan and would therefore be contrary to the proper planning and sustainable development of the area.*

3. *The proposed development site is located within the zone of influence of Lough Swilly SAC (Site Code: 002287) and Lough Swilly SPA (Site Code: 004075) both of which are designated Natura 2000 sites. It is the policy of the Council (Policy NH-P-1 County Donegal Development Plan 2018 – 2024) “to ensure that development proposals do not damage or destroy any sites of international or national importance, designated for their wildlife/habitat significance in accordance with European and National Legislation including SACs (Special SPAs, NHAs, Ramsar Sites and Statutory Nature Reserves). On the basis of the information submitted in support of the application and in particular the absence of details regarding (i) impacts of the proposed development on air and noise pollution, (ii) details regarding the collection, treatment and disposal of surface water and foul effluent to satisfactory standards, (iii) technical details regarding the proposed furnace, (iv) details regarding fuel type proposed and provisions of storage of same, the Planning Authority is not satisfied that the proposal would not have an adverse impact on the integrity of the said Natura 2000 sites. Accordingly, to permit the development would materially contravene the above-mentioned policy of the County Development Plan 2018 – 2024 and would thereby be contrary to the proper planning and sustainable development of the area.*
4. *It is the policy of the County Donegal Development Plan 2018 – 2024 that all development proposals comply with the development and technical standards set out in Appendix 3 to promote road safety – (Policy T-P-15 refers). It is a requirement of Section 2.10 of the said Appendix 3 of Part B of the said Plan that visibility splays shall be set out in accordance with the standards set out in Figure 2 and Table 3 thereof. Having regard to the failure of the particulars submitted with the application to demonstrate visibility splays in accordance with the requirements of Figure 2 and Table 3 of the said Appendix of Part 3 of the said Plan, the Planning Authority is not satisfied on the basis of the information submitted that the safe visibility splays can be provided in each direction to the required standards. Accordingly, to permit the proposed development would result in dangerous traffic crossover movements in and out of the site, would endanger public safety by reason of a traffic hazard,*

would be contrary to Policy T-P-15 of the said Plan and would thereby be contrary to the proper planning and sustainable development of the area.

4.1. Documentation Submitted with the Planning Application

- 4.1.1. A planning report was submitted with the application prepared by Harley Planning Consultants Limited. The planning report sets out details of the site location and description and the proposed development. It also provides details of the cremation process. It also sets out details of the development plan context and notes that the site is located in an area of 'High Scenic Amenity' as designated on the development plan. It is suggested that the proposed development located on a brownfield site fully assimilates with the local landscape.
- 4.1.2. It notes that the nearest designated Natura 2000 sites are approximately 3.5 kilometres to the west and due to the separation distance between these designations and in the absence of any hydrological connections between the appeal site and the Natura 2000 sites it is considered that the proposed development will not have any significant impact on these designated sites. It notes that the development plan does not have any specific policies in terms of crematoriums.
- 4.1.3. The planning report therefore concludes that the brownfield nature of the site ensures that the proposed development will have no adverse impacts on the local, natural or built environment.
- 4.1.4. A separate letter submitted by MH Associates Architects and Surveyors sets out details of the proposed cremation service.

4.2. Observations

- 4.3. A large number of observations were submitted objecting to the proposed development on grounds of adverse impact on environmental and residential amenity. The contents of these observations have been read and noted.

4.4. Internal Reports

- 4.5. A report from the HSE expresses concerns in relation to the location of the septic tank under a paved area and inadequate information regarding the operational

procedures of the crematorium. Concerns are also expressed that the road network serving the development may be insufficient to cater for large funeral corteges. On this basis additional information is requested.

4.6. Local Authority Planner's Report

- 4.6.1. The planner's report sets out details of the site location and the proposed development. It also details the various letters of objections submitted in respect of the file and the issues raised in these letters.
- 4.6.2. The planner's report notes that a pre-application consultation took place where the agent on behalf of the applicant was advised that the nature of the commercial use is not considered appropriate at this location as the site is overly exposed to the public road network thereby limiting the privacy that the users should expect. The Planning Authority also considered that the site is not located within easy reach of public transport and the applicant was advised to consider a site within a settlement with an existing population mass. However, the planning report also notes that "subsequent consideration by the Planning Authority confirms the suitability of such a facility to service the north-west city region and the north-west in general would be acceptable in the general rural area, subject to compliance with all other County Development Plan policy requirements.
- 4.6.3. In terms of the principle of development, the report notes that the demand for cremation is on the rise and that there is a need for a crematorium in the north-west region. Within this context it is considered that the proposed development within the general area would constitute a development of regional importance and that no suitable site exists within a settlement in the locality which can accommodate the proposal. The provision of a crematorium would be considered a positive contribution to the economic development of the north-west region as a whole. The principle of development within the general area is therefore considered acceptable. The planner's report goes on to assess the proposed development in the context of Policy ED-P-14 (see reason no.2 of planning authority's refusal) and it is argued that the proposal contravenes many of the criteria set out under this policy which relates to proposals for economic development use.
- 4.6.4. In terms of siting and design, it is stated that the sensitive nature of the cremation ceremony and the associated process demands a certain type of site which is

afforded privacy and respect for the users and an atmosphere of ceremony and gravitas. The planner's report goes on to assess the proposal in accordance with the UK document entitled "*The Siting of Planning of Crematoria*". It concludes that the proposed development is unacceptable on scenic amenity grounds and would not meet most of the criteria set out in the above guidelines. It is considered that the proposed development is wholly inappropriate in the proposed location due to its impact on adjacent properties and land uses where appropriate respect and integrity cannot be afforded to the sensitive process and service involved. It is also wholly unacceptable that the chimney would be located on the verge of a public road.

- 4.6.5. It is also noted that no traffic study has been submitted with the application to certify the adequacy of the vision lines. The capacity of the local road system to deal with the increase in traffic generated on foot of the proposal is also a concern. However, the Executive Engineer has confirmed the acceptability of the proposal subject to conditions.
- 4.6.6. No details have been provided in relation to the existing wastewater treatment system to cater for the proposed effluent to ensure that the effluent is treated to acceptable levels. The concerns of the Environmental Health Officer are also noted.
- 4.6.7. No details have been submitted for proposals for the strewing of ashes and how this may impact on ground conditions and contamination associated with same. No details have been provided in terms of limiting airborne emissions or noise pollution. Furthermore, notwithstanding the physical separation of the proposed development from Natura 2000 sites, there is an absence of information with regard to the collection, management and disposal of surfaces stormwaters, details of the wastewater treatment plant, the absence of information regarding the cremation process and airborne emissions in respect of same and details of the strewing of ashes within the memorial garden. Finally, the report notes that the development is not a type of development for which EIAR is required.
- 4.6.8. On the basis of the above assessment, it was recommended that planning permission be refused for the proposed development for the reasons set out above.

5.0 Planning History

No history files are attached. Section 7 of the Planning Report sets out details of the planning history. There appears to be no recorded planning history on the subject site or adjoining sites and there is no enforcement history pertaining to the subject site.

6.0 Grounds of Appeal

- 6.1. The decision of Donegal County Council to issue notification to refuse planning permission was the subject of a first party appeal on behalf of the applicants by Harley Planning Consultants Limited.
- 6.2. The grounds of appeal state that there is a need in the north-west of the country (including Derry City in Northern Ireland) for an alternative to the traditional internment of deceased persons in graveyards. It is stated that cremation rates have increased considerably since 2010 where it accounted for 11% of the population and will rise to approximately 30% by 2030. Presently, there are 7 crematoriums in Ireland with four in Dublin and one in Cavan, Shannon and Cork. There is one crematorium in Belfast, Northern Ireland. While the Planning Authority initially considered that the proposal was unacceptable, and that consideration should be given to a site within a settlement, on foot of further discussions, the Planning Authority subsequently confirmed that such a facility in a rural area to service the north-west would be acceptable in principle.
- 6.3. It is stated that the site is a brownfield site containing an old commercial unit which has been vacant for a number of years. The grounds of appeal go on to detail the proposed development and how the process of cremation will take place within the site. It is stated that the cremator and associated plant will be supplied by a reputable UK based manufacturer with years of experience and whose product fully complies with UK and EU Regulations.
- 6.4. The front façade of the existing unit will be upgraded through the introduction of new fenestration stonework and an open porch at the entrance. A memorial garden will be included as part of an extensive landscaping scheme for around the buildings and

parking for at least 30 vehicles. It is anticipated that the crematorium will initially cater for a maximum of one cremation per day.

- 6.5. The cremation apparatus will be supplied by 'Inciner8' and a detailed specification of the cremation plant is set out in Appendix A of the appeal document. Details of the process of incineration is set out in the grounds of appeal. It notes that cremation times vary consideration ranging from 50 minutes to in excess of 2 hours and produces 3 to 9lbs of remains depending on the body size. The north-west crematorium proposes to incorporate a secondary and tertiary chamber to control emissions. It states that the pollution control system captures all the gases, soot and entrained solids emitted by the cremator and processes them to meet UK emissions regulations. No visible smoke and odours from the exhaust stack are predicted. The pollution control system removes particulates by direct capture in ceramic filters and acidic gases by reaction with hydrated lime and capture of the resulting solids. This avoids dioxin formation by removing necessary reactants before the gases cool. Monitoring of emissions will be carried out and will be maintained for inspection by regulatory authority.
- 6.6. There are no Irish Planning Guidelines at the location of crematoria and no specific regulations pertaining to their operation. There are however UK Guidelines.
- 6.7. It is noted that the development plan does not have any specific policies in terms of crematoriums. Policy ED-P-15 confirms that it is the policy of the Council to facilitate appropriate economic development within the border region where the infrastructure is available or has appropriate capacity. It is the policy of the Council to consider proposals for economic development uses in the countryside which comply with certain provisions and subject to compliance with Policy ED-P-14.
- 6.8. The grounds of appeal note that two applications were submitted for a change of use of the two existing buildings on and adjacent to the appeal site from grain store to pasteurising plant to a use as a waste management facility. Both applications were invalid, and no further applications were submitted.
- 6.9. Section 8 specifically deals with the grounds of appeal.
- 6.10. With regard to the visually inappropriate location, it is stated that because of the rolling nature of the terrain the building does not come into view until within 450 to 500 metres of the site. Accordingly, the building is only visible from generally higher

ground within a 1 kilometre stretch of the adjoining road. The proposal does not constitute a prominent feature within the landscape but presents as an unremarkable small cluster of buildings similar to other groups of buildings in the wider landscape. Rather than being industrial in character, the buildings more readily appear as a local community hall or rural sporting club premises. The adjoining commercial unit is oriented away from the proposed crematorium building. As such, any potential commercial use therein will have a minimal impact on the operation of the crematorium. While currently the building does not have the benefit of natural screening the developers propose to introduce a comprehensive landscaping scheme which include a wide range of mature planting. It is not accepted that the proposed development would have an adverse impact on the residential amenities of the area.

- 6.11. In terms of traffic, it is anticipated that initially a maximum of a single cremation service will take place per day. While it is difficult to estimate the numbers of vehicles in the cortege it is reasonable to conclude that the traffic associated with a cremation service will be no more disruptive than that experienced at a traditional wake house. In Ireland there is a broad tolerance for funeral corteges. Two vacant residential properties closest to the proposed development are physically screened from the crematorium and this physically ameliorates any possible impact on the residential amenity of those houses. The entrance to the site is afforded very generous visibility splays and therefore will not create a traffic hazard as suggested in the grounds of appeal.
- 6.12. In terms of noise impact, noise outputs from the cremator comes from five burner fans which measure 70 dB at a separation distance of 1 metre. The cremator would be installed in a separate room that would be the subject of noise attenuation. As such, the applicants are confident that the daytime noise attributable to the proposal at the dwellinghouses in the vicinity would not exceed the commonly applied noise limit of 55 dB(A) L_{Aeq} . The applicants would welcome a condition being imposed by the Board that would limit the maximum noise levels to 55 dB(A) L_{Aeq} at the nearest noise sensitive location.
- 6.13. It is a common misconception that modern crematorium expels noxious gases and odours resulting in air pollution and health threats. Whilst the process does produce hazardous material, the introduction of abatement and pollution control units will

capture all the gases, soot and entrained solids emitted by the cremator in order to meet all UK emission regulations. The abatement system ensures that the production of harmful substances due to the incomplete combustion during the cremation is avoided. Apart from steam vapour no visible smoke or odours from the exhaust stack will occur. The abatement unit pollution control unit and monitoring equipment will be in accordance with the UK Process Guidance Note 5/2(12) Statutory Guidance for Crematoria (September 2012) and will comply with any requirements stipulated in the Environmental Protection Agency's operation licence which the applicants must obtain. The applicants would welcome a condition ensuring the development complies with emission controls.

- 6.14. It is not accepted that the proposed development would have any impact on designated Natura 2000 sites in the vicinity. The subject site is located c.3.5 kilometres from the nearest European site. The Board under Reg. Ref. PL05E.247069 determined in the case of a petrol filling station which involved the storage and dispensing of petrol and oils in substantial amounts was located a mere 380 metres from Lough Swilly SPA and 1.9 kilometres from Lough Swilly SAC. Nevertheless, the Board determined that no issues arose in terms of potential impacts on Natura 2000 Sites. There is no reason to conclude that the operation of the funeral home and the crematorium will in itself or in combination with other adjoining developments constitute a significant threat to the qualifying interests of European sites in the vicinity.
- 6.15. The applicants have engaged architects to incorporate a complete renovation to the building façade with the introduction of a new front porch to emphasise the public entrance to the new development. The architects have also incorporated stonework and new arched windows to reflect the ecclesiastical association with the building. The industrial roof finish will be overlaid by a proprietary sheet cladding (Decra) the new external finishes will provide a positive addition to the visual amenities of the entire cluster of buildings. The applicants have also instructed a qualified landscape architect to design a comprehensive landscaping scheme which is attached as Appendix F.
- 6.16. Despite the low-lying nature of the ground, there has never been any flooding on the site. Replacement field drainage pipework was recently carried out by the landowner.

All surface water drainage from the site through new pipe network which discharges into the established drainage network.

6.17. While it is acknowledged that the UK guidance refers to the desirability of good access to public transport, the subject site located in a rural area is not directly served by public transport. However, the site is located in close proximity to two of the largest settlements in the north-west Derry and Letterkenny and is conveniently located off the N13 between both settlements. This affords the opportunity for shorter car journeys. It is also noted that Irish mourners tend to use private transport and the Board is requested to recognise the limited public transport regime in Donegal in assessing the development.

6.18. A number of appendices are attached which are set out below:

- Appendix A – documentation from ‘inciner8’ which sets out details of the incineration process and the emissions associated with the development.
- Details of the proposed crematorium.
- UK Guidance documents entitled “*Federation of Burial and Cremation Authorities (FBCA) Recommendations on the Establishment of Crematoria (January 2019)*.”
- UK Department of Environment Food and Rural Affairs Policy Guidance Note 5/2(04) *Statutory Guidance for Crematoria*.
- Donegal County Development Plan Policy ED-P-14.
- Also submitted are additional maps showing sightlines, proposed elevations and landscape proposals.

7.0 Appeal Responses

7.1. Planning Authority’s Response to the Grounds of Appeal

7.1.1. It is stated that the Planning Authority considered the principle of development acceptable in the general area but not specifically on the subject site. On this basis it was decided inappropriate to request additional information in respect of the proposed application. It is reiterated that “the respect and gravitas which should be afforded this sensitive human experience cannot be achieved on the subject site”. It

is stated that the design, layout and landscaping are not of a quality commensurate with the proposed sensitive use which demands privacy and sensitivity and the boundary treatment which are not sufficient to provide adequate privacy for the service proposed. The site does not have the characteristics that would render the landscaping proposed to be effective. It is also suggested that the roadway along the western boundary of the site does not have the capacity to facilitate the landscaping strip proposed. The amount of landscaping will also give rise to sightline issues. It is considered that the site is limited in terms of size to accommodate the proposed development and the expansive grounds required to cater for a development. It is also considered that the commercial development to the immediate north of the site may not prove to be an appropriate neighbour to any crematorium development should it be developed.

- 7.1.2. Notwithstanding the proposed landscaping, it is still considered that the proposed development will have an adverse impact on residential amenity as residents will continuously perceive the nature of the development. Its lack of physical separation cannot be overcome on the subject site as it is located adjacent to the road verge. The visual presentation and isolated and exposed nature of the site means that its use which requires privacy and respect will be perceived by residents on a continual basis. It is considered that mourners will lack the solemnity and privacy their grieving experience requires. The Planning Authority reiterates that it is not the visual impact of the building itself but the exposed nature of same and the continuous perception in the consciousness of the residents that is the basis for visual amenity concerns.
- 7.1.3. The impacts of the proposed landscape will compromise the visibility splays, and this will result in a traffic hazard.
- 7.1.4. The Planning Authority note that it is not the noise associated with the burner that is the only noise impact. Noise impacts from traffic, mourners congregating at this very quiet area without adequate separation to dwellings and roads must also be considered.
- 7.1.5. In terms of emissions, it is also noted that the information submitted with the appeal was not available to the Planning Authority at application stage and therefore cannot be considered.

- 7.1.6. It is noted that the stack height does not achieve the recommended height of 12 metres, nor does it comply with the guidance which states that it should be less than 3 metres higher than the highest part of the associated building. It is considered that the stack height does not meet the requirements of the guidelines and reference is made to An Bord Pleanála's inspector's report in respect of PL06D.239578 where similar concerns were expressed in relation to emissions and public health.
- 7.1.7. Given the low-lying nature of the site and the surrounding topography, the Planning Authority in the absence of any evidence to the contrary, are not confident that the land drainage arrangements will satisfactorily dilute the ground contaminants which will result from the strewing of ashes.
- 7.1.8. The plant has facilitated a creamery in the past. However, no details have been submitted regarding the adequacy of the existing system to cater for the proposed effluent the current EPA standards. It is noted that the Environmental Health Officer requested further information in this regard. It has not been proven that the proposal can adequately deal with the emissions, noise pollutions or groundwater pollution.
- 7.1.9. In terms of design, the alteration to the building design submitted as part of the appeal are noted. However, the Planning Authority are still of the opinion that the building presents as an industrial unit and lacks the status and warmth required for its proposed use. It is also noted that the stack is in clear view of the visiting public and would become even more dominant if it were erected to the correct height.
- 7.1.10. With regard to public transport availability, it is noted that the lack of public transport was not cited as a reason for refusal.
- 7.1.11. The overarching concern of the Planning Authority is that the site lacks the gravitas and solemnity required by users and would also impact on the amenities of local residents. While it is acknowledged that a crematorium is required in the north-west it is argued that the subject site is not appropriate for such a use.

8.0 Observations

8.1. Two observations were submitted. The issues raised in the observations are set out below.

Observation from Donna Dill

- Donegal County Council state that no crematorium should be constructed within 200 yards of any dwelling without the consent of the owner nor within 50 yards of any public road. The proposed crematorium is within 76 metres of a dwellinghouse and 6 metres of the public road.
- The building is located at a prominent location adjacent to two public roads. The landscaping proposed will not appropriately conceal the building.
- The site appears to be extremely small to accommodate sufficient car parking spaces and an appropriate landscaped area to dispose the ashes.
- The proposed development is within the Zone of Influence of two Natura 2000 sites and could have a detrimental effect on these areas. The proposed development will detract from the scenic area and impact on the residential amenity of surrounding residences.

8.2. Observation from June and Patrick Rogers

- It appears that Mr. Rogers is the owner of a commercial unit in the vicinity. He has invested heavily in upgrading his unit and the external yard space and has replaced all the defective roof and guttering. It is strongly refuted that the existing commercial units can be classed as “bordering on abandonment”.
- To suggest that the crematorium will cater for a single cremation service per day is pure speculation.
- It is obvious that the subject site cannot cater for such as development having regard to its proximity to nearby housing etc.
- The observer states that the proposed crematorium would impact on his building and the adjacent dwellings.

- It is contended that the vision splays do not comply with the technical standard set out in the development plan.
- It is also contended that the wastewater treatment in a septic tank without percolation areas and has been in place for long number of years. The applicant has every intention of developing the adjacent site into the future which does not include third party drainage. The information provided in the consultant's report is most speculative and has little measurable data to back up claims on the actual need for the business. No proper market research has been carried out in the context of Brexit. The applicants cannot foresee any cross-border funerals being permitted and for all the above reasons it is argued that the proposal is contrary to the proper planning and sustainable development of the area.

9.0 Planning Policy Provision

9.1. Development Plan Provision

- 9.1.1. The site is governed by the policies and provisions contained in the Donegal County Council Development Plan 2018 – 2024. The site is located in a rural area and is not governed by any land use zoning provision. The local authority planner's report notes that the subject site was used as a waste depository and treatment facility, an air conditioning manufacturing facility and possibly other commercial/industrial uses. On this basis the subject site is appropriately in my opinion considered to be a brownfield site in a rural area.
- 9.1.2. The subject site is located in an area of 'high scenic amenity'. There are no specific policies in the development plan relating to crematoria.
- 9.1.3. Policy ED-P-8 states that it is the policy of the Council to consider proposals for economic development uses in the countryside which comply with the following provisions, comply with Policy ED-P-14 and the protection of areas designated as being of Especially High Scenic Amenity.
- 9.1.4. Farm diversification schemes.
- 9.1.5. Expansion or redevelopment of existing economic development use – provisions set out in Policy ED-P-10.

- 9.1.6. Major industrial development – provisions set out in Policy ED-P-11.
- 9.1.7. Businesses in rural areas that could benefit the local economy/tourism offering a homebased working provisions set out in Policy ED-P-13.
- 9.1.8. All other proposals for economic development in the countryside will only be permitted in exceptional circumstances where the proposal comprises a development of regional or national significance and no suitable sites exist within a settlement in the locality which can accommodate the proposal.
- 9.1.9. Policy ED-P-10 states it is the policy of the Council to consider proposals for the expansion or redevelopment of an existing economic development in the countryside providing the scale and nature of the resultant development will contribute positively to the long-term sustainability of the existing enterprise, subject to compliance with all relevant provisions of Policy ED-P-14. A proposal which would not meet these criteria will only be permitted in exceptional circumstances where it can be demonstrated that:
 - 9.1.10. The proposal would provide for the consolidation and/or remediation of existing facilities.
 - 9.1.11. Where relocation of the enterprise would not be possible.
 - 9.1.12. The proposal would make a significant contribution to the local economy.
 - 9.1.13. The development would maintain the existing rural character of the area.
 - 9.1.14. Where infrastructural improvements are required that the developer-led solution can be identified and delivered.
- 9.1.15. Policy ED-P-11 states that it is the policy of the Council to consider proposals for major industry/enterprise in the countryside which makes a significant contribution to the economy of the county where it is demonstrated that the proposal, due to its site-specific requirements or size, requires a countryside location. An application for development proposed under this policy must be accompanied by evidence to support the case of economic benefit to the economy of the county and in the case of rural location on the grounds of size, detailed information on the search conducted to secure a suitable site within the boundary of the settlement. The provisions of Policy ED-P-14 will also be taken into account and a travel plan must be prepared to address the issue of accessibility by various modes of transport. Developer-led

infrastructural improvements will be conditioned in appropriate cases. Development proposals will be assessed in light of all relevant material, planning considerations, relevant policies of the development plan and other regional and national guidance/policy, relevant to environmental designations including demonstration of compliance with Article 6 of the Habitats Directive.

- 9.1.16. Policy ED-P-14 states it is the policy of the Council that any proposal for economic development use, in addition to other policy provisions of this plan, would be required to meet the following criteria.
- 9.1.17. It is compatible with surrounding land uses existing or approved.
- 9.1.18. It would not be detrimental to the character of any area designated as being of especially high scenic amenity.
- 9.1.19. It does not harm the amenities of nearby residents.
- 9.1.20. There is existing or programmed capacity in the water infrastructure (supply and/or effluent disposal) or suitable developer-led improvements can be identified and delivered.
- 9.1.21. The existing road network can safely handle any extra vehicular traffic generated by the proposed development or suitable developer-led improvements are identified and delivered to overcome any road problems.
- 9.1.22. Adequate access arrangements, parking, manoeuvring and servicing areas are provided in line with the development and technical standards set out in the Plan or as otherwise agreed in writing with the Planning Authority.
- 9.1.23. It does not create a noise nuisance.
- 9.1.24. It is capable of dealing satisfactorily with any emissions.
- 9.1.25. It does not adversely affect important features of the built heritage or natural heritage including Natura 2000 sites.
- 9.1.26. It is not located in an area at flood risk and/or will not cause or exacerbate flooding.
- 9.1.27. The site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist in the promotion of sustainability and biodiversity.

- 9.1.28. Appropriate boundary treatment and means of enclosure are provided and any areas outside storage proposed are adequately screened from public view.
- 9.1.29. In the cases of proposals in the countryside there are satisfactory measures to assist the integration into the landscape.
- 9.1.30. It does not compromise water quality or conflict with the programme of measures contained within the current north-western river basin management plan.
- 9.1.31. Policy ED-P-15 – it is the policy of the Council to facilitate appropriate economic development within the border region where the infrastructure is available or has the capacity.

9.2. **UK Guidance Policy**

- 9.2.1. There are no specific guidelines in Ireland in respect of the planning and development of crematoriums. There are however two UK guidance documents both of which have been submitted with the grounds of appeal that offer guidance in relation to the siting and development of crematoria. The relevant sections of the guidelines are set out below.
- 9.2.2. Federation of Burial and Cremation Authorities (FBCA) document “Recommendations on the Establishment of Crematoria” (2019)
- 9.2.3. It states that local authorities with populations of approximately 120,000 or more would be in a position to provide and manage a crematorium with a reasonable expectation of operating on a sound financial basis after the initial years of capital repayment and associated loan charges. In terms of the siting of crematorium it is stated that the process of site selection should be aimed at achieving quietness and seclusion. A woodland or parkland setting or an area of undulating ground with good natural features and mature trees would enable the establishment of a good natural setting with a minimum of horticultural treatment. Previously developed land can often prove unsuitable due to land contamination which is unacceptable for the interment of ashes or due to the presence of residential property within 200 yards. There is a growing recognition that new crematoria will be built in a countryside location close to the urban fringe. Ideal sites are rarely to be located in urban areas and it is emphasised that the suitability of the setting is of greater importance than the location in close proximity to population centres. The site should be reasonably

accessible by public transport and should have adequate water, electricity and drainage services.

- 9.2.4. Experience has shown that some crematoria have been sited very satisfactorily in conjunction with cemeteries. A minimum of 2 hectares per estimated 1,000 cremations per annum per annum is recommended to provide sufficient space for crematoria, gardens, remembrance, traffic circulation, parking and a modest amount of space around the building. It notes that one of the most intrusive elements of any new crematorium is the chimney stack which must be designed to comply with guidance. The guidelines also provide detailed requirements in relation to site access and building layout and design.
- 9.2.5. Statutory Guidance for Crematoria (Process Guidance Note 5/2(12) (September 2012)) published by Defra.gov.uk.
- 9.2.6. These guidelines set out more technical and prescriptive requirements in respect of the activities involved in the cremation, the abatement plant required to reduce air pollutions, the emission limits and monitoring and the various control techniques in reducing emissions.
- 9.2.7. It appears from the grounds of appeal that the applicant will be required to seek an emissions licence under the Air Pollution Act from the EPA.

10.0 **EIAR Screening Determination**

A change of use of a commercial development to a crematorium/funeral home is not a class of development for which EIAR is required.

11.0 **Natural Heritage Designations**

The site is not located within or contiguous to a Natura 2000 site. The nearest Natura 2000 sites are located over 3.5 kilometres away and are the Lough Swilly SPA (Site Code: 004075) and the Lough Swilly SAC (Site Code: 002287) which is located slightly further away at c.4.0 kilometres to the west.

12.0 Planning Assessment

I have read the entire contents of the file, have had particular regard to the Planning Authority's reasons for refusal and the first party appeal rebutting these reasons for refusal. I have also had regard to the observations on file. Furthermore, I have visited the subject site and its surroundings, and I consider the following issues to be critical in determining the current application and appeal before the Board.

- Suitability of the Subject Site to Accommodate a Crematorium
- Design of the Proposal
- Traffic issues including Sightline and Public Transport Connections
- Impact on Residential Amenity
- Landscaping Arrangements and Boundary Treatments and Minimum Space Requirements Associated with a Crematorium
- Water, Wastewater and Drainage Arrangements
- Appropriate Assessment and Potential Impact on Natura 2000 Sites

12.1. Suitability of the Subject Site to Accommodate a Crematorium

12.1.1. It is clear from the original planning report prepared on behalf of the local authority and the local authority's response to the grounds of appeal that the Planning Authority considered the subject site to be inherently unsuitable to accommodate a crematorium. The overarching concerns in this regard relates to the site lacking the gravitas and solemnity that is required for a crematorium setting. While there are no specific guidelines either nationally or in the development plan with regard to the siting and the location of crematoriums it is in my view appropriate to make reference to the UK guidance on the matter. The UK guidance recommended a woodland or parkland setting with mature trees to enable the establishment of a good natural setting. The UK guidance suggests sites within greenbelts in close proximity to population centres may be appropriate locations. It is suggested that the most convenient site for a crematorium would be within or attached to an existing cemetery and sites should generally be a minimum of 2 hectares. The proposed site does not meet many of the criteria set out in the guidelines.

12.1.2. I would have concerns in relation to the subject site accommodating a crematorium on the basis of the concerns expressed by the Planning Authority. The site while located in a rural natural setting cannot be considered secluded and would not offer the solemnity and appropriate decorum which should be afforded to patrons and visitors to the facility. Firstly, the site is exposed and prominently located in that, it is bounded by and contiguous to two public roads. Perhaps more importantly the site is located contiguous to and adjoining commercial development to the immediate north. This development is currently vacant but an established commercial use exists on site. The contiguous site comprises of agricultural shed surrounded by hardstanding where outdoor storage of plant and equipment takes place. The adjoining site to the north is also surrounded by palisade fencing. Any Industrial/commercial activities at the established site to the north in my view is not conducive or compatible with the establishment of a crematorium on the subject site. The provision of a crematorium on the subject site would in my view represent haphazard and piecemeal development and would result in incompatible and incongruous uses side by side in the case that a crematorium was to be developed at this location.

12.1.3. The UK Guidance emphasises the need for seclusion which is conducive to a place of solitude, retreat and privacy. The location of the crematorium adjacent to an existing agricultural enterprise is in my considered opinion inappropriate. While it is acknowledged that a rural area or an area on the fringe of an urban area might be the most appropriate location for a crematorium the subject site forming part of a larger brownfield/industrial/commercial parcel of land in a rural area is inappropriate. The use is in my view better suited to an more secluded area which does not incorporate contiguous industrial/ commercial uses.

12.2. Design of the Proposal

12.2.1. I would also have significant concerns in respect of the overall design of the proposed crematorium. While it is proposed to externally and internally refurbish the building in question to provide a building more ecclesiastical in appearance and character, I would concur with the Planning Authority that the building in question still appears to be industrial and commercial in character. The incorporation of a granite plinth along the bottom of the building and the incorporation of gothic arches in the fenestration arrangements together with the provision of a new porch area and new cladding on the roof in my view does not create a building which is befitting in

appearance to accommodate a crematorium. The overall size, scale and shape of the structure remains industrial in character. The fact that the building is located adjacent to an existing commercial rural enterprise also detracts from the design and setting of the proposed crematorium. The redevelopment of the site to incorporate a bespoke building which is befitting and more sympathetic in design terms for a crematorium would in my view be a more appropriate solution. However, notwithstanding the above statement, I still consider that the subject site is on the whole inappropriate to accommodate a crematorium; primarily on the basis that it adjoins an incompatible use.

12.3. Traffic Issues including Sightline and Public Transport Connections

- 12.3.1. The final reason for refusal cited by the Planning Authority argues that the proposed development incorporates inappropriate vision splays at the entrance to cater for the proposed development. I have inspected the subject site and note that the local road (the L1214-4) incorporates excellent sightlines in both directions at the proposed entrance. I further note that a commercial use is already established, whereby if a commercial use recommenced on site, it could avail of the existing access arrangements. While the Planning Authority express concerns that the proposed landscaping arrangements could impinge upon or obscure sightlines at the proposed entrance, any such landscaping arrangements could be designed to ensure that vegetation is setback/ or indeed cut back within the site so as not to obscure sightlines.
- 12.3.2. With regard to traffic generation the applicant indicates that it is proposed, particularly in the short-term, to accommodate one service per day. This in itself should not give rise to significant traffic problems. While the service may generate significant levels of trip generation and that the cars in question may travel slowly along the local road network at a cavalcade, the road network is in my view suitable to accommodate such traffic.
- 12.3.3. I would however point out to the Board that the UK guidance document indicates that for crematoriums to be financially feasible it is estimated that a 1,000 or more cremations per annum are required to be viable. If this is the case up to three or perhaps more services per day would be required and under such circumstances large cavalcades of vehicles travelling slowly upon the local road network could give

rise to some level of traffic congestion/disruption in the immediate vicinity of the site. However, this in itself in my opinion would not justify a refusal of planning permission. Any commercial development on the subject site is likely to give rise to traffic generation.

12.4. Impact on Residential Amenity

- 12.4.1. The impact on residential amenity was raised as significant issues in the various observations submitted to the Planning Authority and also is indirectly referred to in the Planning Authority's second reason for refusal. The major impacts in terms of amenity could arise from noise, odour and air pollution. The Board will be aware from the grounds of appeal, that in the case where planning permission is forthcoming for the proposed development, the applicant will be required to apply for and obtain a licence under the Air Pollution Act (as amended) from the EPA.
- 12.4.2. In terms of noise, the Planning Authority express concerns that it has not been proven that no unacceptable noise levels will result from the proposed development. At its closest point, the proposed emission stack and incinerator will be c.70 metres from the nearest dwelling (currently unoccupied). The applicant has indicated in his response to the grounds of appeal that the noise output associated with the cremator comes from five burner fans which emit a sound power of approximately 70dB at 1 metre distance.
- 12.4.3. It is not altogether clear from the information submitted with the application whether an individual burner fans emits a sound power of 70dB at 1 metre distance or all five fans submit a sound power of 70dB at 1 metre distance. Where it the case that one burner fan emitted a sound power of 70dB at 1 metre distance, the total sound power arising from five fans would amount to c. 77dB which is considerably louder. Furthermore, technical documentation submitted with the grounds of appeal also suggest that the proposed incinerator will incorporate two secondary fans one with a casing breakout 79 dB(A) and another fan with a casing breakout dB(A) of 55. Therefore, under a worst-case scenario the cumulative sound power arising from the fans could amount to c.82dB(A). While the sound will dissipate over distance it is likely that without attenuation, ambient noise levels in the area will increase as a result of the crematorium.

- 12.4.4. The applicant also indicates that noise attenuation measures will be put in place and as such “the applicants are confident that the daytime noise limit attributed to the proposal at dwellinghouses in the vicinity will not exceed the commonly applied noise limit of 55dB(A) L_{Aeq} ”. Having regard to the rural nature of the area I consider that there is scope for noise nuisance arising from the proposed development. The nature of the activity to be undertaken at the crematorium could prove to be particularly distressing for noise sensitive receptors where elevated noise levels to be experienced at these noise sensitive receptors. It is not unusual for noise limits in the case of rural areas to be set at a maximum of 45dB(A). The recommended noise limit set out in Table 1 of the EPA Guidance for Noise (NG4) for areas of low background noise is 45dB(A). Therefore, taking all these issues into consideration I consider that the applicant in this instance has not adequately demonstrated that the proposed crematorium be located in a rural area with low ambient noise levels would not give rise to residential amenity issues. The provision of a crematorium in a more secluded location is less likely to give rise to noise amenity issues.
- 12.4.5. With regard to odour, I note that the abatement system incorporated into the documentation submitted with the grounds of appeal (see Appendix A of appeal) ensures that no odours from the exhaust stack will occur.
- 12.4.6. With regard to other air pollution emissions the applicant acknowledges that the process does produce hazardous materials however, it is again argued that the introduction of abatement and pollution control units will capture all gases, soot and entrained solids emitted by the cremator. Notwithstanding the abatement and attenuation measures to be employed and incorporated into the design of the crematorium, the applicant in my view if it is considered appropriate to grant planning permission should be required to demonstrate that no air pollution will occur. In the case of all emissions emanating from a stack the applicant should be required to model air dispersion rates taking into account the nature of emissions produced, the height of the emission stack, the location, topography, meteorological data and background pollution levels in the area. It is my considered opinion that a more robust analysis should be undertaken in order to demonstrate that no air pollution issues arise.
- 12.4.7. While it could be argued that these matters would be the subject of a separate air pollution licence, it would in my view be appropriate that the applicant be required to

demonstrate beyond reasonable doubt that the proposed development will not give rise to any adverse impact in terms of air pollution by modelling any particular impact having regard to the specifics of the baseline environment. Again, I would refer the Board to the UK guidance which indicate that respective crematoriums should “*carry out these calculations on behalf of the client taking into account building size and shape, location, topography, meteorological data and background pollution levels*”. It is on the background of the modelling and analysis undertaken that the appropriate calculated stack height of the chimney would be determined, typically based on gaussian air dispersion modelling distributions.

12.5. Landscaping Arrangements and Boundary Treatments and Minimum Space Requirements Associated with a Crematorium

- 12.5.1. The applicant has submitted revised landscaping proposals as part of the grounds of appeal and these proposals represent a significant improvement over and above what was originally proposed in the documentation submitted with the Planning Authority. The Planning Authority have expressed concerns that the proposed landscaping could adversely impact on sightlines at the proposed entrance. I refer the Board to my previous comments with regard to sightlines at the proposed entrance and I reiterate that if necessary, any landscaping can be set back in the vicinity of the proposed entrance in order to maintain requisite sightlines. While the proposed landscaping arrangements represent a significant improvement over what was originally proposed, it does not in my view address the fact that the subject site is inherently unsuitable for a crematorium on the basis of the layout and design of the extant buildings on site and the adjacent site, being part of a wider agricultural/industrial/commercial enterprise in a rural area is inherently unsuitable to accommodate a crematorium. A more secluded naturally landscaped site in a rural area would in my opinion offer greater dignity to the cremation process.
- 12.5.2. Furthermore, it is my considered opinion that the subject site is of too modest a size in order to accommodate the proposed development. UK guidance suggests that a minimum of two hectares (approximately 5 acres) is recommended to provide sufficient space for the crematorium, gardens of remembrance, traffic circulation, parking together with a modest amount of space around the building. The area of the subject site at less than 0.83 hectares is less than half of the minimum size suggested in the guidelines.

12.5.3. Again, I would reiterate that the UK Guidelines suggest that in order to be commercially viable a crematorium undertaken of a 1,000 or more cremations per annum are required. If this was applied to the subject site, it could be reasonably argued that a larger site would be required in order to adequately cater for the services to be provided.

12.6. **Water, Wastewater and Drainage Arrangements**

12.6.1. The applicant in my opinion has not satisfied either the Planning Authority or An Bord Pleanála as to the adequacy of the wastewater treatment system to serve the development. No details have been provided in respect of the existing wastewater treatment system. It appears that the existing treatment system is located beneath an area of hardstanding in the north-west corner of the site. An observation submitted suggested that the proposal comprises of a septic tank without any properly constructed percolation area. If the Board are minded to grant planning permission for the proposed development, I would recommend that it request further information in relation to the existing wastewater treatment arrangement on site and specifically investigate as to whether or not the existing arrangements are suitable to accommodate the proposed development. In this regard further details should be requested with regard to the hydraulic and organic loadings associated with any crematorium use on the subject site and whether or not the existing wastewater treatment arrangements are sufficient to adequately for these loadings.

12.6.2. The proposed water supply is to be provided via the public mains and the applicant has indicated that all surface water drainage from the site is directed through a new pipe network which discharges to an established drainage network to the north of the site. In this regard I have no concerns in respect of surface water drainage or potable water supply to serve the proposed development.

13.0 **Appropriate Assessment**

13.1.1. The Planning Authority's final reason for refusal argues that on the basis of the information submitted in support of the application, and the absence of details with regard to the impacts of the proposed development on air and surface and technical details regarding the proposed furnace, that the Planning Authority is not satisfied that the proposed development will have an adverse impact on the integrity of Natura

2000 sites in the vicinity. As mentioned previously in my report the nearest Natura 2000 sites (Lough Swilly SAC and Lough Swilly SPA) are located between 3.5 and 4 kilometres away.

- 13.1.2. The River Finn SAC is located approximately 8 kilometres to the east of the subject site. There appears to be no direct hydrological connection between the subject site and lands surrounding the subject site and the SACs in question by way of drainage ditches/streams/watercourses. It is my considered opinion that the separation distance between the Natura 2000 sites in question and the proposed emission stacks are of a sufficient distance to ensure that the proposed development will not give rise to any air quality issues that could damage the qualifying interests associated with either the SACs or SPAs in the vicinity. The separation distance between the subject site and the Natura 2000 sites in question ensures that there is ample scope for air dispersion and dilution to ensure that no adverse impacts occur. Any concentration of pollutants from the emissions stack at the nearest Natura 2000 site would be infinitesimal even in the absence of air pollution abatement measures.
- 13.1.3. With regard to groundwater contamination the Planning Authority does express concerns that any ashes strewn in the memorial garden or other gardens in the vicinity of the crematorium could result in groundwater contamination and in turn could impact on Natura 2000 sites in the vicinity. The qualifying interests associated with the SAC include estuaries, coastal lagoons, Atlantic salt meadows, melina meadows on calcareous peaty or clayey silt laden soils, old sessile oaklands and the otter. It is clear therefore that the qualifying interests associated with the SAC in question primarily relate to habitats. The subject site is sufficiently removed from the SAC in question to ensure that any potential groundwater contamination will in no way impact on the habitats in question. Furthermore, it is considered that the separation distance between the subject site and the SAC in question would ensure that any potential groundwater contamination which could possibly arise in the vicinity of the site would be sufficiently diluted and dispersed so as to ensure that any such contamination could not affect the water quality of the SAC which could potentially impact on the otter.
- 13.1.4. The qualifying interests associated with the Lough Swilly SPA include 25 different species of bird. None of the species would be affected by reason on groundwater contamination or air pollution arising from the proposal.

13.1.5. With regard to potential impacts on the Lough Finn SAC the subject site is located in a different water catchment area than the Lough Finn SAC and therefore there is no hydrological connection between the subject site and the SAC.

13.1.6. Therefore, having regard to the nature and scale of the proposed development and its proximity to the nearest European site and the lack of any hydrological connection or otherwise between the subject site and the European sites in question, it is concluded that no appropriate assessment issues arise and the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

14.0 Conclusions and Recommendation

Arising from my assessment above I recommend that the Board uphold the decision of Donegal County Council and refuse planning permission for the proposed development based on the reasons and considerations set out below.

15.0 Reasons and Considerations

1. It is considered that the proposed change of use from a commercial development to a crematorium and funeral home would constitute a haphazard and piecemeal development on lands more suitable for agricultural commercial development. It is considered that the surrounding land uses are generally unsuitable and unsympathetic for the use of the subject site as a crematorium and funeral home. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Notwithstanding the proposed changes to the elevational treatment of the building it is considered that the former industrial/commercial building is of a size, scale and design which is generally unsuitable and unsympathetic to accommodate a crematorium and funeral home and as such the proposed development would adversely affect the visual amenities of the area and therefore would be contrary to the proper planning and sustainable development of the area.

3. In the absence of specific data, the Board is not satisfied based on the information submitted with the application and appeal that the proposed development would not seriously impact on the residential amenities and depreciate the value of dwellinghouses in the vicinity of the subject site to excessive noise and air pollution emissions. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Paul Caprani,
Senior Planning Inspector.
28th January, 2021.