



An
Bord
Pleanála

Inspector's Report

ABP-312373-22

Development	Alterations to existing house to facilitate construction of a funeral home / undertakers.
Location	Ballyliffin, Clonmany, Lifford PO, Co. Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2151591
Applicant(s)	Orla McFeely.
Type of Application	Retention and permission.
Planning Authority Decision	To grant.
Type of Appeal	Third Party
Appellant(s)	James Walsh, Ann Doherty.
Observer(s)	None.
Date of Site Inspection	17 th August 2022
Inspector	Deirdre MacGabhann

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1.0 Site Location and Description

- 1.1. The 1.45ha appeal site is situated to the north east of Ballyliffin on the Inishowen peninsula, County Donegal. It is situated on the southern side of the R238 regional road. Along the road is ribbon residential development, with closest residential properties immediately west of the site, and other properties to the south and east. Approximately 90m to the west is tourist accommodation (Aras Owen Hostel).
- 1.2. The appeal site rises away from the public road, with access directly from this road. The rectangular site comprises a two storey residential dwelling with existing garage to the rear. Within the curtilage of the property, to the south of the dwelling, alongside the western boundary of the site, is a concrete hard standing. The appeal site is separated from the dwelling to the west by a mature hedgerow and in the area of hardstanding, by a close boarded timber fence.

2.0 Proposed Development

- 2.1. The proposed development, as revised by further information on the 9th November 2021, comprises:
 - Retention of elevational alterations to existing dwelling situated on the north of the appeal site. These comprise glazed doors to replace windows in the rear elevation and windows to replace glazed doors in the side elevation.
 - The retention of foundations, rising walls to sub-floor level and floor slab, on land to the south of the dwelling.
 - The erection of a funeral undertakers building (166sqm), in the location of foundations, for the preparation and presentation of deceased persons, the storage of coffins and funeral furniture, parking of private ambulance and funeral hearse. It is stated that it is not proposed to facilitate removal services from the building and that no toilet facilities will be provided to visiting members of the public.
- 2.2. Access to the funeral undertakers building is proposed from the public road via the existing entrance, with the driveway to be widened to 6m. Vision lines are 160m in each direction at entrance to the site. The planning application form states that water supply is from the existing supply to the dwelling. Storm water will be directed

to the existing drainage system and existing mature hedging along site boundaries to be reinforced (Site Layout Plan drawing no. 0721-1910-01D-FI). In response to the request for FI it is stated that no foul water will be discharged from the kitchen area of the funeral undertakers building, with used cups and cutlery removed in a tray to the applicant's home for washing. Waste fluids from the embalming process will be disposed of off-site via professional embalmer into the public sewer (see file).

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 2nd of December 2021, the planning authority granted permission for the proposed development as follows:

'That permission be granted for the retention of 1) elevational alterations to existing dwelling & (2) foundations, rising walls to sub floor and floor slab subject to conditions set out hereunder in Schedule A

AND

That permission be granted for erection of funeral undertakers building for the preparation for presentation of deceased persons, the storage of coffins and funeral furniture, the parking of a private ambulance and a funeral hearse and all associated site development works subject to conditions set out hereunder in Schedule B.

- 3.1.2. Schedule A refers to 3 no. conditions, including perimeter landscaping (C3). Schedule B refers to 10 no. conditions, including no funeral services, wakes or memorial services or ceremonies to be held at the subject site other than immediate family members of the occupants of the existing dwelling (C1b), provision of visibility splays (C2), landscaping (C6), operating hours (C8) and development charge (C10).

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 28th September 2021 – Refers to the location of the site, nature of the development and internal reports. Addresses the matters raised by third parties including distance of nearby properties from subject site/septic tank,

scope for further screening, limited size of funeral home building, likely limited frequency of use and therefore impact on dwellings, potential for condition to address disposal of waste, location of site outside of EHSA designation, unlikely effect on SAC (subject to clarification re disposal of foul water), development permissible under ED-P-13, accepted validity of application and absence of objections by Roads Engineer. The report assesses the merits of the development under principle, siting and design, access, public health and appropriate assessment. It considers the development to be generally acceptable but recommends further information in respect of the nature of the service to be provided on site, provision of vision lines or vehicle speed survey, revised details to show 6m wide entrance driveway, management of waste fluids and chemicals, provision of toilet facilities to visiting members of the public, treatment of foul water and provision of tree and shrub planting along site boundaries.

- 29th November 2021 – The report considers that the response to the FI has addressed the concerns raised. The report recommends granting permission, with amendment to wording of permission, subject to conditions.

3.2.2. Other Technical Reports

- Roads (7th August 2021) – No objections.
- Roads and Transportation (9th September 2021) – No objections.
Recommends conditions, including access road to be a minimum of 6m wide to allow for 2 way traffic.

3.3. Prescribed Bodies

- None.

3.4. Third Party Observations

3.4.1. There are two third party observations (made by the owner/occupants of the dwellings to the west and south of the site) raising the following issues:

- Risk of future compliance issues.
- Validity of planning application.

- Inappropriate rural location for commercial use and visual impact on designated scenic area.
- Impact on residential amenity and property value.
- Traffic hazard.
- Prejudicial to public health.
- Impact on European sites (Trawbreaga Bay Special Protection Area and Inishowen Coast Special Area of Conservation).

4.0 Planning History

- PA ref. 18/50586 – Permission granted for demolition of existing garage and erection of replacement garage and renovation and extension of existing dwelling.

5.0 Policy Context

5.1. Donegal County Development Plan 2018-2024

5.1.1. The appeal site lies within an area of High Scenic Amenity and to the south of an area of Especially High Scenic Amenity. These are defined as:

- *Areas of High Scenic Amenity (HSA) ... are landscapes of significant aesthetic, cultural, heritage and environmental quality that are unique to their locality and are a fundamental element of the landscape and identity of County Donegal. These areas have the capacity to absorb sensitively located development of scale, design and use that will enable assimilation into the receiving landscape and which does not detract from the quality of the landscape, subject to compliance with all other objectives and policies of the plan.*
- *Areas of Especially High Scenic Amenity (EHSA) are sublime natural landscapes of the highest quality that are synonymous with the identity of County Donegal. These areas have extremely limited capacity to assimilate additional development.*

- 5.1.2. Policies of the Plan afford protection to landscape character, quality and value (Policy Objective NH-O-5) and EHSA areas from intrusive/unsympathetic development (Policy Objective NH-O-7).
- 5.1.3. Economic development policies support the development of job creation and employment in the county. Any proposals must meet the locational policies set out in Policies ED-P-3 and ED-P-13 and must comply with the criteria set out in Policy ED-P-14 (see attachments). ED-P-3 directs industrial buildings and processes to settlements, unless directly related to a site specific resource. ED-P-13 supports businesses in rural areas which serve as a valuable addition to the local economy or comprise a home based business of limited scale. Criteria set out in Policy ED-P-14 include compatibility with surrounding land uses, impact on character of the area and amenities of nearby residents, adequate access, impact on European sites and water quality.

5.2. Natural Heritage Designations

- 5.2.1. Approximately 500m to the north of the appeal site the coast is designated as a proposed Natural Heritage Area and Special Area of Conservation (shared site code 002012). Approximately 1.6km to the north east Trawbreaga Bay is designated as a Special Protection Area (SPA), Trawbreaga Bay SPA (site code 004034).

5.3. EIA Screening

- 5.3.1. Notwithstanding the proximity of the proposed development to a European site, the nature and scale of the development would not result in a real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Issues in respect of European sites can be dealt with under appropriate assessment.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. There are two third party appeals, made by the occupants of the dwellings to the south and west of the appeal site. Grounds of appeal are:

- Inadequate validation. Ambiguous nature of development, inadequate response to FI, no reference to embalming, lack of clarity re treatment of waste, purpose of waste pipes, no reference to traffic movements, no re-advertisement after FI submitted. What was applied for differs from what was granted. Inadequate notification to parties (EHO, IFI).
- Inappropriate location. Conflict with policies of the County Development Plan. Policy ED-P-13 misinterpreted. Policy facilitates home based tourism or craft enterprises in rural areas. Embalming operation more appropriate in an urban area in an industrial estate/retail/commercial area. Development does not comply with criteria under Policy ED-P-14, including that it does not harm the amenity of nearby residents.
- Residential amenity. Impact on residential amenity, privacy and property value. Inappropriate commercial use in proximity to dwelling, noise, funeral home gatherings would impact on privacy and curtail normal outdoor activities.
- Public health impact. Inadequate assessment of treatment of waste including absence of condition to require disposal by licensed contractor, requirements and arrangements for storage on site, no assessment by EHO, impact of chemicals on appellant's bees and apple trees, requirement for running water. No indication of number of bodies to be embalmed. Embalming operations are located in industrial estates (see Appendix 1 of appeal by Ann Doherty). Toxicity of formaldehyde used in embalming. No freezers indicated for storage of corpses or necessary ventilation. Underestimate of embalming fluids per body (1.5l stated, should be 9-11.3l – see page 12 of Doherty appeal). Risk of accidents with transport of waste.

No toilet or sanitary provisions for staff or visitors. Compliance with welfare at work regulations. Sewer pipes evident in constructed floor area and despite applicant's response to FI, intention to discharge foul water from the site.

- Traffic hazard. Gradient of drive, inability to comply with technical standards, fast speed of travel on straight section of R238 with continuous white line, maximum speed limit applies, no public footpath, no turning/loading areas indicated, no provision for staff/visitor parking, adequacy of parking provision and risk of parking along road blocking sightlines, likely attendance of mourners to site when embalmed ready for removal, no road safety audit/traffic management plan.
- Compliance. Risk that planning conditions will not be complied with (history of unauthorised development).
- Intensification. Risk of intensification of use.
- Landscape impact. Development is inappropriate in landscape context. Site is in High Amenity Area and opposite an Especially High Amenity Area. Two designated scenic views from the regional road close to the appeal site looking north east. Development conflicts with Policy NH-P-7. Development lies in a Stronger Rural Area where development is strongly curtailed.
- Impact on European sites. Site is bounded by a watercourse with direct links to SAC and SPA. Area to north of site prone to flooding. Flooding will back up to watercourses that discharge to this area. Vulnerability of Trawbreaga Bay. Control of contamination or spillages on site are not detailed. No septic tank system for development. Capacity of existing system to treat waste from the development. No operational plan for disposal of wastes.
- Condition no. 1(b) not enforceable.
- Precedents. Permission refused for nearby camping/glamping site under PA ref. 21/50880 (located c.1km to the east of the appeal site off the R238). Reasons included road safety, impact on SAC and SPA, insufficient information and impact on amenity of properties in the area of the site. Similar issues apply, insufficient information on corpse numbers, staffing, traffic movements, waste disposal etc. and impact on property values. Under

ABP-308461 (site at Manorcunningham to the east of Letterkenny) permission refused for funeral home and crematorium on grounds of inappropriate land use, impact on residential amenities and property value.

6.2. Applicant Response

6.2.1. The applicant responds under the following headings:

- Background/purpose/nature of development. Funeral undertaker's business currently operates from dispersed premises. Development would allow consolidation of business and obviate need for transport of cadavers (corpses) to Buncrana or Letterkenny for embalming. Proposed building is not a funeral home but will be used to consolidate storage of items associated with the funeral business and for the preparation of the deceased by embalming and washing. The applicant considers the PAs requirement for 6m wide access lane and car parking spaces are unnecessary. Request the Board to impose a condition that no car parking provision is made on the site and that the applicant's driveway be maintained as existing, thereby constraining the use of the site. Traffic movements will be confined to those associated with the family and the undertaker's business (c. one funeral per month).
- Impact on amenity. No members of the deceased family, or other mourners, will be allowed to assemble or congregate at the applicant's house or proposed building. The deceased person will be taken to the building and following preparation will be transferred to the church or to the deceased persons home for waking. The close boarded fence and additional landscaping will create a visual barrier with the adjoining property and completely hide the proposed single storey building. A professional embalmer will work within a clinically approved embalming room, with no external doors or windows and ventilation to the applicant's side of the building. The applicant caters for a small number of funerals per year (7 in 2021, 14 in 2020).
- Contrary to policies of CDP. The PA have granted permission for a range of small business enterprises in rural areas under Policy ED-P-13 including

vehicle repair garages and kitchen/bedroom unit manufacturers. The proposed business provides a valuable service to the local area and is 'not for profit'. The business clearly falls with the Policy as a small scale, home-based business enterprise serving the rural community. The development complies with the criteria set out in Policy ED-P-14 (see paragraph 2.2. in Planning Statement submitted with application).

- Visual impact. References to Stronger Rural Area and Areas under Strong Urban Influence are only relevant to proposals for rural housing development. Having regard to the scale of the development, located on level ground to the rear of a ribbon of housing, it is considered the development will assimilate into the landscape. The two scenic views highlighted are a single view segment from the adjoining regional road in a north easterly direction towards Isle of Doagh. The development will not impact on this view.
- Inadequate assessment by PA. The 100mm pipework was installed by the concrete slab by the builder and will not be used to discharge foul water from the building. Applicant has no objection to condition restricting use of ducting to electricity or telephone cables or for their removal. Toilet facilities in the applicant's house will be used by members of the deceased family attending the site to discuss funeral arrangements and by the professional embalmer. Light refreshments will be offered to family members but are usually refused. Embalming process will use an embalming table for drainage of fluids. Bodily fluids (c.8l) will be replaced by embalming fluids brought to the premises by the embalmer. No chemicals or embalming fluids will be stored on the site. All hazardous wastes and infections liquid is discharged to a 25l container below the embalming table, sealed and removed by professional embalmer for later transport to Initial Medical Services in Kildare. Water from washing and drying the cadaver is disposed of into a second container and disposed of into the public mains (by the embalmer). Clinical waste (gloves, caps, aprons) are deposited into a container in the embalming room for later collection by licensed waste disposal company. The embalming process will not constitute any threat to the environment or residential amenities of the appellant or restrict social activities of the appellant. The property of one of the appellant's is over 100m from the proposed building and c.15m above the applicant's site.

- Unreliability of applicant. PA did not apply section 35 of the Planning and Development Act 2000 (as amended) as non-compliance issues were not considered substantial. The applicant will fully comply with any conditions imposed by the Board.
- Future expansion. Speculation as to potential future expansion is unreasonable. If considered it would be subject to a planning application.
- Procedural concerns. Planning application has been properly addressed in accordance with the Planning and Development Regulations 2001 (as amended). The Board may seek consultations from prescribed bodies and may impose further conditions or amend those imposed by the PA in their decision.
- Impact on European sites. The bed of the stream to the south of the applicant's site, which is hydrologically connected to European sites, is c.1.5m above ground level of the applicant's site. There is therefore no possibility of contamination of the stream. All chemicals and bodily fluids associated with the proposed development are transported in sealed containers to and from the site by the embalmer.
- Public health impacts. Professional embalmer with transport embalming fluids and extracted body fluids to and from the site in sealed containers. Applicant is not aware of reference to 1.5l of embalming fluid used in each case. Business caters for a very small number of funerals. Eight other funeral undertakers on the Inishowen Peninsula and others from Derry. Likelihood of applicant's business expanding is unlikely. Note no comments by EHO but outside of applicant's control.
- Traffic hazard. The Roads Authority has examined the application and has no objection to it. Visibility lines exceed minimum requirements along regional road.
- Established refusal precedents. Proposed development is not comparable to the precedent cases cited (scale, nature).

6.3. Planning Authority Response

6.3.1. The planning authority make the following response:

- Change in the description of the development reduces the effect of the development on third parties. Article 35 was not applied to response to FI as the response meant that there would be no significant material impact on third parties.
- Waste management is regulated under the Waste Management Acts and DCC have a highly active and effective Waste Enforcement section.
- EHOs have been redeployed with the pandemic. No significant public health issues arise for the subject development.

6.4. Observations/Further Responses

- None.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local and national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle/Impact on residential amenity.
- Visual impact.
- Traffic hazard.
- Public health.
- Impact on European sites (dealt with under Appropriate Assessment).

7.2. I also comment briefly on the following matters that have been raised:

- Validation. Validation of a planning application is the responsibility of the planning authority. Issues raised under this heading by the appellants that refer to the matters of substance are addressed in this appeal.

- Notice of further information. Article 35 of the Planning and Development Regulations 2001 (as amended) enables the PA to require the applicant to publish notice of further information submitted, if they consider it to contain significant additional information. Given the clarification of the use of the site provided in response to the request for FI, I am satisfied that the conclusion drawn by the PA was reasonable and that the information submitted was not significant in terms of the likely effects of the development on the environment or third parties over and above the details already submitted.
- Intensification and compliance. Any future use of the appeal site, outside the bounds of a permitted development, are matters for the planning authority under their enforcement powers.
- Precedents. The developments referred to by the appellants are different in location, nature, scale and form to the proposed development and have been determined on the basis of their site specific context and relevant development plan policies. Whilst they may raise similar issues, I do not consider therefore that they comprise directly relevant precedents for the proposed development.
- Enforceability of condition 1(b). The PA's decision is clear in that it specifically excludes public funeral services, wakes etc. at the premises. Given the likelihood that such events would attract large numbers of people, any breach of the condition could be readily identified and therefore enforced.
- Notifications. I note that the appeal file was not referred out to an EHO or to IFI. However, for the reasons stated in this report I do not consider that this prevents the Board from considering the issues raised or for concluding on the likely effects of the development. Notwithstanding this, if the Board so wish they may seek observations from these bodies.

7.3. Principle

- 7.3.1. The planning application made describes the proposed development as (A) retention of elevational alterations to existing dwelling and foundations, rising walls to sub-floor

and floor slab and (B) permission for erection of funeral undertakers building '*for the preparation and presentation*' of deceased persons, storage of coffins and funeral furniture, the parking of a private ambulance and private hearse.

- 7.3.2. I do not consider that the elevational alterations have any adverse effects e.g. visually or on third parties and I would recommend the Board grant this aspect of the retention development.
- 7.3.3. In their consideration of the application, the PA sought clarification on the use of the funeral undertakers building and, on the basis of this, in their decision to grant permission described the development as erection of a funeral undertakers building '*for the preparation for presentation of deceased persons*'.
- 7.3.4. In response to the appeal, the applicant states that the development will allow consolidation of existing funeral undertaking activities. These are stated to be:
- Discussion with members of deceased family with respect to funeral arrangements,
 - Storage of coffins and other items associated with funerals and wakes,
 - Parking of hearse, and
 - Transportation of corpse to Letterkenny or Buncrana for embalming and washing (proposed now in the funeral undertakers building).
- 7.3.5. The PAs wording is important as it indicates that deceased persons would NOT be presented at the subject site but prepared for presentation. This would, I conclude, would preclude ALL viewing of the deceased at the premises. The effect of such a prescribed use would limit the need for public access to the site, traffic movements and reduce the likely effects of the development on nearby residential property e.g. by way of noise, use of the site, mourning by visitors etc. Notwithstanding this, the number of funerals that would be catered for may increase, and it is the principle of the use of the site which is important to consider.
- 7.3.6. Policies of the County Development Plan support proposals for businesses in rural areas that could serve as a valuable addition to the local economy and/or tourism or comprise a home based activity of limited scale located within the curtilage of a dwelling house, subject to compliance with criteria set out in Policy ED-P-14. I would

accept that a funeral undertaker would provide a valuable addition to the local economy and is brought forward as a home based activity of limited scale. Criteria set out in Policy ED-P-14 include that the development is compatible with surrounding land uses and it does not harm the amenities of nearby residents. Nearby land uses comprise residential development, notably to the west of the site where the proposed funeral undertakers building lies close to the rear garden of a residential property. Whilst there is scope to visually screen the proposed development from the adjoining property, the land uses will sit side by side with the funeral undertakers building abutting a residential garden.

- 7.3.7. There is no indication in the County Development Plan of uses which are and which are not appropriate in residential areas. However, I note that other development plans preclude funeral homes in residential areas e.g. Fingal County Development Plan 2017-2023 permits funeral homes/mortuaries in residential zoned land at local centres only and Sligo County Development Plan 2017-2023 does not normally permit funeral homes in residential zoned land. Further, the Planning and Development Regulations 2001 (as amended) limit exempted development rights in respect of changes of use for funeral services/funeral homes (NB funeral homes are typically defined as a place where a person is prepared to be buried).
- 7.3.8. I acknowledge that the proposed development is limited in scale, comes forward in a rural environment where residential plot sizes are large. However, the Planning and Development Regulations and development plans take a precautionary approach in respect of funeral home development. In this instance, the proposed development immediately adjoins the rear garden of a residential dwelling which enjoys a level of residential amenity. The proposed development will directly adjoin this garden and, by virtue of the proposed use (as distinct from visual effects) will, in my opinion, detract from the residential amenity of the property, enjoyment of the rear garden and, therefore, from its value.
- 7.3.9. Having regard to the foregoing, I am not satisfied therefore that the proposed development is compatible with the surrounding land uses or following this, Policy ED-P-14 of the County Development Plan. In coming to this conclusion, I am of the view that any permission granted for the site will facilitate its in principle use for funeral undertaking and I consider that this in proximity to established residential development that is not appropriate.

7.4. Visual Impact

- 7.4.1. The proposed development is situated in an area of High Scenic Amenity and south of an area of Especially High Scenic Amenity. Scenic views are situated to the north of the site looking north east.
- 7.4.2. The proposed funeral undertakers building is situated to the rear of an existing dwelling, is single storey and will be seen against a rising topography and within a well landscaped site. The development will not be overly visible from the public road or from adjoining properties, subject to full implementation of the proposed planting plan. I do not consider, therefore that it will detract from the visual amenity of the area of from scenic views from the public road to the north east.

7.5. Traffic hazard

- 7.5.1. Access to the appeal site is direct from the regional road via a steep driveway. Sightlines at the entrance to the site are at least 160m in each direction and are acceptable. The applicant proposes limited additional traffic movements as a consequence of the development and would accept a condition that the driveway remain as existing and that no parking spaces be provided given the limited volume of traffic likely to be generated by the development. This is not unreasonable, however, I consider that it would be prudent to provide parking spaces within the site, as proposed, to discourage any potential parking alongside the public road and obstruction of sight lines.

7.6. Public health

- 7.6.1. In response to the appeal the applicant gives an overview of the process of embalming and washing of the deceased. It would appear that bodily fluids and embalming chemicals will be brought to and from the site by a professional embalmer and disposed of under the appropriate code. This matter is therefore largely outside of the scope of this appeal.
- 7.6.2. I note that the applicant states that there is no need for a water supply or foul water services for the funeral undertaking business and that the service pipes in the concrete slab have been included erroneously and can be removed. This seems

quite unusual given the stated need to wash corpses and in order to ensure hygiene within the building. I am not satisfied therefore that the applicant has adequately addressed public health issues or that it is appropriate to condition the particular use of the building to one which does not have access to running water or a means to dispose of foul water.

8.0 Appropriate Assessment

- 8.1. The appeal site is situated c. 500m south of the North Inishowen Coast Special Area of Conservation (shared site code 002012) and c.1.6km to the south west Trawbreaga Bay SPA (site code 004034). Approximately 100m to the east of the site a watercourse (Ardagh-010) that drains to the SAC. A ditch/stream along the southern and eastern boundary of the appeal site is also likely to follow topography and drain to the SAC.
- 8.2. The proposed development includes retention of concrete base and construction of funeral undertaking building. Construction works (past and proposed) have the potential to generate contaminated soils (e.g. hydrocarbons, siltation). However, such works are downstream of the stream/ditch which drains to the SAC and contaminated water, in the absence of any mitigation measures, is likely to drain overland, following topography, and percolating to soils underneath without reaching the land to the north of the public road (which I note is subject to flooding).
- 8.3. Having regard to the modest nature of the development, the distance of the site from the North Inishowen Coast SAC and Trawbreaga Bay SPA and intervening soils, impacts on water quality are unlikely to arise. Consequently, 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.

9.0 Recommendation

- 9.1. I recommend that the Board make a split decision in respect of the proposed development, (i) granting permission for the retention of elevational alterations to dwelling and (ii) refusing retention of foundations, rising walls to sub floor and floor slab and permission for development of funeral undertakers building.

10.0 Reasons and Considerations

A. Permission for retention of elevational alterations to existing dwelling.

Having regard to the location of the existing dwelling, removed from nearby residential development, and modest nature of the proposed alterations it is considered that the proposed development, subject to compliance with the conditions set out below, would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 9th day of November 2021, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

B. Permission for retention of floor slab and erection of a funeral undertakers building for the preparation for presentation of deceased persons, the storage of coffins and funeral furniture, the parking of a private ambulance and funeral hearse and all associated site works.

Reasons and Considerations

1. Having regard to the nature of the proposed development and its location immediately adjoining a residential property, it is considered that the proposed development would be incompatible with the surrounding land use and seriously injure the residential amenities and depreciate the value of adjoining properties. The proposed development would therefore conflict with Policy

ED-P-14 of the Donegal County Development Plan 2018-2024 (as amended) and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature of the proposed development and stated use of the funeral undertakers building in particular, the Board is not satisfied that the applicant has indicated how the development would be adequately serviced. The proposed development would therefore be prejudicial to public health and would be contrary to with the proper planning and sustainable development of the area.

Deirdre MacGabhann

Planning Inspector

1st September 2022