



An
Bord
Pleanála

Inspector's Report

ABP-322125-25

Development	Demolition of building and erection of an apartment block consisting of 6 no. apartments and all associated works.
Location	Upper Main Street, Donegal Town, Co. Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2560029
Applicant(s)	Stylo Estates Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	First Party
Appellant(s)	Stylo Estates Limited
Observer(s)	None
Date of Site Inspection	4 June 2025
Inspector	Claire McVeigh

1.0 Site Location and Description

- 1.1. The appeal site, stated area of 0.067ha, is situated to the southern side of Upper Main Street (R-267-3) in Donegal Town, located outside the town centre zoned lands. The site comprises the existing two storey detached building (boarded up windows), outbuildings and side and rear garden currently in an overgrown state although there are a number of mature trees within it providing an attractive backdrop to the vernacular building. The existing building sits on the edge of the footpath and is forward of the building line formed by the school to the west and the detached dwelling to the east. The ground levels rise on either side of the site and significantly rise to the rear.
- 1.2. To the west of the subject site are the grounds of the Aodh Rua and Nuala National School, a landscaped bank rising to the south grassed amenity area of Ardeskin Heights and to the east a pedestrian access to the residential estate of Ardeskin Heights. Immediately adjacent to the opposite side of the pedestrian access route is a large detached residential property with retaining walls to the rear garden/courtyard area.

2.0 Proposed Development

- 2.1. Application is for the demolition of a two-storey detached building (166.35 sq.m) and erection of an apartment block (543.54 sq.m) consisting of 6 no. apartments (2 no. bedroom) and all associated works. It is proposed to excavate the development site to create a finished floor level for the apartment block of 18.00OD, which would be 1m above the adjoining footpath level. The proposed ridge height is 10.43m high.

Table 1: Key details

Total number of apartments and mix of units	6 no. 2 bedroom units
Residential Density	89dph

Communal Open Space	84.63 sq.m
Private Open Space	North facing balconies of 7 sq.m per apartment
Bicycle parking spaces	Bike storage area – no details on the proposed number of cycle spaces and type of storage.
Car parking spaces	9 no. (no details provided in respect to EV charging/wheelchair accessible spaces)
Private outdoor storage space	6 no. individual lockers

3.0 Planning History

Planning register ref. no Part V 25/01 (February 2025) Certificate of Exemption granted.

Planning register reference 06/20726 Planning permission granted (October 2006) for the demolition of existing building used as an office/pottery workshop, retail unit and dwelling accommodation unit and associated outbuildings and erection of building containing 6 no. apartments and bins/bicycle compound associated site works including car parking and vehicular access on to the upper main street. Applicant Stylo Estates Ltd.

Planning register reference 05/345 /PL05.212656 Planning permission refused by An Bord Pleanala (October 2005) for the following: 1) demolition of existing building previously used as an office / pottery workshop / retail unit and dwelling accommodation unit and associated out buildings. 2) construction of 2 no. buildings containing the following: a) building along main street containing 7 no. apartments b) building to rear of site containing 4 no. apartments (11 no. apartments in total) also all associated site works including carparking on ground floor with vehicular access on to main street, landscaped courtyard at first floor level and connection to existing foul, storm and watermain supply services. Applicant Stylo Estates Ltd.

Refusal reason:

Having regard to the size of the site and its topography, it is considered that the proposed development of 11 apartments with inadequate provision for private open space, car parking, refuse disposal and general storage and inadequate separation between blocks, would result in overdevelopment of this restricted site, would fail to provide an adequate standard of residential amenity to serve the future occupants, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Planning register reference 03/842 planning permission refused on the site for demolition of existing building/outbuildings and construction of office at lower ground floor, basement car parking, and 8 apartments at upper ground, 1 st and 2 nd floor levels. Refusal was due to excessive mass/scale and overdevelopment re off-street car park provision. There was concern re overlooking and overshadowing of adjoining residential properties. Applicant Stylo Estates Ltd.

Planning register reference 03/780 Incompleted application. Applicant Stylo Estates Ltd.

4.0 Planning Authority Decision

4.1. Decision

- 4.1.1. On the 27 February 2025 the planning authority decided to refuse permission for the development for the following reasons and considerations:

1. It is set out in Policy GEN-EH-6 of the Seven Strategic Towns Local Area Plan 2018-2024 that 'It is a policy of the Council to consider proposals for development within areas zoned as 'Established Development' where it can be demonstrated that the proposal will integrate effectively with the surrounding area and that there will be no over-development of the site or inappropriate densities and subject to compliance with all other relevant policies of this LAP. In this regard, a proposal must demonstrate that the development is appropriate in its context and setting, that the scale, massing, footprint and height is appropriate and that it does not detract from the character, amenity and design of the surrounding neighbourhood including the

character and amenities of surrounding buildings.’ Having regard to the mass and design of the proposed development that is determined to be visually incongruous and overly dominant in the receiving landscape and to the prominence of the subject site on the approach into Donegal Town, it is considered that to permit the proposed development would be detrimental to the character of the area and would result in a development that does not contribute to placemaking and is found to lack integration. To permit the proposal would materially contravene Policy GEN-EH-6 of the Seven Strategic Towns Local Area Plan 2018-2024 and would thereby be contrary to the proper planning and sustainable development of the area.

2. It is a policy of the County Donegal Development Plan, 2024-2030 that “proposals for new residential developments (2 or more units) in settlements demonstrate that the design process, layout, specification and finish of the proposed development generally comply with all relevant Governmental Planning Guidelines/Standards’ and give consideration to inter alia, ‘open space, amenity, high quality design, integration’ (Policy UB-P-7 refers). On the basis of the information submitted in support of the planning application, and in particular the mass and design of the proposed development, the extent of groundworks required to facilitate same, a failure to provide integration or contribute to positive placemaking, the Planning Authority considers that the proposed development is visually discordant and incongruous in the local area. Accordingly, to permit the proposed development would be contrary to the objective of provision of quality placemaking, would materially contravene Policy UB-P-7 of the County Donegal Development Plan, 2024-2030 and would thereby be contrary to the proper planning and sustainable development of the area.
3. It is a policy of the County Donegal Development Plan, 2024-2030 “To protect the residential amenity of existing residential units and to promote design concepts for new housing that ensures the establishment of reasonable levels of urban residential amenity (Policy UB-P-9 refers). On the basis of the information submitted in support of the planning application, and in particular the design and siting of the proposed development that is situate next to a retaining wall of approximately 5m in height and to the resultant serious

deficiency in provision of natural light, to the location of private open space adjacent to the public road and to ground floor balconies and to the potential to cause overlooking of existing residential property, the Planning Authority considers that the proposed development is substandard in the provision of residential amenity. Accordingly, to permit the proposed development would be contrary to the objective of provision of quality placemaking, detrimental to existing and proposed residential amenity, would materially contravene Policy UB-P-9 of the County Donegal Development Plan, 2024-2030 and would thereby be contrary to the proper planning and sustainable development of the area.

4.2. Planning Authority Reports

4.2.1. Planning reports

- 25 February 2025 – Key issues identified include the principle of development, siting & design, residential amenity, access/traffic safety and public health. In terms of wastewater treatment, surface water and water supply there are connections in place to all public infrastructure. There is an absence of surface water calculations. Notes serious deficiencies in the application including design, siting, inadequate residential amenities, absence of the necessary information, lack of integration considers that the application is contrary to Policy GEN-EH-6 of the LAP and to Policies UB-P-7 and UB-P-9 of the County Donegal Development Plan (CDDP) and refusal is recommended.

Considers that the proposed development would not be likely to have any significant effect, individually or in combination with any other plan or project, and it is not considered that Screening for Appropriate Assessment (AA) is required in this instance.

The need for environmental impact assessment (EIA) excluded at preliminary examination and a screening determination is not required.

4.2.2. Other Technical Reports

- Building Control - Conditions recommended.

- Chief Fire Officer – No objection subject to the conditions with respect to a Fire safety certificate and providing access and facilities for fire services to comply with TGD-B 2006, Reprint edition 2020, Section B5.
- Area Roads Office – Applicant to submit greater detail on how the shortfall of parking spaces may be overcome at the subject site. Concerns raised that there is no detail on any retaining wall structure proposed to the pedestrian access route to Ardeskin Heights.

4.3. Prescribed Bodies

- None

4.4. Third Party Observations

A total of three submissions/observations were made from the following: The Board of Management of Scoil Aodh Rua agus Nuala, Margaret Connolly and Toby Llewellyn.

In summary the issues raised include:

- The proposed development conflict with the policies and objectives in the Donegal Town Local Area Plan (LAP) as part of the Seven Strategic Towns Local Area Plan 2018-2024, that is noted to remain in effect. Policy GEN-H-1 clearly indicates that multiple residential development would be considered unfavourably unless it is demonstrated that there is no conflict with the policies of the CDP or LAP and the other initiatives that are in place.
- Health and safety concerns with respect to the additional traffic movements, as the proposed development site is located between the dual campus school. Concerns about overspill impacts of cars having to park on street.
- Issues with respect to the demolition and site excavation works have not been addressed given the absence of Traffic Management Plan and Waste Management Plan.
- The existing right of way between the Aodh Rua school and the proposed site cannot be blocked at any time or used for construction activity as it serves as

parking for the school, delivery access and access for children with additional needs.

- Substantial excavation works proposed yet no boundary treatments indicated on the drawings.
- Concerns about the demolition of the traditional two storey vernacular structure that forms a prominent and historic part of the Upper Main Street. Building should be refurbished as opposed to demolished in accordance with the Donegal County Development Plan.
- The character of Upper Main Street is predominately defined by its traditional architecture, featuring gable or hip roofs. The proposal of a densely developed site with a three-storey, flat roofed, hyper modern apartment block and car park would be jarringly incongruous and detrimental to the long-established traditional character of the area.
- The subject site occupies a prominent position on a significant entry road to the town centre, visible as far as St. Patricks Church without obstruction. The existing building has been part of the streetscape for over a century and is seen by many as a symbolic delineator between the town centre and the outer residential areas. It provides an importance sense of enclosure to the streetscape.
- Poor design quality, limited distance of 1.3m between the rear of the building and the site boundary. Given the ground level difference this rear boundary would necessitate a 5-metre-high retaining wall (excluding guard rail). Storage for bins, bikes and general household items is poorly positioned in front of the building.
- Buildability concerns as the proposed development would require substantial retaining walls and legal consent of the adjoining owners would be required to enable the works and their lands would be out of bounds for the duration of the works.
- The lack of pedestrian access and narrow driveway make manoeuvrability difficult and there are concerns that the development would create a scenario where cars would be reversing out onto the public road which would endanger other traffic or pedestrians.
- Concerns about height and loss of sunlight.

- Balconies overlooking neighbouring properties.

5.0 Policy Context

5.1. Seven Strategic Towns (Donegal Town) Local Area Plan 2018-2024 (the LAP)¹

A review of the LAP has commenced and by resolution, at the Plenary Council meeting of 24 July 2023, the current plan remains in effect until the replacement plan is adopted.

Key planning issues for Donegal Town (Chapter 9) include

- The importance of the built, archaeological and cultural heritage of Donegal town and economic potential
- The protection of the historic townscape and the need for design guidance.
- The visual quality of the main access routes into and out of the town.
- The need to safeguard the environmental and visual amenities of the town including the coastal interface and drumlin landscape.

The site is zoned as ‘Established Development’. The zoning objective is ‘To conserve and enhance the quality and character of the area, to protect residential amenity and to allow for development appropriate to the sustainable growth of the settlement.’

Policy GEN-H-1 It is a policy of the Council that, where an application for multiple residential development (i.e. 2 or more units) is proposed on land that does not have a positive residential zoning (or a ‘Mixed Use’ or ‘Opportunity Site’ zoning that includes an element of residential) the proposal shall not be favourably considered unless it can be demonstrated that the proposal would not materially affect the Core Strategy of the CDP, and would not conflict with any other policy of the CDP and this

¹ As per section 5.2 the development plan is subject to proposed variation (no. 1) which includes proposals for new area plans, including Donegal Town, to replace the current **Seven Strategic Towns Local Area Plan 2018-2024**. Pre-draft public consultation was held in February 2025 and according to the Issues and Options paper a draft is planned to be published in August 2025. Report on pre-draft public consultation report (May 2025) viewed and available at <https://www.donegaldevplan.ie/>

LAP or with the proper planning and sustainable development of the area. In addition, any such proposals shall be subject to compliance with the Habitats Directive and shall have regard to environmental considerations.

Policy GEN-H-2 It is a policy of the Council to consider proposals for multiple residential development (i.e. 2 or more units) on lands zoned 'Primarily Residential' and on specified 'Opportunity Sites' on the accompanying land-use zoning maps (Map1- 7) and also to consider proposals for residential development on lands within the defined town centres and 'Established Development' areas, subject to compliance with the specific policies for each individual settlement and with all other relevant policies of this LAP, compliance with the Habitats Directive and all other material planning considerations including environmental considerations.

Policy GEN-EH-6: It is a policy of the Council to consider proposals for development within areas zoned as 'Established Development' where it can be demonstrated that the proposal will integrate effectively with the surrounding area and that there will be no over-development of the site or inappropriate densities and subject to compliance with all other relevant policies of this LAP. In this regard, a proposal must demonstrate that the development is appropriate in its context and setting, that the scale, massing, footprint and height is appropriate and that it does not detract from the character, amenity and design of the surrounding neighbourhood including the character and amenities of surrounding buildings. Proposals for change of use for intensification of an existing site within an 'Established Development' area must be accompanied by a design concept to demonstrate the appropriateness of the proposed development in line with this policy.

The applicant notes Objective DT-H-1 but I note that this relates to the identification of 21ha of appropriate lands to meet future housing need in Donegal Town including social and affordable housing, I do not consider this objective to be directly applicable to the application site by reason of the nature and scale of the subject site.

5.2. Donegal County Development Plan 2024-2030

As noted above, section 5.1, the subject site is located within Donegal Town and in the Seven Strategic Towns (Donegal Town) Local Area Plan 2018-2024 (the LAP).

Donegal Town is identified as a County Growth Driver in the settlement strategy (2nd hierarchy position). The core strategy allocates 566 housing units to Donegal Town to cater for an increased population from 2,749 (census 2022) to 4,255 persons by 2030.

The subject site is located within an area of High Scenic Amenity within Donegal Town. Policy L-P-2 refers.

Section 11.4 Archaeological Heritage – the Department of Housing, Local Government & Heritage has designated Donegal Town as a Historic Town for general protection. These towns contain Zones of Archaeological Potential where intense archaeology is present and where prior consent for works is required. Policy AYH-P-1 refers.

Section 6.2 Urban Housing

UB-P-7 It is a policy of the Council to require that proposals for new residential developments (2 or more units) in settlements demonstrate that the design process, layout, specification and finish of the proposed development generally comply with all relevant Governmental Planning Guidelines/Standards and give due regard to the key considerations of –

- a. Public realm, open space and amenity
- b. Connectivity and accessibility, having particular regard to active travel and sustainable modes of transport
- c. High Quality Design - massing, form, scale, density and finishes
- d. Mix of house types
- e. Energy efficiency
- f. Biodiversity considerations
- g. Climate adaptation and surface water management
- h. Integration with neighbouring developments and uses

UB-P-9 It is the policy of the Council both to protect the residential amenity of existing residential units and to promote design concepts for new housing that ensures the establishment of reasonable levels of urban residential amenity

UB-P-12 Multiple residential developments shall, in general:

- a. On greenfield sites, include a minimum of 15% of the overall site area reserved as public amenity area;
- b. In other cases, such as large infill sites or brown field sites include a minimum of 10% of the overall site area reserved as public amenity area; or
- c. On lands characterised by a large private or institutional building/s set in substantial open lands, include a minimum of 20% of the overall site area reserved as public amenity area.

Policy BIO-P-3

- a. Protect features of local biodiversity value (e.g. hedgerows/field boundaries, trees, woodlands, wetlands, water bodies, riverbanks and peatlands) which make a significant contribution to the biodiversity, biodiversity/ecosystem services, ecological connectivity, and associated visual amenity and/or rural character of the area.

- b. Require that developments otherwise maximise the retention of and suitably integrate such features and provide new ecological corridors where appropriate.

In this regard proposals for the removal of existing roadside hedgerows/field boundaries for new developments in rural areas will only be permitted in so far as is necessary to safeguard public safety and any remaining portion of those features identified above not so required shall be retained.

- c. Require that development proposals provide biodiversity enhancement measures (e.g. native tree and hedgerow planting, and nature-based water management solutions).
- d. Require that large-scale developments result in no net biodiversity loss and include a site-specific comprehensive Biodiversity Management Plan (BMP), as part of any planning proposal.

This policy will be implemented by the Council in so far as same can be practicably and reasonably achieved within the context of Strategic Infrastructure Projects including, but not restricted to, the TEN-T Priority Route Improvement Project, Donegal, the Bridgend to County border project scheme, the Buncrana Inner relief Road and Greenways

Chapter 16 Technical Standards

5.2.1. Proposed Variation No. 1 to the County Donegal Development Plan 2024-2030 Pre-draft consultation February 2025 and pre-draft consultation report published May 2025 (including): -

1. New Area Plans for An Clochán Liath (Dungloe), Ballyshannon, Bridgend, Carndonagh, **Donegal Town**, and Killybegs.
2. Residential Rezoning at Cockhill, Buncrana.
3. Potential Residential Zoned Land Tax Rezonings.

5.3. National Policy and Guidelines

- National Planning Framework First Revision (April 2025).

National Policy Objective 7 Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

National Policy Objective 11 Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

Appendix 2: Population and Employment in Urban Settlements, Census of Population 2022 indicates that Donegal has a jobs to resident works ratio of 1.78.

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)
- The Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2023)

5.4. Natural Heritage Designations

The subject site lies c. 90m south from Lough Eske and Ardnamona Woods SAC (Site Code: 000163) at its closest point. The Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133) and proposed Natural Heritage Areas: Donegal Bay (Murvagh) (Site Code: 000133) is 570m to the west of the subject site. Special Protection Areas: Donegal Bay SPA (Site Code:004151) is also approximately 570m to the west of the subject site.

6.0 Environmental Impact Assessment (EIA) Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2, in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

The appeal is made by the first party Stylo Estates Limited, in summary the grounds of appeal focus on the reasons for refusal and are as follows:

- The proposed development bookends the Aodh Rua National School and St. Patrick's Roman Catholic Church from the low-density residential development further out of town, integrating comfortably into the streetscape by setting the apartment block into the drumlin hill ameliorates its visual impact and is compliant with policy GEN-EH-6. Elevation to Upper Main Street Drawing 2488_ABP-007 submitted to demonstrate that the proposed development is not visually incongruous and overly dominant.
- The planning authority has failed to give proper consideration to all relevant Governmental Planning Guidelines, as required in Policy UB-P-7 as no

consideration was given to the 'Sustainable and Compact Settlement – Guidelines for Planning Authorities (January 2024). The applicant has met the standards for communal open space of the compact settlement guidelines in providing a combined open area of 85 sq.m. Private open space has been provided for each apartment with individual balconies extending to 7 sq.m in accordance with the Design Standards for New Apartment Guidelines 2023. The applicant also has carried out a comparison of open space in Table 3 with the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2022). It is considered that the apartment design is contemporary and deserves to be treated as a stand-alone building along the streetscape.

- The density of the development proposed is at 89dph, whilst high, reflects the density recommended in the Sustainable Residential Development and Compact Settlement Guidelines for large towns like Donegal Town, where residential densities in the range of 40dph-100dph shall generally be applied in the centres and urban neighbourhoods.
- Revised drawings 2488_ABP-002_A and 2488_ABP-004_A show minor amendments including the relocation of the wheelchair access ramp to the apartment block entrance and screening to the ground floor balconies private open space. These amendments rationalise the individual private outdoor storage area, bin storage and access to the rear of the apartment block form apartments no. 1 and no. 2.
- The applicant accepts the construction issues arising from the topography and the duty of care to protect adjoining properties and the pedestrian right-of-way serving the Ardeskin Heights housing scheme. It is submitted that substantial excavation to enable development has been approved in Donegal Town, recent examples provided include the Aldi supermarket and the Credit Union Building to the rear of the diamond (photographs included). A suitable condition could be attached to address the detailed design for all retaining walls and a construction method statement.
- The living/kitchen/dining areas in the proposed units will have substantial daylight given that they are served by floor to ceiling windows and doors to

give good access to daylight. The bedrooms are positioned to the rear of the building deliberately, noting the BRE guidance place a lower expectation for daylight within bedrooms compared to kitchens and living rooms.

- The proposed development would not cause overlooking of existing residential properties as there are no windows proposed to the side of the apartment building.
- Do not agree with the planning authority that the development should sit forward and car parking be located at the rear given that on this side of the approach road into Donegal Town the building lines are set back.

I draw the Board attention to the applicant's submission referring to the planning authority's assertion that the proposed apartment block would constitute a traffic hazard. Having reviewed the planner's report, the report of the Area Roads Office and the reasons for refusal traffic hazard is not expressly raised as an issue.

7.2. Planning Authority Response

- The planning authority states that the reasons for refusal of permission are substantive in nature and are reiterated strongly in the third-party submissions received during the course of the application.
- Consider that it is not necessary to revisit the planner's report in the context of the appeal response but to comment that the proposed amendments as set out in the revised drawings only serve to reinforce the inadequacies of the development. The siting of public open space beside a bin store, private open space within 1m of car parking and potentially not accessible, the lack of sectional drawings to illustrate levels, no form of protection of third-party boundaries etc.
- Redevelopment of a brownfield site in an urban setting is welcomed but the deficiencies in the application are such that a positive assessment cannot be recommended.

7.3. Observations

- None

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- *Principle of development*
- *Visual impact*
- *Impact on landscape and trees*
- *Residential amenity (including proposed communal open space and private amenity space)*

I highlight to the Board the applicant has submitted revised drawings indicating minor amendments to the proposed layout of the car parking area to include a segregated separate pedestrian ramped access to the entrance, revised location for the bin storage, private outdoor storage space and covered bikes storage.

- Site Layout Drg. No. 2488_ABP-002_A
- Scheme Design Drg. No. 2488_ABP-004_A
- Road Elevation Facing Front of Apartment Building 2488_ABP-007

8.2. Principle of development

8.2.1. Policy GEN-H-1 of the Seven Strategic Towns Local Area Plan (LAP) 2018-2024 (as extended) clearly sets out a sequential phasing for development focusing applications for multiple residential development (i.e. 2 or more units) on land which has a positive residential zoning (that is 'Mixed Use' or 'Opportunity Site' zoning that includes an element of residential). Under other zonings the LAP states that the proposal shall not be favourably considered unless it can be demonstrated that the

proposal would not materially affect the Core Strategy of the (County Development Plan (CDP) and would not conflict with any other policy of the CDP, the Local Area Plan (LAP) or the proper planning and sustainable development of the area. As the subject site is not within one of the “positive residential zonings” the test of whether it is acceptable in principle is subject to a consideration of all the standard planning matters. Furthermore provisions in respect to ‘Established development’ zoning, of which the subject site relates, are Policy GEN-H-2 and Policy GEN-EH-6 of the LAP which allows for the consideration of residential uses where compliance with the specific policies for each individual settlements are met and it can be demonstrated that the proposal will integrate effectively with the surrounding area and that there will be no over-development of the site or inappropriate densities and subject to compliance with all other relevant policies of this LAP. As such, I am of the opinion that the bar for the redevelopment of the subject site for residential uses is set higher than that for proposals within the ‘positive residential zoning’.

- 8.2.2. Whilst planning permission was granted by Donegal County Council, under planning register reference 06/20726 - section 3.0 of my report for details, for a similar scheme comprising 6 no. 2 bedroom apartments I note that the policy background has changed significantly since this decision was made in respect to the National Planning Framework NPF (First Revision) with a strong recognition of the need to integrate environmental considerations into land use planning in a way that responds to the sensitivities and requirements of the wider natural environment. Taking the foregoing into account, the following assessment shall focus on the core reasons for refusal having regard to the policies and objectives contained in the CDP and the LAP in conjunction with the Section 28 Ministerial Guidelines as noted in section 5.0 above.

8.3. Visual Impact (Including massing and design)

- 8.3.1. The applicant in their appeal submission highlight that the planning authority did not make reference to the Sustainable and Compact Settlements Guidelines for Planning Authorities (compact settlement guidelines) within their assessment. The compact settlement guidelines provide guidance on typical density ranges and a methodology for the assessment of individual applications. It is a policy and objective of these guidelines that the scale of new development in the central areas of small to

medium sized towns should respond positively to the scale, form and character of existing development and to the capacity of services and infrastructure (including public transport and water services infrastructure) (Table 3.6 Areas and Density Ranges Small to Medium Sized Towns). Notably no density range is provided for the centre zone but within the edge zone an indicative range of between 25-40dph is considered appropriate. I acknowledge that as Donegal Town is a peripheral location, as defined in the compact settlement guidelines, these lands do not meet the proximity or accessibility criteria for further refinement of density as per the methodology for local determination.

8.3.2. Applying the methodology to the subject site and having regard to the Core Strategy within the development plan I am of the opinion that Donegal Town falls within the small to medium sized towns category (1,500-5,000 population). The subject site, as zoned 'Established Development' forms part of the established urban fabric of the town as defined in the LAP, however it is positioned on the edge of the zoned 'Town Centre'. As such, I am of the view that a density range of between 25-40 dph may be reasonable for this edge of town location. Furthermore, I note that the apartment guidelines indicate that broadly when considering apartment development a density of <45 dph would be applicable for sites in small towns or villages, subject to local assessment. Notwithstanding, I highlight to the Board that the compact settlement guidelines also contain exceptions (3.3.6) where in the case of very small infill sites that are not of sufficient scale to define their own character and density, the need to respond to the scale and form of surrounding development, to protect the amenities of surrounding properties and to protect biodiversity may take precedence over the densities set out in this Chapter.

8.3.3. The proposed density of development is significantly higher than the density range of 'edge' development at approximately 89 dph. Having regard to the Table 3.7 'Core Strategy Table' of the development plan a target residential density of 35 dph is generally indicated for Donegal Town. Given the difference between the indicative densities applied in the core strategy for lands within Donegal Town I am of the view that the proposed development density is 89dph is excessive for the small redevelopment site and a result fails to meet the tests as set out in Table 3.6, of the guidelines, by reason that the proposed flat roofed apartment block is not sufficiently modulated to respond positively to the scale, form and character of existing

development. Furthermore, I consider that the proposed 10.4 metre high blank side elevations would not integrate effectively with the surrounding area or contribute positively to the pedestrian pathway to Ardeskin Heights and would not, in my opinion, by reason of its depth provide a visually interesting 'bookend' as viewed from Scoil Aodh Rua National School and St. Patrick's Roman Catholic Church. I would agree with the planner's assessment that the removal of the mature trees to the south to accommodate the apartment block would have a negative impact (please see section 8.4 for assessment on landscape and trees) on the visual quality of the main access route into and out of the town. In addition, the proposed density would in my view compound the visual clutter of bin store, bicycle store and external storage within the front amenity and car parking area. As such, I consider that the proposed development would be contrary to Policy GEN-EH-6 of the Seven Strategic Towns Local Area Plan 2018-2024 (as extended) and would therefore be contrary to the proper planning and sustainable development of the area.

8.4. Impact on landscape and trees

- 8.4.1. The subject site, as detailed in the applicant's appeal submission, forms part of the drumlin belt within Donegal Town. I note that the need to safeguard the environmental and visual amenities of the town including the drumlin landscape is identified as a key planning issue (9.2) in the LAP.
- 8.4.2. The subject site rises steeply to the south as demonstrated on the submitted site layout plan and to accommodate the proposed development the applicant outlines that excavation of the site is necessary to provide a level building platform and to comply with the minimum access gradient into the site from the public road. Retaining walls are proposed and I note from my site visit and from photographs submitted with the applicant's appeal that excavation and construction of retaining walls has occurred in Donegal Town and within the immediate area of the subject site.
- 8.4.3. I do not concur with the applicant's appeal submission where they state that the setting of the apartment block into the drumlin hill ameliorates its visual impact given the significant loss of mature trees and associated biodiversity that would result. As such the proposed development would, in my opinion, be contrary to Policy BIO-P-3

which seeks to protect features of local biodiversity value and associated visual amenity.

8.5. Residential amenity of both existing residents and future (including proposed communal open space and private amenity space)

- 8.5.1. Development Plan Policy UB-P-7 requires that proposal for new residential developments in settlements demonstrate compliance with all relevant governmental planning guidelines/standards. Policy UB-P-9 seeks to protect the residential amenity of existing residential units and to promote design concepts for new housing that ensures the establishment of reasonable levels of urban residential amenity. Guided by both these policies I shall carry out an assessment of compliance of the key considerations against both the compact settlement guidelines and the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ (2023) (referred to herein as apartment guidelines), as per Table 2 below. I note for the Board that the revised drawing submitted in support of the appeal includes a schedule of apartment areas (Included on drawing Scheme Design 2488_ABP-004_A) that was not available to the planning authority in their assessment.

Table 2: Key planning considerations summary (structure to align with Policy UB-P-7)

	DCP Policy UB-P-9	Compact settlement guidelines	Apartment Guidelines
a. Public realm, open space and amenity	No public open space proposed, communal open space of c.85 sq.m and private amenity balconies (north facing) of c. 7 sq.m is in accordance with the minimum standards of the apartment guidelines.	Policy and Objective 5.1 – Public Open Space allows in some circumstances to set aside (in part or whole) the public opens space requirement arising under the development plan.	Communal amenity space can be relaxed in part or whole on urban infill schemes. Standard of minimum depth of 1.5 balconies over one useable length and 7 sq. m

			minimum private opens space required is achieved.
b. Connectivity and accessibility	<p>The proposed front boundary is set back to create a wider pedestrian footpath along the northern boundary of the site. I note that the revised site layout (as submitted with the appeal) allows for a separate mobility access ramp to the main entrance. The positioning of the accessible parking space (1 no. space indicated as wider) and the ramped approach would appear to conflict/cause problems for the user.</p> <p>No details provided with respect to quantity of cycle space and the proposed cycle storage is proposed adjacent to the bin storage area adjoining the pedestrian pathway.</p>	<p>SPPR 3 – Car parking (maximum rate) in peripheral locations is 2 no. spaces per dwelling.</p> <p>SPPR 4 – Cycle Parking and Storage – 1 cycle space per bedroom and cycle storage facilities within the building footprint or where not feasible within an adjacent or adjoining purpose-built structure.</p>	<p>1 car parking space per unit, together with 1 visitor space for every 3-4 apartments. Car parking can be relaxed on urban infill schemes on sites up to 0.25ha.</p> <p>1 cycle storage space per bedroom. Visitor cycle parking 1 space per 2 residential units.</p>
c. High Quality Design – massing, form, scale, density and finishes	<p>Massing, scale, and density addressed in section 8.3 of my report.</p> <p>The application contains limited information or</p>	<p>The provision of acceptable levels of daylight in new residential development is an important planning</p>	<p>SPPR 3 Minimum apartment floor areas 2-bedroom apartment (4 persons) 73 sq.m</p>

evidence to demonstrate the proposed finishes would be of a high quality.	consideration and it is important to safeguard against detrimental impact on the amenity of other sensitive receptors.	<p>SPPR 4 Dual aspect – for urban infill schemes on sites of up to 0.25ha discretion to consider dual aspect at a lower level than 33% on a case-by-case basis.</p> <p>SPPR 5 Ground level apartment floor to ceiling minimum of 2.7m height, discretion can be exercised on urban infill schemes.</p> <p>Internal storage exceeds the maximum for one room (should be no more than 3.5 sq.m)</p> <p>Secure ground floor storage allocated to individual apartments within the car parking area.</p> <p>It is not clear from the information submitted whether there is sufficient communal storage to satisfy the three-bin system.</p> <p>The proposed development meets</p>
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		with the minimum standards of Appendix 1 Required Minimum Floor Areas and Standards.
d. Mix of house types	No mix. All 2 no. bedroom apartments.	SPPR 2 No restriction on dwelling mix where up to 9 residential units.
e. Energy efficiency	No details submitted.	
f. Biodiversity considerations	No details submitted.	
g. Climate adaptation and surface water management	No details submitted.	Promotes urban greening and nature-based solutions (including Sustainable Drainage Systems)
h. Integration with neighbouring developments and uses	Proposed development seeks to excavate significantly the existing drumlin hill and would result in significant changes in ground levels with that of adjoining lands.	

8.5.2. In respect to the residential amenity of existing residents, given the sensitive nature of this redevelopment site and proposed exaction part of the drumlin hill to accommodate same I am of the opinion that the evidence submitted with the application is not sufficient to allow me to determine whether the impact of the

proposed development would result in a significant adverse impact on the residential amenities of the adjacent residential properties by reason of daylight/sunlight impacts.

- 8.5.3. In terms of residential amenities of future residents of the proposed development my assessment undertaken in Table 2 above, indicates that the internal floor area and layout generally meets with the minimum standards in terms of their dimensions. There are, however, exceptions as I note that the storage area proposed is 6 sq. m which would exceed the requirement that any one storage room within an apartment should not exceed 3.5m. I have concerns that the proposed building footprint is too close to the proposed retaining wall at the rear to provide adequate daylight /sunlight levels. In addition, I would have concerns about the useability and amenity value of the proposed private amenity space in the form of north facing balconies/terraces facing onto the surface car parking area and Upper Main Street.
- 8.5.4. In conclusion, having undertaken the assessment of the proposed apartment development against the criteria and standards as detailed above in Table 2, I consider that it has not been demonstrated that the proposed development would not be contrary to Policy GEN-EH-6 of the Seven Strategic Towns Local Area Plan 2018-2024 (as extended) and Policy UB-P-7 of the County Donegal Development Plan 2024-2030.

9.0 Appropriate Assessment (AA) Screening

Please refer to Appendix 3. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections

- Appropriate Assessment Screening of the planning authority.

10.0 Water Framework Directive

- 10.1. Please refer to Appendix 4. The river body Eske_020 IE_NW_37E050400 approximately 90m north of the subject site (good water body status) and the groundwater body is Donegal-Balintra IE_NW_G_071 (good water body status).
- 10.2. The proposed development is detailed in section 2.0 of my report. No water deterioration concerns were raised in the planning appeal.
- 10.3. I have assessed the proposed demolition of building and erection of an apartment block consisting of 6 no. apartments have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
 - Location-distance from nearest water bodies and/or lack of hydrological connections
- 10.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend that permission for the development be refused for the reasons and considerations set out in section 12.0.

12.0 Reasons and Considerations

1. Having regard to the size of the site and its topography, it is considered that the proposed density of development is excessive and would result in poor quality provision of private open space and communal open space, restricted car parking layout, visual clutter due to prominently located refuse disposal and general storage and, would result in overdevelopment of this restricted site, would fail to provide an adequate standard of residential amenity to serve the future occupants, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the unmodulated mass and design the proposed development would be visually incongruous and overly dominant in the receiving landscape given the prominence of the subject site on the approach into Donegal Town, it is considered that to permit the proposed development would be detrimental to the character of the area contrary to the 'Established Development' zoning objective and would result in a development that does not contribute positively to placemaking. As such, the proposed development would be contrary to Policy GEN-EH-6 of the Seven Strategic Towns Local Area Plan 2018-2024 (as extended) and Policy UB-P-7 of the Donegal Development Plan 2024-2030. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposed development would result in excavation of the drumlin landscape and a significant loss of mature trees with associated biodiversity loss. As such, the proposed development is contrary to Policy BIO-P-3 of the County Donegal Development Plan 2024-2030 which seeks to protect features of local biodiversity value and associated visual amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Claire McVeigh
Planning Inspector

19 June 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	322125-25
Proposed Development Summary	Demolition of building and erection of an apartment block consisting of 6 no. apartments and all associated works.
Development Address	Upper Main Street Donegal Town, Co. Donegal.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	N/A
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units.</p>

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	322125-25
Description of works	Demolition of building and erection of an apartment block consisting of 6 no. apartments and all associated works.
Address	Upper Main Street, Donegal Town, Co. Donegal.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The proposed development is for the demolition of a two-storey building and construction of an apartment block consisting of 6 no. apartments with surface car parking to the front.</p> <p>The project due to its size and nature will not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution. The project characteristics pose no significant risks to human health.</p> <p>The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The subject site is located within an urban and serviced area.</p> <p>The subject site is not located in or immediately adjacent to ecologically sensitive sites.</p> <p>It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.</p>
Types and characteristics of potential impacts	The size of the proposed development is notably below the mandatory thresholds in respect of a

(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended. There is no real likelihood of significant cumulative considerations having regard to other existing and/or permitted projects in the adjoining area.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Screening for Appropriate Assessment

Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	Demolition of building and erection of an apartment block consisting of 6 no. apartments and all associated works. Please see section 2.0 of my report for further details.
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site comprises a brownfield site. Total area stated as 0.067ha.</p> <p>The site is bordered by development.</p> <p>The nearest hydrological feature to the site is the River Eske c. 90m north of the site. The site is not located within or directly adjacent to any European Site.</p>
Screening report	N
Natura Impact Statement	N
Relevant submissions	None relating to AA

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
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Special Area of Conservation: Lough Eske and Ardnamona Wood SAC (Site Code 000163)	https://www.npws.ie/protected-sites/sac/000163	Approximately 90m north of the subject site.	Indirect	Y
Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133)	https://www.npws.ie/protected-sites/sac/000133	Approximately 570m west of the subject site.	Indirect	Y
Special Protection Areas: Donegal Bay SPA (Site Code 004151).	https://www.npws.ie/protected-sites/spa/004151	Approximately 570m west of the subject site.	Indirect	Y

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Special Area of Conservation: Lough Eske and Ardnamona Wood SAC (Site Code 000163)</p> <p>QI list:</p> <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Salmo salar (Salmon) [1106]</p>	<p>Direct:</p> <p>None</p> <p>Indirect:</p> <p>(temporary) on surface water/water quality due to construction related emissions</p> <p>Air quality impairment from construction.</p>	<p>Negative effect on habitat quality/ function undermine conservation objectives related to water quality</p>

Vandenboschia speciosa (Killarney Fern) [6985]		
	Likelihood of significant effects from proposed development (alone): N	
	If no, is there likelihood of significant effects occurring in combination with other plans or projects? N	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* N	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the Special Area of Conservation: Lough Eske and Ardnamona Wood SAC (Site Code 000163)</p> <p>The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		
Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
Qualifying interests		
	Impacts	Effects
Special Protection Areas: Donegal Bay SPA (Site Code 004151).	Direct:	
	None	
QI list:		
Great Northern Diver (Gavia immer) [A003]	Indirect:	
Light-bellied Brent Goose (Branta bernicla hrota) [A046]	Air quality impairment from construction.	Negative effect on habitat quality/ function undermine conservation

Common Scoter (<i>Melanitta nigra</i>) [A065] Sanderling (<i>Calidris alba</i>) [A144] Wetland and Waterbirds [A999]		objectives related to water quality
	Likelihood of significant effects from proposed development (alone): N	
	If no, is there likelihood of significant effects occurring in combination with other plans or projects? N	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* N	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on the Special Protection Areas: Donegal Bay SPA (Site Code 004151). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.		
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133	Direct: None	

<p>QI list:</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) [2170]</p> <p>Humid dune slacks [2190]</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365]</p>	<p>Indirect:</p> <p>(temporary) on surface water/water quality due to construction related emissions</p> <p>Air quality impairment from construction.</p>	<p>Negative effect on habitat quality/ function undermine conservation objectives related to water quality</p>
	<p>Likelihood of significant effects from proposed development (alone): N</p>	
	<p>If no, is there likelihood of significant effects occurring in combination with other plans or projects? N</p>	
	<p>Possibility of significant effects (alone) in view of the conservation objectives of the site* N</p>	
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133).</p> <p>The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		
<p>Screening Determination</p>		

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Appropriate Assessment Screening of the Planning Authority

Appendix 4: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	322125-25	Townland, address	Upper Main Street, Donegal Town, Co. Donegal
Description of project		Demolition of building and erection of an apartment block consisting of 6 no. apartments and all associated site works.	
Brief site description, relevant to WFD Screening,		Site is on an elevated sloping brownfield site (drumlin hill).	
Proposed surface water details		Storm water is proposed to be piped.	
Proposed water supply source & available capacity		Uisce Eireann mains water connection.	
Proposed wastewater treatment system & available capacity, other issues		Uisce Eireann Wastewater connection.	
Others?			

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body		Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody		400m west	Eske_020 IE_NW_37E050 400	Good	Not at risk	No pressures	No
Groundwater Waterbody		Underlying site	Donegal- Balindra IE_NW_G_071	Good	Not at Risk	No pressures	No
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if

							'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Eske_020 IE_NW_37E05 0400	Surface water drainage will be directed through the drainage networks.	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
2.	Ground	Donegal- Balitra IE_NW_G_07 1	Drainage	Spillages	As above	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Eske_020 IE_NW_37E 050400	Surface water drainage will be directed through the drainage networks.	Hydrocarbon spillage	Surface Water to drain to separate system.	No	Screened out
4.	Ground	Donegal- Balitra IE_NW_G_07 1	Drainage	Spillages	Surface Water to drain to separate system.	No	Screened out

DECOMMISSIONING PHASE							
5.	NA						