

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

## Donegal County

**Planning Register Reference Number: 10/70277**

An Bord Pleanála Reference Number: PL 05A.238784

**APPEAL** by Brian and Anne McCarroll of 13 Figary Heights, Fahan, County Donegal and by Paul McGarvey care of P4mcg Architecture of 13a Ebrington Terrace, Derry against the decision made on the 1<sup>st</sup> day of April, 2011 by Donegal County Council to grant subject to conditions a permission to Joan Cavanagh and Fearghal Bonner care of Harley Newman of 4a Riverside Office Park, Neil T. Blaney Road, Letterkenny, County Donegal.

**PROPOSED DEVELOPMENT:** (i) Retention of partially constructed lower ground and upper ground floor levels of dwelling and (ii) permission for construction and completion of said dwelling at lower ground, upper ground and first floor levels with finished ridge height to match that of previously granted planning register reference number 04/4419; and all associated site development works at Swilly View, Figary, Fahan, County Donegal, (as revised by further public notice received by the planning authority on the 18<sup>th</sup> day of March, 2011).

## DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

It is considered that the retention and completion of works as proposed would result in a dwelling of excessive height, bulk and scale which would adversely impact on the pattern and character of the existing streetscape, would seriously injure the amenities of adjoining residents and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2011.**