



Planning and Development Acts 2000 to 2019

Planning Authority: Donegal County Council

Planning Register Reference Number: 19/50913

APPEAL by Lee McGee of 16 Farmleigh Park, Donegal Town, County Donegal against the decision made on the 9th day of January, 2020 by Donegal County Council to grant subject to conditions a permission to Tir Conaill Properties Limited care of Paul Doherty Architects Limited of Castle Street, Donegal Town, County Donegal.

Proposed Development: Construction of 40 mixed type housing units as follows; (1) 30 number two-storey, four-bedroom semi-detached houses with attic utilisation. (2) Six number two-storey, five-bedroom detached houses with attic utilisation. (3) Four number two-bedroom, duplex apartment units in two, two-storey blocks. Construction of estate roads, footpaths and open grassed areas, all with vehicular and pedestrian access via the Farmleigh Park Road onto the Old Laghy Road (L 2065-1) and all associated site development works including construction of boundaries, retaining structures, storm water drainage and attenuation with discharge into existing pipe network, foul water drainage and connection into existing mains pipe network and all associated public lighting, public utility networks services and connections at Old Laghy Road and Farmleigh Park Road, Drumrat TD., Donegal Town, County Donegal as revised by the further public notices received by the planning authority on the 5th day of December 2019.

Decision

REFUSE permission for the above proposed development in accordance with 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

1. The Board is not satisfied on the basis of the information provided with the application and appeal that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of European Sites Lough Eske and Ardnamona Wood Special Area of Conservation (Site Code: 000163), Donegal Bay (Murvagh) Special Area of Conservation (Site Code: 000133) and Donegal Bay Special Protection Area (Site Code: 004151), in view of these sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.

2. Having regard to the limited size and poor quality of private open space proposed for Block number one and for dwellings along the northern boundary of the site, and to the limited separation distance provided between Block number one and existing residential dwellings to the west of the site, the Board considered that the proposed development would result in a substandard form of development which would result in an unacceptable loss of privacy to existing properties in Farmleigh Park. The development would, by reason of the foregoing, be contrary to the policy provisions of the County Donegal Development Plan 2018–2024 and to the provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in March 2018. The proposed development would, therefore, seriously injure the residential amenities of the existing and future residents of the site and would be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this day of 2020