



An
Bord
Pleanála

Board Direction
BD-001489-18
ABP-300720-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on October 31st 2018.

The Board decided, generally as recommended by the Inspector, that the Planning Authority's Declaration be confirmed with one amendment.

Board Order as follows:-

WHEREAS Donegal County Council issued a Declaration on the 16th day of January, 2018, under Section 57 of the Planning and Development Act, 2000, as amended, determining those works which would affect the character of the structure and as a result would require planning permission, and determining those works which would not affect the character of the structure and as a result would not require planning permission:

AND WHEREAS Sinéad Coughlan on behalf of the Coughlan family referred this Declaration for review to An Bord Pleanála on the 19th day of January, 2018:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2, 3, 4 and 57 of the Planning and Development Act, 2000, as amended,

- (b) the location of the subject property at Market Street, Ballyshannon, County Donegal and the fact that the subject property had been included in the Record of Protected Structures, as set out in the Donegal County Development Plan 2018 - 2024 and also the inclusion of the property in the National Inventory of Architectural Heritage,
- (c) the provisions of the 'Architectural Heritage Protection Guidelines for Planning Authorities' issued by the Department of Arts, Heritage and the Gaeltacht in 2011,
- (d) historical maps and the documentation submitted by all parties as part of the referral, including historical details and more recent photographs of the property,
- (e) internal and external inspection of the property by the planning inspector,
- (f) the location map with boundaries delineated provided by the Planning Authority,

AND WHEREAS An Bord Pleanála has concluded that:

Subject to the omission of reference to development involving 'change of use', the works stated within the Declaration that would materially affect the character of the structure are reasonable and appropriate, and the works stated that would not materially affect the character of the structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, are also reasonable and appropriate.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred

on it by subsection 57(8) of the Planning and Development Act 2000, as amended, hereby confirms the Declaration issued by Donegal County Council on the 16th day of January 2018, subject to an amendment omitting reference to “change of use” within the schedule of works that would materially affect the character of the subject Protected Structure.

Board Member

Date: 31st October 2018

Philip Jones