

An
Bord
Pleanála

Board Direction
BD-014894-23
ABP-315127-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/12/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the pattern and character of development in the area, the design and scale of the development to be retained, and the provisions of the County Donegal Development Plan 2018-2024 including Policy RH-P-8 which allows appropriate ancillary accommodation for dependant relatives in rural areas, it is considered that, subject to compliance with the conditions set out below, the development to be retained would not seriously injure the visual amenities of the area or the residential amenity of surrounding properties, would not endanger public safety or convenience by reason of traffic generation, and would not be prejudicial to public health or the environment by reason of domestic effluent disposal. The development to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board determined that this grant of permission would require a new section 47 agreement to be put in place with the planning authority, as set out in Condition 2(b).

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application as amended by the further plans and

particulars submitted on the 5th day of October 2022, 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The self-contained annex extension shall be used as ancillary accommodation for a dependant relative and shall revert to use as part of the main dwelling on the cessation of such use. It shall not be sold, let, or otherwise transferred or conveyed, save as part of the dwelling.

(b) Within two months of the date of this order, the applicant shall enter into a new written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to restrict the occupancy of the annex extension in accordance with (a) above.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To protect the amenities of property in the vicinity and to regulate the use of the development.

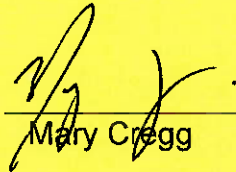
3. The garage to be retained shall be used solely for domestic purposes only ancillary to the enjoyment of the existing dwelling house as such and shall not be used for any other purpose including commercial use or human habitation, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: In the interests of proper planning and sustainable development of the area.

4. Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

Board Member



Mary Cregg

Date: 11/03/2024