

An
Bord
Pleanála

Board Direction
BD-016494-24
ABP-316160-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/05/2024.

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

Reasons and Considerations

1. Having regard to the designation of Letterkenny as a Regional Growth Centre in the Project Ireland 2040 National Planning Framework issued by the Government of Ireland; Regional Policy Objective 3.7.27 of the Letterkenny Regional Growth Centre Strategic Plan as contained within the Northern and Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032; and to Policy and Objective 3.1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January 2024, which is supported by Policy LK-H-P-2 of the Letterkenny Plan and Local Transport Plan 2023-2029; it is considered that the proposed development would constitute an insufficient and unacceptable level of density at this location. The proposed density would constitute an inefficient use of zoned lands which would fail to contribute towards compact sustainable development as envisioned in local, regional, and national planning policy, and would result in a substandard layout which lacks enclosure and opportunities to spatially define streets and spaces to create a quality urban environment. The proposed development would be contrary to Policy UB-P-10 of the County Donegal Development Plan 2018-2024 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the design and layout of the proposed development, including:

- a lack of legibility and permeability;
- road design and parking proposals which are car-dominated, lacking in a design-led approach to a self-regulating pedestrian priority environment, and do not appropriately implement the principles, approaches and standards set out in the Design Manual for Urban Roads and Streets, 2013 (including updates);
- the lack of a high-quality integrated open space network; and
- substandard proposals for private open space to serve the proposed apartments,

it is considered that the proposed development would fail to comply with the design guidance and Key Indicators of Quality Design and Placemaking as required under Policy and Objectives 4.1 and 4.2 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January 2024, and would fail to appropriately respond to Objective UB-O-4 and Policy UB-P-7 of the County Donegal Development Plan 2018-2024. The proposed development would provide a substandard form of development for future occupiers in terms of residential amenity, would give rise to a poor standard of development, and would, therefore, be contrary to the proper planning and sustainable development of the area.

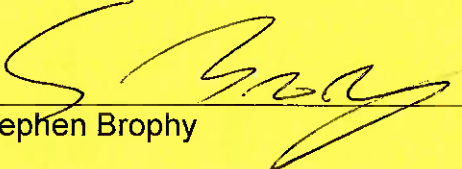
3. Having regard to the nature, size, and location of the development; its inclusion within a class of development specified in Part 2, Schedule 5, of the Planning and Development Regulations 2001 (as amended); the absence of adequate information for the purposes of screening sub-threshold development for the requirement for Environmental Impact Assessment in accordance with Schedule 7A of the Planning and Development Regulations 2001 (as amended); together with the potential for significant cumulative environmental effects in combination with the proposed Phase 2 development on the adjoining site to the north (An Bord Pleanála Reference Number 319283-24); it is considered that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development. The proposed development would, therefore, give rise to

potential significant effects on the environment and would be contrary to the proper planning and sustainable development of the area.

Note:

- 1) The Board agreed with the Inspector that, given this site is part of a large residential landbank, an opportunity exists to define a new pattern and character for the area, in accordance with Section 10.8 of the Letterkenny Plan and Local Transport Plan 2023-2029, which recognises the potential of Glencar “to become a thriving, edge of centre neighbourhood, fully rooted in the principles of compact growth and offering residents access to a wide range of amenities within a relatively short distance”. The Board considered the current design as proposed, fails to achieve this and, instead, compounds an existing pattern of suburban development. The Board also considered this proposal represents a piecemeal approach to development of this large landbank, where an opportunity exists to take a more integrated approach to connectivity, open space, community and recreation facilities, in addition to residential development across the entire area. The Board considered these matters should be addressed in any future application.
- 2) In relation to the appeal regarding the application of Condition 35, which requires a contribution towards development of the Northern Link Relief Road, the Board agreed with the Inspector that specific exceptional costs had not been demonstrated by the planning authority as required under s.48(2)(c) of the Planning and Development Regulations.

Board Member


Stephen Brophy

Date: 06/06/2024