

An
Bord
Pleanála

Board Direction
BD-015569-24
ABP-317169-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/02/2024.

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 location of the appeal site within the Letterkenny and environs plan boundary and its zoning as an area of established development, together with the nature and pattern of existing commercial development on and adjacent to the site, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenity of property in the vicinity. The development would therefore be in accordance with the provisions of the County Donegal Development Plan 2018-2024 and with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application.

Reason: In the interest of clarity.

2. The residential accommodation hereby approved shall be occupied solely by members of staff, including short-term student placements, associated with the ongoing operational requirements of the adjoining garden centre and commercial animal farm / petting zoo; and shall not be used as independent living units without a separate grant of planning permission.

Reason: To ensure that the development accords with the County Donegal Development Plan 2018-2024.

3. The room marked "workshop" on the floor plan hereby approved shall be used only for light industrial purposes associated with the adjoining garden centre and commercial animal farm / petting zoo and no machinery which is audible outside the confines of the site shall be installed or used in the unit.

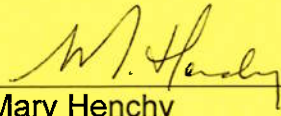
Reason: To protect the amenities of the occupants of the units and of neighbouring properties.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works, details of which shall be agreed in writing prior to the commencement of such works. Reason: In the interest of public health.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member



Mary Henchy

Date: 28/02/2024

