

An  
Bord  
Pleanála

**Board Direction**  
**BD-016103-24**  
**ABP-318130-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/04/2024.

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 policies and objectives of the Donegal County Development Plan 2018 – 2024, the location of the site within Ballintra and the planning history of the site and the location of the , it is considered that the proposed change of use of the existing and permitted residential units on the site to holiday accommodation would accord with relevant tourism objectives and policies of the Development Plan. Subject to conditions concerning the future control and management of the developed site, the proposed holiday accommodation would be compatible with the residential amenities of the area. No appropriate assessment issues would arise. The proposed development would, therefore, accord with the proper planning and sustainable development of the area.

### **Conditions**


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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 2 <sup>nd</sup> day of October 2023, except as may otherwise be required in order to comply |
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	<p>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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The units in the commercial holiday village shall not be sold off separately. The applicant, or its successor in title, shall control this commercial holiday village for short-term lettings to visitors.</p> <p><b>Reason:</b> In the interest of clarity, in order to safeguard the residential amenities of the area, and to ensure orderly development.</p>
3.	<p>Prior to the change of use to use as a commercial holiday village, the applicant, or its successor in title, shall submit to the planning authority a management plan for this holiday village, which shall set out the obligations upon visitors who short-term let which shall be agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of orderly development and in order to safeguard the residential amenities of the area.</p>

**Note**

The Board did not share the Inspectors interpretation of the procedural considerations in respect of the manner in which permission was sought to change the use of the units permitted under Ref. 20/51518 which have not yet been constructed. The Board determined that it was appropriate to consider the change of use of the two approved units as part of the subject application and the Board considered that such a change of use would be acceptable for the same reasons as were provided for the units which have already been constructed. Therefore, the Board considered that recommended Condition No. 2 was not necessary.

**Board Member**

  
 Una Crosse

**Date:** 18/04/2024