An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Donegal County

Planning Register Reference Number: 15/51345

An Bord Pleanála Reference Number: PL 05.246122

APPEAL by Kieran Cummins of Roxborough Glebe, Kilcar, County Donegal against the decision made on the 14th day of January, 2016 by Donegal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Provision of a new vehicular entrance onto the county road to service existing property and all associated site works at Roxborough Glebe, Kilcar, County Donegal.

DECISION

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reason therefor.

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REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area, including the nature of the public road layout, the existing access arrangement serving the house, and the proposed second entrance arrangement, it is considered that the need for two entrances to serve the subject site has not been justified, and that a second entrance would comprise a disorderly approach to development and would set an undesirable precedent for further such development in the area. The attachment of condition number 2 is, therefore, considered necessary in the interests of orderly development and of the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to remove condition number 2, the Board considered, having examined the proposed layout drawing and all submissions and documentation on file, that with the proposed new entrance in place, the requirement to maintain the original entrance was not compelling, and that provision of multiple entrances to serve this site was not justifiable in terms of the sustainable development of the area. In supporting the approach adopted by the planning authority, the Board also noted the precedent value attaching to its decision and implications for orderly development of similar sites.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2016.

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