



An
Bord
Pleanála

Board Order
PL 05E.248191

Planning and Development Acts 2000 to 2017

Planning Authority: Donegal County Council

Planning Register Reference Number: 16/51875.

Appeal by Eamon O'Boyle care of Harley Newman Planning Consultants of Bohullion, Burt, County Donegal against the decision made on the 23rd day of February, 2017 by Donegal County Council to refuse permission.

Proposed Development. 1. Cead pleanála chun ithir a chur ar thalamh le cois plándaí scáileán a chur in aice an teorainn o dheas agus na forbacha suíomh uilig atá ag baint leis an obair sin, 2. cead pleanála chun forbairt a rinneadh gan cead a choinneáil mar leanas, laghdú páirteach de leibhéil talamh, imrítigh suíomh agus dromchla gairbheáil curtha síos i mBaile fearainn Na Doirí Beaga, Contae Dhú na nGall.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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.

Reasons and Considerations

1. The proposed retention of the site clearance, site excavation, including rock breaking and the deposition of hard core together with the further works now proposed, having regard to the absence of a plausible rationale or proposed associated use for the development proposed to be retained, would constitute a disorderly, haphazard and substandard form of development without purpose, justification or rationale. It is considered, therefore, that the development proposed to be retained would seriously injure the rural and scenic amenities of the area, and would be contrary to the proper planning and sustainable development of the area.
2. In the absence of satisfactory evidence as to the suitability of the materials and of the slope at which they would be laid, to stabilise the excavation, the Board is not satisfied that the proposed remediation would be an acceptable solution. The development proposed to be retained would, therefore, be prejudicial to safety and would be contrary to the proper planning and sustainable development of the area.

