



An
Bord
Pleanála

Board Order

PL 05E.248952

Planning and Development Acts 2000 to 2017

Planning Authority: Donegal County Council

Planning Register Reference Number: 17/50737

Appeal by Rachel Boner care of McCullagh Architecture and Surveying of Glenfinn Road, Ballybofey, County Donegal against the decision made on the 6th day of July, 2017 by Donegal County Council to refuse permission for the proposed development.

Proposed Development: Change of house design and relocation of dwelling house previously approved under planning register reference number 16/51725 and associated site development works at Longfield, Lettermacaward, County Donegal.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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

Having regard to the site history, the pattern of development in the area, the provisions of the Donegal Development Plan, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that, subject to the omission of the first floor element of the connecting block, the proposed development would not seriously injure the visual amenities of the area and would integrate satisfactorily in the receiving landscape.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply 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.

Reason: In the interest of clarity.

2. The first floor level of the north south connection between the two larger east west blocks shall be omitted. Revised plans and details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of works on site.

Reason: In the interest of visual amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. The landscaping scheme shown on the Site Layout plan as submitted to the planning authority on the 12th day of May, 2017 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5. (a) The proposed effluent treatment system and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority 12th day of May, 2017 and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the wastewater treatment unit has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

