



Planning and Development Acts 2000 to 2017

Planning Authority: Donegal County Council

Planning Register Reference Number: 17/50855

Appeal by Kara Duffy care of Harley Planning Consultants Limited of 1 Melmount Park, Strabane, County Tyrone against the decision made on the 18th day of January, 2018 by Donegal County Council to grant subject to conditions a permission to Eddie Duffy care of McCullagh Architecture and Surveying of Glenfinn Road, Ballybofey, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a detached domestic storage shed and associated site works at Knockagarron, Convoy, 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 provisions of the Donegal County Development Plan 2018 to 2024 and to the nature and scale of the proposed development in this rural area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance 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 as amended by the further plans and particulars submitted on the 28th day of December 2017, 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 shed shall only be used for storage purposes and purposes incidental to the enjoyment of the main dwelling and shall not be used for commercial or habitable purposes.

Reason: In the interest of residential amenity.

3. The proposed retaining wall shall be designed by a qualified structural engineer with professional indemnity insurance, who shall be agreed in advance by the planning authority. Details of the retaining wall to be constructed shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development, and the wall shall be constructed to the agreed standards, under the supervision of this engineer. Upon completion, the design, construction and stability of this wall shall be certified by the structural engineer, and a copy of this certification shall be lodged with the planning authority.

Reason: In order to ensure that the design and construction of the proposed retaining wall is carried out to an appropriate standard, under professional supervision.

4. Details of the height and finishes of the proposed retaining wall and fence, including elevation plans indicating the height of the wall against the level of the adjoining laneway, shall be submitted to, and agreed in writing with, with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

5. Existing trees and planting along the eastern boundary shall be retained where feasible. Supplementary native screen planting shall be provided on the eastern boundary of the site, alongside the proposed shed and laneway.

Reason: In the interest of visual amenity.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

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

Dated this day of 2018.