



Planning and Development Acts 2000 to 2018

Planning Authority: Donegal County Council

Planning Register Reference Number: 17/51831

APPEAL by Lindat Limited of Harcourt House, 18/19 Harcourt Street, Dublin and by Declan Mac an Fhailghigh against the decision made on the 20th day of December, 2018 by Donegal County Council to grant subject to conditions a permission to Atlantic Enterprises Limited care of McCarthy Keville O'Sullivan of Block 1, Galway Financial Services Centre, Moneenageisha Road, Galway.

proposed development: (a) Demolition of existing vacant shed on site and relocation of existing flag poles, (b) the realignment of an existing vehicular entrance and removal of an existing secondary vehicular entrance from the R229 Regional Road, (c) provision of a two-storey restaurant building with ancillary take-away, communal seating area and drive thru facilities, office, w.c. facilities, kitchen, storage, staff facilities and associated illuminated signage (floor area: 452 square metres), (d) parking for 25 cars and coach parking, (e) one number illuminated totem pole with associated signage and (f) all other ancillary site development works, including hard and soft landscaping, lighting and boundary works at Port Road, Letterkenny, County Donegal.

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

Having regard to the design and layout of the proposed development, which it is considered fails to display high architectural quality or provide a fine grain development on this prominent urban site, as required under Policy TC5 of the Letterkenny and Environs Development Plan 2009-2015 (as varied), combined with excessive surface car parking proposed on the site, it is considered that the proposed development would seriously injure the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development would not be acceptable in terms of its design and siting, and was not satisfied that the proposed development would make a positive contribution to the public realm, and would, therefore, be contrary to the proper planning and sustainable development of the area

Michelle Fagan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.