



Planning and Development Acts 2000 to 2018

Planning Authority: Donegal County Council

Planning Register Reference Number: 18/51061

Appeal by Joseph and Siobhan Kelly care of Francis Harvey and Associates Limited of 9a Castle Street, Letterkenny, County Donegal against the decision made on the 15th day of February, 2019 by Donegal County Council to grant subject to conditions a permission to Christopher and Martina McHugh care of McCullagh Architecture and Surveying Limited of Glenfinn Road, Ballybofey, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention and completion of dwelling house previously approved under planning register reference number 14/51438 and associated site development works at Ballynacor, Killygordon, County Donegal in the townland of Ballynacor.

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 planning history of the site and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and completed would not injure the visual amenity of the area or the residential amenity of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted the 25th day of January, 2019, 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. Apart from any departures specifically authorised by this permission, the development shall be retained and completed in accordance with the terms and conditions of the permission previously granted on the 20th day of March, 2019 under planning register reference number 14/51438, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is retained and completed in accordance with the previous permission.

3. The proposed three rooflights in the northern elevation shall be permanently glazed with frosted glass.

Reason: To protect the residential amenities of adjacent property.

4. The site shall be landscaped, using only indigenous species with no leylandii cypress trees permitted, in accordance with a revised overall landscaping scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

This scheme shall include the following:

- (a) details relating to all of the boundaries of the site,
- (b) details of planting species proposed on the site, and
- (c) a timescale for the implementation of the planting and landscaping.

Reason: In the interest of visual amenity and to protect the residential amenities of adjacent property.

5. The omission of the three number wall plate dormers and replacement of same with three number rooflights along the northern elevation and the implementation of the landscaping plan, as set out in condition number 4 of this Order, shall be carried out and completed within three months of the date of this Order.

Reason: In the interest of orderly development.

Terry Ó Niadh

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

Dated this day of 2019.