



Planning and Development Acts 2000 to 2019

Planning Authority: Donegal County Council

Planning Register Reference Number: 19/51290

Appeal by Joseph Kelly care of Rockall House, Ballinacor Crossroads, Killgordon, County Donegal against the decision made on the 10th day of October, 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, Lifford PO, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a vehicular entrance, access roadway and associated site works in lieu of that permitted to service dwelling house previously approved and under construction under planning register reference number 14/51438 at Ballynacor, Killgordon, Lifford, 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 Development Plan 2018-2024, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not create a traffic hazard or seriously injure the amenities of the area or 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 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.
 - (a) The proposed access roadway shall be surfaced with natural or coloured aggregate gravel and shall not be bound by bituminous or concrete material;
 - (b) mounding of an earthen embankment no more than 1 metre in height shall be carried out along both sides of the proposed access roadway. This work shall be completed and the embankments planted with thick hedgerow of native species, including gorse, black thorn within the first planting season following first occupation of the permitted dwelling. Any species dying within the subsequent three years shall be replaced.
 - (c) private lighting shall not be installed along the proposed access roadway, without prior written agreement of the planning authority.
 - (d) the areas between the old and new front boundary shall be soiled to a height no greater than 100 millimetres above the level of the adjacent carriageway and shall be seeded with grass.

Drawings showing these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and orderly development.

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

Reason: In the interest of public health.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020