

An
Bord
Pleanála

Board Order
ABP-307901-20

Planning and Development Acts 2000 to 2020

Planning Authority: Donegal County Council

Planning Register Reference Number: 19/51970

APPEAL by Peter and Aoife Tooher of Drumrooske, Donegal Town, County Donegal against the decision made on the 16th day of July, 2020 by Donegal County Council to grant subject to conditions a permission to Shaun Doherty care of O'Connor Burke Architecture of 1 College Terrace, Rock Road, Derry, Northern Ireland.

Proposed Development: Construction of a housing development consisting of 36 number units comprising of the following: (1) two number detached bungalows, (2) four number semi detached bungalows, (3) 18 number two-storey houses in seven number block, (4) 12 number apartments in three number two-storey blocks, and (5) all associated site works including a storm water attenuation system and connection to all public services, all at Bluestack Drive, Drumrooske West, Donegal Town, 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

1. On the basis of the submissions made in connection with the application and appeal, and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects, would not be likely to have an adverse effect on the integrity of the Donegal Bay Special Protection Area (site code: 004151), Donegal Bay (Murvagh) Special Area of Conservation (site code: 000133) and Lough Eske and Ardnamona Wood Special Area of Conservation (site code: 000163) in view of the sites' conservation objectives, and by reason of the hydrological links arising on foot of the proposed storm water drainage arrangements. In such circumstances, the Board is precluded from granting permission.



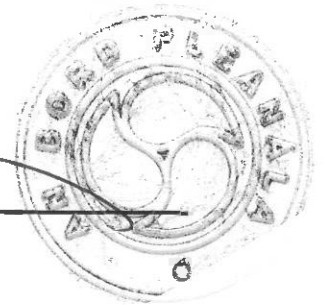
2. The proposed development, by reason of its inadequate qualitative provision of private open space to serve the proposed apartment units, would conflict with the standards recommended in the "Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities" published by the Department of Housing, Local Government and Heritage (December 2020), and, as such, would constitute an inappropriate form of development. The proposed development would, therefore, be contrary to Ministerial guidelines and to the proper planning and sustainable development of the area.



John Connolly

Member of An Bord Pleanála

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



Dated this 26th day of MAY 2021.