



An
Bord
Pleanála

Board Order
ABP-309747-21

Planning and Development Acts 2000 to 2020

Planning Authority: Donegal County Council

Planning Register Reference Number: 20/50523

Appeal by Desmond McDaid of Drumenan, Newmills, Letterkenny, County Donegal against the decision made on the 4th day of March, 2021 by Donegal County Council to grant subject to conditions a permission to Gerard Friel care of Lee Loughrey of Neils Cottage, Red Brae, Rathmullan, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of an agricultural dry bed and storage shed with all associated site development works, at Drumenan, Newmills, Letterkenny Post Office, County Donegal. The proposed development was revised by further public notices received by the planning authority on the 12th day of February, 2021

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 predominantly rural nature of the surrounding environment and to the nature of the proposed development comprising of a dry agricultural storage shed, it is considered that the proposed shed, subject to compliance with the conditions set out below, would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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 in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 15th day of January, 2021, 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. Water supply and drainage arrangements including the attenuation of any surface water, and measures to ensure that no water discharges from the site onto the public road shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development.

3. The shed shall be used only for the purposes of storage associated with agricultural machinery and other agricultural equipment and plant and for animal feed. The building under no circumstances shall be used for the housing of animals or the storage of effluent.

Reason: To preserve the amenities of the area.

4. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, details of permanent vision splays of 160 metres in each direction to the nearside of the road edge at a point 2.4 metres back from the road edge at the location of the vehicular entrance. All vision splays shall be calculated as per the technical standards set out in Appendix 3 of Part B of the County Donegal Development Plan 2018-2024.

Reason: In the interest of traffic safety.

5. Areas in the vicinity of the proposed agricultural shed shall be graded with topsoil and seeded with grass. Details of these areas shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: To preserve the amenities of the area.

6. Prior to commencement of development details of a landscaping plan including boundary treatments shall be submitted to and agreed in writing with the planning authority. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the substantial completion of external construction works.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development in the interest of visual amenity.

7. Details of the internal access serving the shed shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

8. The mitigation measures outlined in the submitted Flood Risk Assessment submitted to the planning authority on the 15th day of January, 2021 shall be complied with in full.

Reason: To prevent flooding.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this 2nd day of July 2021.

