

An
Bord
Pleanála

Board Order
ABP-310823-21

Planning and Development Acts 2000 to 2021

Planning Authority: Donegal County Council

Planning Register Reference Number: 21/50789

Appeal by Seamus and Pauline Grant of 5 Oakfield Court, Buncrana, County Donegal against the decision made on the 17th day of June, 2021 by Donegal County Council to grant subject to conditions a permission to Martin Devlin care of Mark McGowan of Trillick, Buncrana, Lifford, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of an extension to existing garage to provide additional ground floor space and first floor ancillary home office and store together with associated works, at number 6 Oakfield Court, Ballymacarry Lower, Buncrana, 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 pattern and character of development in the area, the design and scale of the proposed development, and the provisions of the County Donegal Development Plan 2018-2024, as varied, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in accordance with the zoning for the site, would not seriously injure the visual amenities of the area or the residential amenity of surrounding properties and would not endanger public safety or convenience by reason of traffic generation. 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to that as a garage, home office and store (as specified in the lodged documentation) and shall be incidental to the enjoyment of the existing dwelling house as such, unless otherwise authorised by a prior grant of planning permission.

Reason: To protect the amenities of property in the vicinity.

3. The first-floor window on the north-east elevation shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential property.

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


Reason: In the interest of public health and to ensure a proper standard of development.

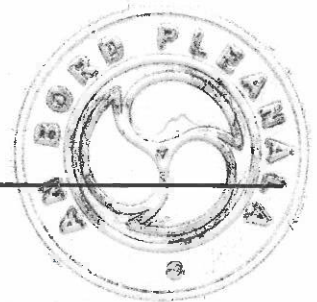
5. The external finishes of the proposed development, including roof tiles/slates, shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.


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



Dated this 9th day of March 2022.