



Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 22/51238

Appeal by Millennium Unit Trust 105 care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 8th day of September, 2022 by Donegal County Council to refuse permission for the proposed development.

Proposed Development: Demolition of two number unoccupied dwellinghouses and other derelict buildings as part of the general site preparation. Construction of a four-storey and part five-storey development to provide 17 number apartments over lower ground floor carparking and ancillary accommodation with associated site works, including connection to existing mains water, wastewater and stormwater networks, all at Rosemount Lane, Letterkenny, County Donegal.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. The proposed development by reason of its height, massing and excessive density, would constitute overdevelopment of the subject site, would result in an overly dominant and visually incongruous development at this location and would result in an unacceptable and detrimental impact to the residential amenities of the adjoining properties by way of overlooking, loss of privacy and potential overshadowing. As such, the proposed development would seriously injure the existing character, as well as the visual and residential amenities of the area would be contrary to Policy UB-P-10 and Policy UB-P-12 of the County Donegal Development Plan 2018-2024 (as varied) in relation to housing and contrary to the proper planning and sustainable development of the area.
2. Having regard to the substandard apartment sizes, bedroom sizes, insufficient aggregate floor areas for kitchen, dining and living areas, and lack of sufficient storage space for the majority of apartments, the proposed development fails to provide an acceptable level of residential accommodation in accordance with the Government's national apartment guidelines titled 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in March 2018' and Policy UB-P-7 of the development plan which states that development proposals for new residential developments (2 or more units) in settlements shall demonstrate that the design process, layout, specification, finish of the proposed development meets the guidelines. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.



3. Having regard to the proposed demolition of two traditional townhouses along Rosemount Lane, and their replacement with a predominantly commercial scaled apartment block with poor levels of natural surveillance at ground floor level, the proposed development fails to support or strengthen Rosemount Lane as an important laneway and identified key linkage between Main Street and Pearse Road as identified in the development plan and would be contrary to Policy LK-TC-P15 (Protection/Enhancement of Key Linkages). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

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

Dated this 16th day of January 2024.

