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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 22/51655**

**Appeal** by Ann McDaid of 147 Meadow Hill, Kiltroy, Letterkenny, County Donegal against the decision made on the 24<sup>th</sup> day of November, 2022 by Donegal County Council to grant subject to conditions a permission to Clive Alcorn care of MH Associates of Convent Road, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a storage shed for the storage of equipment associated with the existing business, including erection of solar panels to roof. Erection of an additional poly tunnel attached to existing poly tunnels and netted structure approved under planning register reference number 20/51422 and all associated site works, all at Alcorns Flower and Garden Centre, Loughnagin, Letterkenny, 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.**

## Reasons and Considerations

Having regard to the Established Zoning which applies to the site under the Donegal County Development Plan 2018-2024, together with the character and pattern of development on this commercial site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the amenities of residential property in the vicinity, would be in accordance with the provisions of the Donegal County Development Plan 2018-2024, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing with the planning authority prior to commencement of development.


**Reason:** In the interest of public health.

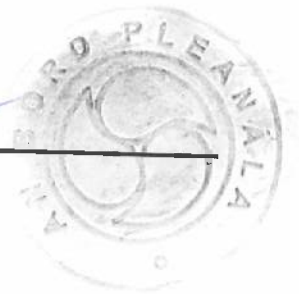
3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior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

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

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

  
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**Stephen Brophy**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this 25<sup>th</sup> day of April 2023.