

An  
Bord  
Pleanála

Board Order  
ABP-316160-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 22/51204**

**APPEAL** by The Old Glencar Road, Soloman's Grove and Upper Fernhill Residents Associations care of Jim and Theresa Kelly of Old Glencar Road, Letterkenny, County Donegal against the decision made on the 9<sup>th</sup> day of March, 2023 by Donegal County Council to grant subject to conditions a permission to PJ McDermott care of MH Associates of Convent Road, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (1) Construction of phase 1 of housing development consisting of 82 number dwellings and two number apartment blocks consisting of eight number apartments (90 number residential units in total), (2) construction of proposed creche and associated site works and (3) all associated site works to include new vehicular entrance, landscaped open spaces and planted boundary buffers, connection to public services to include associated storm attenuation and re-routing of existing water mains at Glencar Irish and Glencar Scotch, Letterkenny, County Donegal. Further public notices were received by the planning authority on the 16<sup>th</sup> day of February, 2023.

## Decision

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**


## Reasons and Considerations

1. Having regard to the designation of Letterkenny as a Regional Growth Centre in the Project Ireland 2040 National Planning Framework issued by the Government of Ireland, Regional Policy Objective 3.7.27 of the Letterkenny Regional Growth Centre Strategic Plan as contained within the Northern and Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032 and to Policy and Objective 3.1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January 2024, which is supported by Policy LK-H-P-2 of the Letterkenny Plan and Local Transport Plan 2023-2029, it is considered that the proposed development would constitute an insufficient and unacceptable level of density at this location. The proposed density would constitute an inefficient use of zoned lands which would fail to contribute towards compact sustainable development as envisioned in local, regional, and national planning policy, and would result in a substandard layout which lacks enclosure and opportunities to spatially define streets and spaces to create a quality urban environment. The proposed development would be contrary to Policy UB-P-10 of the County Donegal Development Plan 2018-2024 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the design and layout of the proposed development, including:
- (a) a lack of legibility and permeability,
  - (b) road design and parking proposals which are car-dominated, lacking in a design-led approach to a self-regulating pedestrian priority environment, and do not appropriately implement the principles, approaches and standards set out in the Design Manual for Urban Roads and Streets, 2013 (including updates),
  - (c) the lack of a high-quality integrated open space network, and
  - (d) substandard proposals for private open space to serve the proposed apartments,

it is considered that the proposed development would fail to comply with the design guidance and Key Indicators of Quality Design and Placemaking as required under Policy and Objectives 4.1 and 4.2 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January 2024, and would fail to appropriately respond to Objective UB-O-4 and Policy UB-P-7 of the County Donegal Development Plan 2018-2024. The proposed development would provide a substandard form of development for future occupiers in terms of residential amenity, would give rise to a poor standard of development, and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the nature, size, and location of the development, its inclusion within a class of development specified in Part 2, Schedule 5, of the Planning and Development Regulations 2001, as amended, the absence of adequate information for the purposes of screening sub-threshold development for the requirement for Environmental Impact Assessment in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, together with the potential for significant cumulative environmental effects in combination with the proposed Phase 2 development on the adjoining site to the north (An Bord Pleanála Reference Number ABP-319283-24), it is considered that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development. The proposed development would, therefore, give rise to potential significant effects on the environment and would be contrary to the proper planning and sustainable development of the area.

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

Dated this 17<sup>th</sup> day of June 2024.