

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

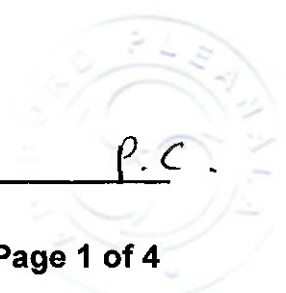
Planning Register Reference Number: 22/51752

Appeal by Kieran and Jess Tracey of 14 Bracken Lea, Letterkenny, County Donegal against the decision made on the 5th day of May, 2023 by Donegal County Council to grant subject to conditions a permission to Peter Rose of 10 Bracken Lea, Ballaghderg, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of a domestic garage with associated site works; all at 10 Bracken Lea, Ballaghderg, 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 design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area and would constitute an acceptable form, scale and nature of development within an area designated in the current Donegal Development as an area of High Scenic Amenity and would, therefore, comply with the relevant provisions of the Development Plan including Policy NH-P-7 (High Scenic Amenity). 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 and as amended by the plans and particulars submitted to the planning authority on the 11th day of April, 2023, 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. The window at first floor level on the northern gable of the proposed garage shall be omitted.

Reason: In the interest of residential amenity.

3. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Any relocation of utility infrastructure shall be agreed with the relevant utility provider. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

4. Surface water runoff shall be discharged on site and shall not be allowed to discharge onto the public road or any adjoining properties.

Reason: In the interests of public health and surface water management

5. The proposed garage shall be ancillary to the enjoyment of the existing dwelling and shall not be used for any commercial purposes or as an independent dwelling unit.

Reason: In the interest of orderly development.

6. The construction of the development shall be managed in accordance with a Demolition and Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of amenities, public health, and safety.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will 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.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

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

Dated this 16 day of February 2024.

