



An
Bord
Pleanála

Board Direction
BD-016419-24
ABP-317709-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/05/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Policy UB-P-7 of the County Donegal Development Plan 2018-2024 (as varied) provides 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 set out in key Government publications. Having regard to the layout, design and density of the proposed development including the substandard configuration and disposition of the public open space, the internal road layout, and alignment and configuration of proposed residential units results in a poor-quality layout and design concept which is contrary to Policy UB-P-7 of the County Donegal Development Plan 2018-2024 (as varied) and would therefore be contrary to the proper planning and sustainable development of the area.
2. Map 14.1 of the County Donegal Development Plan 2018-2024 (as varied) "Bundoran Land Use Zoning Map" illustrates that part of the subject site is zoned for Recreational/Leisure uses and additionally provides for a proposed road alignment to the north of the appeal site. The Board is not satisfied on the basis of the documentation submitted with the application and appeal that the proposal to develop part of the recreation/leisure lands for residential development has been justified on the basis of complying with the zoning objective itself which

seeks to make provision for new and main existing recreation facilities or by way of the potential to impact on the delivery of recreation/leisure uses within the area zoned for such uses. Furthermore, the Board is not satisfied that an appropriate strategic consideration has been provided in respect of how the development of the subject lands would integrate with the proposed road alignment which seeks, as outlined in objectives BD-T-P-5, BD-T-P-6 and BD-T-P7 to safeguard, facilitate and enhance permeability within the lands to the northeast, east and southeast resulting in the development as proposed having the potential to undermine the potential delivery of the link road proposed and impact on the future development of the lands which it would serve. The development would, therefore, be contrary to the achievement of stated objectives in the Development Plan for the area and would be contrary to the proper planning and sustainable development of the area.

Note

The Board noted the Inspector's 2nd recommended refusal reason which referred to Section 4.4 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities and in particular to the proposed development being contrary to the requirements of these Guidelines which the Inspector considered may comprise a new issue. While the Board concurred with the Inspector in respect of the reason for refusal, the Board did not consider that matter would comprise a new issue as policy UB-P-7 of the County Development Plan refers to meeting the Guidelines set out in key Government publications. The matters arising in respect of the inappropriate design, layout, density and the qualitative aspects of the layout of the development would not differ in principle between the now revoked Guidelines on Sustainable Residential Development in Urban Areas, 2009 and the recently commenced Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024.

Board Member



Date: 24/05/2024

Una Crosse