



An
Bord
Pleanála

Board Order ABP-317861-23

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 23/50806

Appeal by Teresa Mulkern, Rita Moriarty and Geraldine Gaughan of Park, Galbally, County Limerick against the decision made on the 27th day of July, 2023 by Donegal County Council to grant permission subject to conditions to Cathal Haughey care of Paul Doherty Architects Limited of Castle Street, Donegal Town, County Donegal in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention for a 6.1 metre high by 2.3 metre diameter painted metal, cylindrical steel framed sheep feed silo at the rear and side of existing sheds and garage and associated site works at Ballard Townland, Glencolmcille, 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 Donegal County Development Plan 2018-2024 and the nature and extent of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be appropriate for this agricultural area, would not detract from the visual amenity of the area, would not seriously injure the residential amenity of surrounding properties, and would not endanger public safety or convenience by reason of traffic generation, or otherwise. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Surface water shall not discharge from the site to the public road and the developer shall comply with any requirements of the planning authority in this regard.

Reason: In the interest of public health and surface water management.

3. (a) A scheme indicating boundary treatments shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order. This boundary treatment scheme shall provide a screen along the eastern and northern boundaries, consisting

predominantly of trees, shrubs and hedging of indigenous species. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the written agreement of the planning authority.

- (b) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the landscaping scheme shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development, in the interest of visual amenity.

- 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 within three months of the date of this Order 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. The application of any indexation required by this condition 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.

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.



Stewart Logan

Member of An Bord Pleanála

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

Dated this 16th day of May 2024