

An
Bord
Pleanála

Board Order
ABP-318013-23

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 22/52017

Appeal by Paddy and Aisling O'Hagan care of John McCay of Clonglash, Buncrana, County Donegal against the decision made on the 17th day of August, 2023 by Donegal County Council to grant subject to conditions a permission to Stephen and Melanie Patterson care of McCullagh Architecture and Surveying Limited of Glenfinn Road, Ballybofey, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of existing domestic garage, construction of double garage with games room and gym space to the rear of existing dwelling house and associated site development works at Rossnowlagh Upper or Crockahany, Rossnowlagh, 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 County Donegal Development Plan 2018-2024 and all material considerations, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning objective for the site, 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. 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, 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. (a) The upper floor of the structure shall be omitted, and the maximum ridge height of the proposed garage shall be agreed with the planning authority and be no higher than five metres.
- (b) The balcony on the north-eastern elevation therefore shall be omitted.

- (c) Prior to commencement of development, revised plans in accordance with condition number 2 (a) and (b) shall be submitted to the planning authority for written agreement.
- (d) Development shall not commence without the prior written agreement of the planning authority and shall thereafter only be authorised to commence in accordance with the agreed plans.

Reason: To define the terms of the permission, protect the amenities of the area and ensure orderly development.

- 3. All external finishes shall match those of the parent dwelling except as may otherwise be required in order to comply with the conditions attached to this Order.

Reason: In the interest of residential amenities.

- 4. No surface water from site shall be permitted to discharge to public road and the developer shall take steps to ensure that no public road water discharges onto site.

Reason: To prevent flooding.

- 5. The entrance to the site shall incorporate an aco channel or other similar drainage trap, together with suitable drainage pipework in order to prevent discharge of surface water onto public road. These works shall be carried out prior to first occupation of the garage hereby permitted.

Reason: To prevent flooding.

6. The garage shall be used solely for domestic purposes only ancillary to the residential enjoyment of the parent dwellinghouse and shall not be used for any other purpose be that business, residential or other without a separate grant of planning permission.

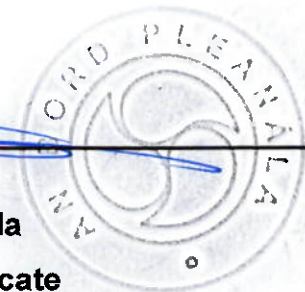
Reason: In the interest of orderly development.

7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays 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.


Liam Bergin

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



Dated this 23rd day of May 2024.