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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 23/50689**

**APPEAL** by The Old Glencar Road, Solomon's Grove and Upper Fernhill Residents' Associations care of Jim and Theresa Kelly of Old Glencar Road, Letterkenny, County Donegal and by P.J. McDermott care of Harley Planning Consultants Limited of 1 Melmount Park, Strabane, County Tyrone, Northern Ireland against the decision made on the 22<sup>nd</sup> day of February, 2024 by Donegal County Council to grant subject to conditions a permission to P.J. McDermott.

**Proposed Development:** Planning permission for a period of 10 years for a large-scale residential development on a site of 10.2 hectares (within an overall landholding of 15.7 hectares) consisting of the construction of phase 2 of a housing development consisting of 160 number houses and seven number apartment blocks containing 28 number apartments (188 number residential units in total) comprising of:- House Type A – four bed semi-detached (64 number units), House Type B – three bed semi-detached (22 number units), House Type B1 – three bed semi-detached (20 number units), House Type B1H – three bed semi-detached (20 number units), House Type C – three bed terraced block (six number blocks – 24 number units), House Type D – two bed terraced block (2 number blocks – eight number units),

Apartment Type E – two bed apartments (seven number blocks – 28 number units), House Type F – two bed semi-detached (two number units). The development will also consist of connections to piped services proposed as part of the adjacent Phase 1 development of 90 residential units to the south (appeal pending on An Bord Pleanála reference number, ABP-316160-23, [planning register reference number 22/51204 to grant permission]). The two phases of development will also be connected via two number proposed pedestrian and vehicular routes and construction of a new vehicular entrance from the grange (also proposed as part of Phase 1) and an internal distributor road that will provide for future access to adjacent lands to the north and east of the site to facilitate integration of the proposed development and future adjacent developments as well as facilitating future connection to the proposed upgraded Northern Strategic Link/Windyhall Road, bus stops, landscaped open spaces, play areas and planted boundary buffers, attenuation tank, retaining walls, all associated site development works, infrastructure and services; all at Glencar Irish and Glencar Scotch, Letterkenny, County Donegal.

## **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; would fail to provide an adequate variety of house types; 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) an inadequate mix and distribution of house types and other supporting residential uses,
  - (d) the lack of a high-quality integrated open space network, and
  - (e) 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 result in 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, seriously injure residential amenity and be contrary to the proper planning and sustainable development of the area.



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**Martina Hennessy**

**Member of An Bord Pleanála**

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

Dated this 1<sup>st</sup> day of June 2024.

