

An
Coimisiún
Pleanála

Commission Order
ABP-320603-24

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

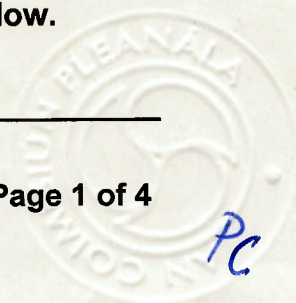
Planning Register Reference Number: 23/51581

Appeal by Michael McCallion care of Hartnett Hayes Solicitors of Gweedore Road, Dungloe, County Donegal against the decision made on the 1st day of August, 2024 by Donegal County Council to grant subject to conditions a permission to Michael and Channele Gallagher care of Kenneth McCorkell Engineering and Design of Drumlackagh, Carrigart, County Donegal in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of the demolition of a dwelling and the erection of a replacement dwelling with connection to approved services and all associated site development works at Murroe, Dunfanaghy, 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.



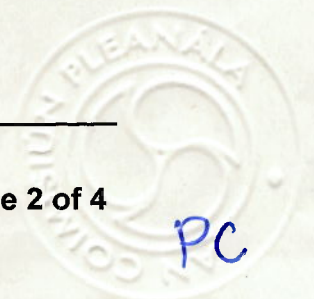
Reasons and Considerations

Having regard to the planning history of the site, and specifically the grant of planning permission to the applicants under planning permission register reference 21/51412 on the 2nd day of September 2021 and the fact that the differences between the current application and the parent permission are relatively modest together with the more general provisions of the Donegal County Development Plan with regards to replacement dwellings, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or property in the vicinity, would not be prejudicial to public health or the environment and would generally be acceptable in terms of design, traffic safety, amenity, and nature conservation. The proposed development would, therefore, be in accordance with the proper planning and development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by the planning authority on the 11th day of July 2024, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. All relevant conditions attached to previous grant of permission for development at the site, planning register reference number 21/51412 shall be strictly adhered to.

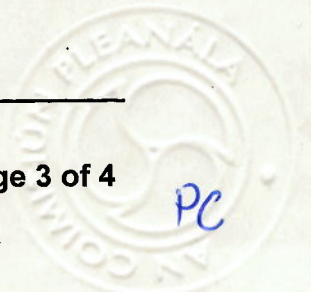
Reason: In the interests of clarity and the proper planning and sustainable development of the area.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

4. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

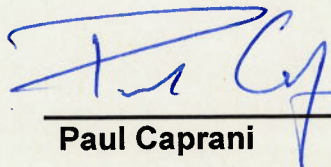


5. All site boundaries shall be planted with hedgerow of semi-mature species native to the area and at least five number semi-mature broadleaf trees shall be planted on site within first planting season following commencement of development. The trees to be planted shall be a mix selected from the following list of species (unless otherwise agreed in writing with the planning authority):

- Sceach Gheal (Hawthorn/Crataegus monogyna)
- Cuileann (Holly/Ilex aquifolium)
- Peine Albanach (Scots Pine/Pinus sylvestris)
- Fionncholl (Whitebeam/Sorbus spss)

Any trees dying within subsequent three years shall be replaced.

Reason: To preserve the amenities of the area.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission**



Dated this 29th day of

July

2025