

An  
Bord  
Pleanála

Board Order  
ABP-321567-25

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 2461646**

**APPEAL** by John McVeigh of Ballyharry, Lecamey, County Donegal against the decision made on the 28th day of November, 2024 by Donegal County Council to refuse permission.

**Proposed Development:** The retention of a first-floor gable glass door which replaces a former window opening and the addition of a first-floor metal balcony at Ballyharry, Lecamey, 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 Policy Objectives RH-P-6 and RH-P-9, which relate to the refurbishment, or replacement, or extension of existing dwellings, of the Donegal County Development Plan 2024-2030, and having regard to the limited scale and form of the development proposed to be retained and the proposed development, at a location within a series of houses within an Area of High Scenic Amenity, it is considered that, subject to compliance with the conditions set out below, there would be no overlooking, loss of privacy or loss of visual or residential amenity. The development as proposed would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board also considered that the development proposed to be retained and the proposed development, would be in keeping with the rural character of the area, would not materially contravene the provisions of the Donegal County Development Plan 2024-2030, and would be in in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse retention and permission, the Board was mindful of the limited scale of the development proposed to be retained and the development proposed, and it disagreed that this would be a suburban design feature which would be an incongruous feature on this site.

## Conditions

1. The development shall be retained, 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

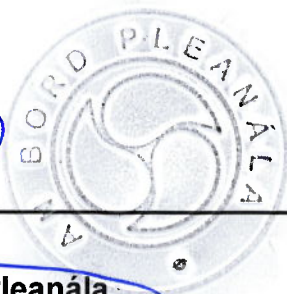
2. The proposed balcony, shown in drawing PP01, shall be reduced in size to ensure that no windows to the side elevation are obscured by the supporting posts, both of which shall be located to the southwest of the dining area window, and to the northeast of the kitchen window. A revised drawing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and orderly development.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

  
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**Mary Rose McGovern**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this 17<sup>th</sup> day of April 2025.