



An
Coimisiún
Pleanála

Commission Order
ACP-322801-25

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 2461187

Appeal by Kevin Quinn of Curraghmore, Ballybofey, County Donegal against the decision made on the 22nd day of May, 2025 by Donegal County Council to grant subject to conditions a permission to Noleen Quinn care of Michael Friel Architects and Surveyors Limited of Creeslough, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention permission for upper floor development of existing dwelling house and the retention of an existing detached domestic garage at Curraghmongan, Ballybofey, Lifford, 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 provisions of the County Donegal Development Plan 2024-2030, the location of the development within a rural area, the modest nature and scale of the works to be retained in the context of the appeal site and surrounding area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity, would be acceptable in terms of traffic safety and services and would not be prejudicial to public health. 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 in accordance with the plans and particulars lodged with the application, and the further plans and particulars received on the 20th day of February 2025, 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 within three months of the date of this Order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The domestic shed hereby retained shall not be used for human habitation, commercial use, industrial use or for any other purpose other than a purpose incidental to the enjoyment of the dwelling.

Reason: In the interest of proper planning and development control.

3. Within three months from the date of this Order, the developer shall submit a revised Site Layout Plan correctly detailing all features with respect to services (that is, water supply and wastewater treatment) to the planning authority, for written agreement, so that the as-built development is consistent with the planning particulars.

Reason: In the interest of clarity, orderly development and the amenities of the area.

4. (a) The septic tank/wastewater treatment system on site will comply with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.



- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

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



Mick Long

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

Dated this 13th day of October 2025.