An Coimisiún Pleanála

Na hAchtanna um Pleanáil agus Forbairt, 2000, arna leasú

**Údarás Pleanála: Comhairle Contae Dhún na nGall**

Uimhir Thagartha ar an gClár Pleanála: 2561174

Achomharc ó Jacinta Bradley in aghaidh an chinnidh a rinne Comhairle Contae Dhún na nGall an 2ú lá de mhí Dheireadh Fómhair 2025 cead a dheonú, faoi réir coinníollacha, do Dela Kerr, i gcomhréir le pleananna agus sonraí a taisceadh leis an gComhairle sin.

Forbairt Bheartaithe: (1) Síneadh nua a thógáil ar thaobh tí cónaithe dhíchláraithe láithrigh agus ar a chúl, agus (2) teach cónaithe díchláraithe láithreach a athchóiriú, nasc a dhéanamh leis an bpríomhshéarach poiblí, agus na hoibreacha láithreáin gaolmhara uile ag 17 eastát Chnocán na Rósanna, Leitir Ceanainn.

Cinneadh

Cead a DHIÚLTÚ don fhorbairt bheartaithe thuas ar na cúiseanna agus na cúinsí atá leagtha amach thíos.
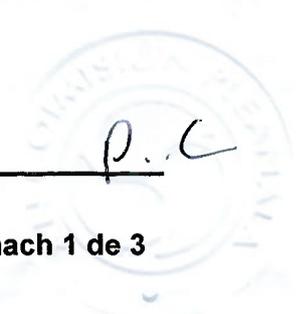
Cúiseanna agus Cúinsí

Ag féachaint d'fhorais an achomhairc, don chuspóir criosaithe cónaithe, do phatrún bunaithe na forbartha sa limistéar, don chreat beartais a sholáthraítear le Plean Forbartha Contae Dhún na nGall 2024-2030, agus do Phlean Leitir Ceanainn agus Plean Iompair Áitiúil 2023-2029, meastar, maidir leis an síneadh beartaithe, nach soláthraíonn aon spás oscailte príobháideach, go mbeadh sé ina shárú ar Cheanglas Sonrach Beartais Pleanála 2 de na Treoirlínte maidir le Forbairt Cónaithe agus Dlúthlonnaíochtaí Inbhuanaithe d'Údaráis Phleanála (2024) (Caighdeáin Íosta Spáis Oscailte Phríobháidigh do Thithe), gurbh ionann í agus rófhorbairt ar an láithreán, agus go soláthródh sé cineál forbartha cónaithe a bheadh faoi bhun an chaighdeáin agus a mbeadh tionchar díobhálach aige ar an taitneamhacht chónaithe d'áititheoirí amach anseo an tí cónaithe, de shárú ar Bheartas UB-P-9 de Phlean Forbartha Contae Dhún na nGall 2024-2030. Meastar go mbeadh deonú cead pleanála ina dhrochfhasach d'fhorbairt den chineál céanna sa limistéar agus go mbeadh sé, dá bhrí sin, contrártha do phleanáil chuí agus forbairt inchothaithe an limistéir.

Appeal by Jacinta Bradley against the decision made on the 2nd day of October, 2025 by Donegal County Council to grant, subject to conditions, a permission to Dela Kerr in accordance with plans and particulars lodged with said Council.

Proposed Development: (1) Construction of a new extension to the side and rear of an existing deregistered dwelling house and (2) renovation of an existing deregistered dwelling house and connection to the main public sewerage and all associated site works, 17 Rosemount estate, Letterkenny, Ballymaigdean.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

Having regard to the grounds of appeal, the residential zoning objective, the established pattern of development in the area, the policy framework provided by the Donegal County Development Plan 2024-2030 and the Letterkenny Plan and Local Transport Plan 2023-2029 , it is considered that proposed extension which does not provide any private open space would be in contravention of Specific Planning Policy Requirement (SPPF) 2 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) (Minimum Private Open Space Standards for Houses), would represent an overdevelopment of the site and would provide a substandard form of residential development which would have a detrimental impact on the residential amenity of future occupants of the dwelling in contravention of Policy UB-P-9 of the Donegal County Development Plan 2024-2030. It is considered that a grant of planning permission would set a poor precedent for similar development in the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

Patricia Calleary

Patricia Calleary

Coimisinéir Pleanála den	**Planning Commissioner**
Coimisiún Pleanála atá	**of An Coimisiún**
údaraithe go cuí chun séala	**Pleanála duly authorised**
an Coimisiún a	**to authenticate the seal**
fhíordheimhniú	**of the Commission.**

Dated this 12ᵗ **day of** February 2026.