



An
Coimisiún
Pleanála

Commission Order
PL-500395-DL-25

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

Planning Register Reference Number: 2561488

Appeal by Mary and Charles Boyle against the decision made on the 7th day of November 2025, by Donegal County Council to grant, subject to conditions, a permission to Diane Harvey in accordance with plans and particulars lodged with the said Council.

Proposed Development: An mballa tosaigh a bheith bainte agus páirceáil lasmuigh den tsráid a chruthú os comhair an tí chónaithe atá ann cheana féin, lena n-áirítear colbhaí íslithe le haghaidh rochtana agus cead chun na hoibreacha láithreáin a bhaineann leo a chur i gcrích, 25 Ascaill Radhairc an Chuain, Na Cealla Beaga, Contae Dhún na nGall.

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 regards to the grounds of appeal, the sites location within the settlement framework for Killybegs, the established pattern of development in the area, the policy framework provided by the Donegal County Development Plan 2024-2030 and the Seven Strategic Towns (Killybegs) Local Area Plan 2018- 2024, it is considered that the development proposed to be retained would provide safe car parking for the existing dwelling, would not have an adverse impact on the amenity of neighbouring properties, and would not constitute a road safety or pedestrian hazard. 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 on the 28th day of August 2025, as amended by the further plans and particulars received by the planning authority on the 21st day of October 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 retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

Within one month of the date of this Order details of the car parking space (minimum 2.5 metres x 5 metres), landscaping to the front garden area and the reinstated front boundary wall incorporating a vehicular entrance with a maximum width of 3.5 metres shall be submitted to and agreed in writing with the planning authority. Within six months of the date of this Order the front boundary wall shall be reconstructed. The vehicular entrance shall not have an outward opening gate.

Reason: In the interests of visual and residential amenity.

3. Within one month of the date of this Order all works which have been undertaken including any works to the public footpath and dipped kerbing shall be completed to the satisfaction of the Area Roads Engineer.

Reason: To cater for orderly development of the area and in the interests of pedestrian safety.

4. No part of any vehicle shall be permitted to intrude onto the public footpath or to block safe access by pedestrians on the public footpath.

Reason: To cater for orderly development of the area and in the interests of pedestrian safety.

5. Surface water drainage arrangements for the development proposed to be retained shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this Order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

Emer Maughan

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

Dated this 31st day of March 2026