



An  
Bord  
Pleanála

## Inspector's Report ABP-315123-22

<b>Development</b>	Erection of 5 glamping pods.
<b>Location</b>	Carrick Upper (Cottages), Carrick, Co. Donegal
<b>Planning Authority</b>	Donegal County Council
<b>Planning Authority Reg. Ref.</b>	2250377
<b>Applicant(s)</b>	Phelim McGill.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	To grant.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Phelim McGill.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	11 <sup>th</sup> April 2023.
<b>Inspector</b>	Deirdre MacGabhann

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## **1.0 Site Location and Description**

- 1.1. The 0.874ha appeal site lies to the south of Carrick town centre, approximately 12km to the west of Killybegs in south west county Donegal. Access is via a county road that leads to Slieve League. The site rises away from public road and at the time of site inspection had been cleared. Residential development lies to the north of the site and a derelict building to the east (adjoining the county road).

## **2.0 Proposed Development**

- 2.1. The 5 no. glamping pods are arranged along an internal access road. Parking for 7 no. cars and site entrance is provided at the southern part of the site adjoining the county road. Service area is located to the north of the site.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. On the 20<sup>th</sup> October 2022, the PA decided to refuse permission for the development, on the grounds that it does would materially contravene policies TOU-P-17 and TOU-P-20 of the County Development Plan, having regard to the distance of the site from the village, narrow public road, absence of footpath, unavailability of third party lands to provide footpath and risk of traffic hazard and risk to pedestrians.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

- 13<sup>th</sup> October 2022 – The report refers to internal reports, submissions by third parties, prescribed bodies and representations made (none), the planning history of the site (none) and the policy context for the development. It assesses the merits of the development under principle and siting and design and considers the development to be acceptable on the site subject to compliance with all other relevant development management guidelines. It recognises that whilst the site has the advantage of location within the village and would provide a valuable tourism resource, the applicant cannot provide

safe pedestrian access due to the narrow nature of the public road between the site and village and limited capacity of the road to accommodate traffic volumes, in particular tourist buses going to Sliabh Liag. It therefore recommends that permission be refused. It is stated that this has been discussed with the applicant and agent. Issues in respect of residential amenity and public health are considered to be acceptable. FI is recommended in respect of means to achieve and maintain proposed vision lines. The need for AA is screened out due to the scale and nature of the development on an existing urban site, no known hydrological links, the physical distance from the nearest European site (Slieve League SAC) and presence of several local and county roads between the appeal site and the SAC (1.5km). EIA is also screened out having regard to the scale and location of the development and absence of any real likelihood of environmental effects.

#### 3.2.2. Other Technical Reports

- None.

#### 3.3. Prescribed Bodies

- None.

#### 3.4. Third Party Observations

- None.

#### 4.0 Planning History

- None.

#### 5.0 Policy Context

##### 5.1. Donegal County Development Plan 2018-2024 (as varied).

- 5.2. The appeal site lies within the settlement framework boundary for Carrick, a small town that is designated as a Layer 2B settlement 'Strategic Town' in the County

Development Plan. Policies TV-O-1 to -4 in respect of the development of towns and villages apply and policies TOU-P-17 and TOU-P-20 in respect of camping and tourist developments also apply (see attachments and assessment).

### **5.3. Natural Heritage Designations**

5.3.1. The nearest natural heritage designations comprise the following (see attachments):

- c. 1.5km to the south west Slieve League pNHA and SAC (site code 000189).
- c.1.5km to the north east Coguish Bog pNHA (site code 001938).

### **5.4. EIA Screening**

5.4.1. Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

6.1.1. First party grounds of appeal are:

- Development is in walking distance of village (75m), currently serves many houses and businesses. Established vehicular access to site. Fully compliant sightlines. Small development with limited pedestrian traffic.
- Lack of tourist facilities in village and in area of demand. Location, siting and integration in village in line with policies of CDP (Strategic Towns, Tourism). Policies for Layer 2B towns and villages notes that there are significant infrastructure constraints that require innovative approaches to resolution.
- Development satisfies the requirements of Policy TOU-O-17, points (a) to (c). Located within settlement boundary. Regeneration Plan for Carrick highlights site for development (car parking) with pedestrian access to the town via the site. Glamping more beneficial than car park. New bridge over River Glen Valley

c.450m south of site and plans indicate spurs from bridge to village for pedestrians.

- Development complies with detailed requirements of TOU-P-20, points (a) to (o). Development has no impact on residential amenity or High Amenity Area. Minor storage areas will be screened. Site is fully serviced. The site has excellent access and sightlines in both directions and ample parking facilities. Site is not at risk of flooding.
- New development should not be restricted by local authority's lack of pedestrian infrastructure in village. Applicant willing to provide shuttle bus to town (could be conditioned). Temporary permission would allow PA to monitor traffic/pedestrian issues.

## **6.2. Planning Authority Response**

6.2.1. The PA make the following response to the appeal:

- Location and principle of development acceptable. Development would require pedestrians to walk on stretch of road with limited width and capacity (at times less than 5m). No hard shoulder. Road is sole access point to Slieve League with tourist buses and visitor traffic. No capacity to permit pedestrians onto roadway. Applicant advised to obtain off road access to village.
- Carrick Regeneration Plan is a community based plan and non-statutory document and cannot be taken as evidence of future works. Existing riverside walkway does not entail pedestrian access to the public road.
- Applicant could provide a footpath to the village from the site.

## **6.3. Observations/Further Responses**

- None.

## **7.0 Appropriate Assessment**

7.1. Having regard to the modest nature and scale of development, location in an urban area, connection to existing services and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed

development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Assessment

- 8.1. **Principle.** The appeal site lies in a Layer 2B settlement, 'Strategic Town' in the Donegal County Development Plan 2018-2024 (as updated). It is designated due to its special economic function for tourism and its location on the Wild Atlantic Way in proximity to Slieve League. Policy TV-O-1 to -4 support the renewal and regeneration of these towns. The proposed development is situated within the settlement boundary. It provides additional tourist accommodation on a derelict site and is in principle consistent with the policy context for the settlement.
- 8.2. **Tourism Developments.** Policy TOU-P-17 deals specifically with tourism accommodation, including camping, which does not meet the criteria of a holiday resorts set out in TOU-P-16. It directs these developments to locations within settlement boundaries and requires compliance three criteria (i) development to be within safe walking distance of local services i.e. via an existing or proposed footpath, (ii) the specific criteria set out in TOU-P-20, and (iii) compliance with appropriate Caravan and Camping Regulations. Policy TOU-P-20 requires that all proposals for tourism development comply with specific criteria (a) to (o) which include absence of visual impacts, impacts on fragile environments and residential amenity etc. Criteria (k) requires the layout of the development provide for a high level of, and prioritises, pedestrian permeability and access.
- 8.3. The PA has accepted that the development generally complies with TOU-P-17 and TOU-P-20, with the exception of pedestrian access. Having regard to the location of the development in an urban area, connected to existing services and to the layout and detailed design of the development I am also satisfied that the development generally complies with the detailed requirements of these policies.
- 8.4. With regard pedestrian access, it is evident that the appeal site lies within a short distance of the town centre with its associated facilities and services. Between the site and the town centre, the public road is narrow, with no hard shoulder. In locations there are informal passing places and elsewhere buildings/structures are hard up to the edge of the public road. The road serves a small number of

properties, however many of these are derelict and between the site and the town centre there are few generators of pedestrian traffic. The county road serving the site provides the only direct access to Slieve League, a popular tourist destination on the Wild Atlantic Way (among the highest sea cliffs in Europe). At the time of site inspection, traffic on the road included cars, vans, tractors and mini buses passing the site.

- 8.5. The proposed development provides 6 glamping huts, with accommodation for two persons in each. During busy periods, when visitor numbers to Slieve League are likely to be greatest, the development has potential to generate an increase in pedestrian movements along this stretch of road. Whilst the number of persons to be accommodated on site is not high, having regard to the busy nature of the public road passing the site, including its use by mini buses serving Slieve League, its narrow form, limited places to stand in from the carriageway, I am concerned that there would be a conflict between pedestrian vehicular traffic movements with increased potential for accidents. I do not consider therefore that the proposed development complies with the requirements of Policy TOU-P-17 or TOU-P-20 in respect of pedestrian access i.e. it fails to provide safe access to services/facilities or to prioritise pedestrian access. As stated in the Planning Report, the applicant has also not demonstrated how the proposed sightlines will be achieved and maintained (no letter of consent from landowner). The applicant's proposal for a shuttle bus has not been developed to demonstrate how it would work in practice to prevent/minimise pedestrian access.
- 8.6. The applicant refers to a regeneration plan for Carrick and to the indication of pedestrian links from the pedestrian bridge over the River Glen to the town via the county road. It is also argued that new development should not be restricted by the lack of pedestrian infrastructure in the village.
- 8.7. As stated by the PA the regeneration plan for the town is non-statutory and has no formal status. Consequently, its provisions are currently aspirational. Further, despite the completion of the pedestrian bridge c.450m south of the appeal site (see photographs), the area in which the site lies lacks pedestrian infrastructure to safely connect it to the town centre and the proposed development is premature pending its provision, for the reasons stated above. In coming to this conclusion, I am mindful that the applicant may be able to avail of a direct pedestrian link through adjoining



lands or by the direct provision of a footpath along the public road, in conjunction with the PA/traffic calming/management measures.

## **9.0 Recommendation**

9.1. I recommend that permission for the development be refused.

## **10.0 Reasons & Considerations**

Having regard to:

- Policies of the County Development Plan which require the provision of appropriate pedestrian connectivity from tourism developments to facilities and services (Policies TOU-P-17 and TOU-P20), which policies are considered reasonable,
- The nature of the proposed development, which provides accommodation for tourists along the Wild Atlantic Way and in proximity to Sleave League,
- The likely generation of pedestrian movements along a substandard and busy section of the county road,

It is considered that the proposed development does not provide adequate, or prioritise, pedestrian connectivity to facilities and services, would create a traffic hazard and be seriously injurious to pedestrians and other road users. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Deirdre MacGabhann  
Planning Inspector  
20<sup>th</sup> April 2023.