



Your Ref: ABP-310682-21  
Our Ref: S521/20

20/07/2021

An Bord Pleanála  
No. 64 Marlborough Street,  
Dublin 1.

<b>AN BORD PLEANÁLA</b>	
LDG- _____	
ABP- _____	
23 JUL 2021	
Fee: € _____	Type: _____
Time: _____	By: <u>post</u>

**RE: RESPONSE TO APPEAL REF. ABP-310682-21 RELATING TO S5 APPLICATION TO DETERMINE WHETHER THE PLACEMENT OF TRAILERS AND AGRICULTURAL ITEMS ON LANDS AND THE PLACEMENT OF MOUNDS OF SOIL AND STONES IS OR IS NOT DEVELOPMENT AND IS OR IS NOT EXEMPTED DEVELOPMENT AT ARBANE, DOWNINGS, CO. DONEGAL.**

A Chara,

I refer to your correspondence of 2<sup>nd</sup> July, 2021 received by the Planning Authority on 5<sup>th</sup> July, 2021 relating to the above appeal.

I wish to advise that the contents of the appeal by Anne Murray have been noted, and that the majority of the matters raised by the appellant have either previously been addressed in the planning report, a copy of which has already been issued to An Bord Pleanála or relate to civil matters concerning rights of way, and neighbourly disputes which the Planning Authority does not get involved in.

The rationale for the Council's determination of the Section 5 Question is set out in the planning report as previously submitted.

In relation to the appellant's claim that the development breaches a condition on a planning permission, the Planning Authority notes that the development referred to in the appellant's statement relates to Planning Permission Reference No. 01/7643 and there appears to be no relevant condition which prevents the placement of trailers and agricultural items on lands or the placement of mounds of soil and stones. The condition highlighted by the appellant is condition no. 3(a) of Planning Permission Reference No. 01/7643 which required the applicant to ensure standard entrance details in accordance with the technical specifications set out in the then Development Plan (and which is noted remains the same technical standard in the



current County Development Plan 2018-2024 (as varied)). This standard applies to all residential applications where there is a requirement for vehicular access and parking and it seeks to ensure that adequate depth and width is achieved at inner and outer site entrances to ensure sufficient splays and vision lines are achieved for vehicles entering and leaving the property, and such conditions are proposed in the interest of traffic safety.

The Planning Authority has no further comments to make regarding any allegations of interference with a private right of way.

Trusting this is to your satisfaction.

Yours sincerely,

  
**For A/Senior Ex. Planner**  
**Planning Services**

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