

**DONEGAL COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACTS, 2000 - 2006**

**Manager's Order No:** 2007PG1247

**Reference Number:** 07/30739

**Name of Applicant:** BARRY MCCORMACK  
**Address:** C/O PATRICK GALLAGHER  
POLE ROAD  
MEENMORE  
DUNGLOE  
CO DONEGAL

**Nature of Application:** PERMISSION for ERECTION OF A DWELLING HOUSE WITH WASTE WATER TREATMENT SYSTEM

**Location of Development:** MEENMORE DUNGLOE CO DONEGAL

**SUBMITTED:** Recommendation that PERMISSION **BE GRANTED** subject to the 15 conditions set out in the Schedule hereto.

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***STAFF OFFICER***

**ORDER:** That it is hereby decided to **GRANT PERMISSION** in the case of application 07/30739 under the Planning and Development Acts, 2000 - 2006 subject to the 15 conditions stipulated in the Schedule hereto.

I further order that PERMISSION **BE GRANTED** subject to the 15 conditions, unless an appeal which is not subsequently withdrawn is lodged with An Bord Pleanala within four weeks beginning on this date.

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***AREA MANAGER***

DATED THIS DAY OF SEPTEMBER 2007

**DONEGAL COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACTS, 2000 - 2006**

**NOTIFICATION OF DECISION TO GRANT**

**TO:** BARRY MCCORMACK  
C/O PATRICK GALLAGHER  
POLE ROAD  
MEENMORE  
DUNGLOE  
CO DONEGAL

**Planning Register Number:** 07/30739

**Valid Application Received:** 19/06/2007

**Further Information Received Date:** 29/08/2007

**In pursuance of the powers conferred upon them by the above-mentioned Acts, Donegal County Council has by Order dated 13/09/2007 decided to GRANT PERMISSION for development of land, namely:-**

ERECTION OF A DWELLING HOUSE WITH WASTE WATER TREATMENT SYSTEM AT MEENMORE DUNGLOE CO DONEGAL IN ACCORDANCE WITH THE PLANS SUBMITTED WITH THE APPLICATION.

**Subject to the 15 conditions set out in the attached schedule.**

Signed on behalf of Donegal County Council  
Dungloe Public Services Centre  
Gweedore Road, Dungloe  
Tel: 07495 61300

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*for AREA MANAGER*  
Date 13<sup>th</sup> September 2007

**See final page for details of appeal procedures.**

**SCHEDULE**

1. The dwelling the subject of this permission shall be used for the purposes of a holiday home.

**Reason: In order to define the permission and to comply with the provisions of the County Donegal Development Plan, 2006-2012.**

- 2 a. Electrical and telephone service shall be underground.  
b. Any bulk fuel storage tank shall be screened from public view by means of timber picketing.  
c. Roof shall be blue/black and external walls white or as otherwise agreed by the Council in writing.

**Reason: To preserve the amenities of the area.**

3. The development shall be executed strictly in accordance with the plans, particulars, details and specifications lodged as part of this application and as amended by details submitted to the Planning Authority on 29 August 2007 except where altered or amended by conditions in this permission.

**Reason: To cater for orderly development.**

4. a. All sound trees, shrubs and hedgerow shall be retained save as herein otherwise required and any tree or shrub species subsequently dying shall be replaced.  
b. prior to the commencement of development the applicant shall submit a comprehensive landscaping scheme detailing all existing trees that integrates the proposal with the surrounding landscape.

**Reason: To preserve the amenities of the area.**

5. At least 7 no. semi-mature broadleaved trees native to the area shall be planted on site along the site boundaries within first planting season following commencement of development, any trees dying within subsequent three years shall be replaced.

**Reason: To preserve the amenities of the area.**

6. Road side drain shall be piped with concrete pipes of adequate size in accordance with details to be agreed with the Executive Engineer for the area (telephone):07495 61300

**Reason: To preserve road Drainage**

**Continuation of County Manager's Order No. 2007PG1247**

7. No surface water from the site shall be permitted to discharge to public road and applicant shall take steps to ensure that no public water discharges onto site.

**Reason: To prevent Flooding**

8. Prior to commencement of development permanent visibility splays of 90 metres or otherwise agreed with the Council shall be provided in each direction at a point 2.4 metres back from the road edge at location of vehicular entrance. Visibility splays in the vertical plane shall be measured from a drivers eye-height of 1.05 metres and 2 metres positioned at the set back distance in the direct access to an object height of between 0.26metres and 1.05 metres

**Reason: In the interests of traffic safety.**

9. All overhead and underground poles and lines shall be set back to line of new fenceline at developers expense and no obstructing pole(s) shall be left on layby.

**Reason: In the interests of traffic safety.**

10. Prior to works commencing the applicant shall carry out a photographic survey of the adjacent county road. Any damage to the public road occurring during construction shall be made good to the satisfaction of the Executive Engineer, for the area (Telephone:07495 61300).

**Reason: To cater for orderly development and in the interests of traffic safety.**

11. Watermain connection shall incorporate meter to the satisfaction of the Council's Sanitary Services Department.

**Reason: To cater for orderly development.**

12. a. Existing front boundary shall be removed for a distance of 21m either side of the point of proposed entry to the subject site and a new wall constructed using stone natural to the area, along a line at least 5 metres from centre line of public road. Said wall shall incorporate an entrance with a minimum width at road fence to line of gates of 9.15m minimum depth from road fence to line of gates of 2.45m and a minimum width on line of gates of 4.9m as set out on Table 1, Section 2.1 and figure 2, Section 2.7 'Entrance Details and Residential Properties' – County Development Plan, 2006-2012, Appendix A.

**Reason: In the interests of traffic safety.**

**Continuation of County Manager's Order No. 2007PG1247**

b. All new site boundaries and roadside boundaries shall consist of a hedgerow of broadleaved species native to the area and/or a stone wall of locally sourced materials, but a rendered block wall or decorative wall is not permitted and shall **NOT** be constructed without the prior written approval of the Planning Authority.

**Reason: To preserve the amenities of the area.**

13. a. Septic tank, percolation area and reserve percolation area shall be constructed in accordance the site assessment submitted and dated 20 June 2007 and with EPA Waste Water Treatment Manuals: Treatment Systems for Single Houses.

**Reason: In the interests of public health.**

14. Before any part of the development herein approved is commenced the developer shall provide adequate security to the Council in the form of:
- (a) A Bond of a Banking or Insurance Company acceptable to the Council in an approved form; or
  - (b) A Cash Deposit; or
  - (c) Such other security as the Council may approve –

in the sum of €2000.

**Reason: To provide adequate security to the Council in the event of damage occurring to the public road as a result of the development hereby permitted**

15. The applicant (or person at the relevant time entitled to the benefit of the permission) shall pay a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is already provided or is intended will be provided by the Authority. The amount of the contribution will be as set out below and is determined in accordance with the "Donegal County Council Development Contribution Scheme 2006 - 2007" (made under Section 48 of the Planning and Development Act, 2000). The total contribution and breakdown of same in respect of the different classes of public infrastructure and facilities provided/to be provided by the Authority are -

**Continuation of County Manager's Order No. 2007PG1247**

Water & Sewer	€ 3 207.00
Roads & Marine	€ 3 207.00
Town & Village Renewal	€ 6 414.00
Economic Community Culture	€ 3 207.00
Car Parking	€
<b>TOTAL:</b>	<b>€16 035.00</b>

The proposed charges shall be index linked each year following imposition of the levy in accordance with the Wholesale Price Index for Building and Construction published by the Central Statistics Office.

The total contribution shall be paid to the Council prior to commencement of the development unless the Council have agreed in writing beforehand to facilitate phased payment of the contributions in which event as part of any such agreement the Council may require the giving of security to ensure payment.

**Reason:**        *To facilitate provision of capital works.*

**ADVICE TO APPLICANT**

**Duration of Permission**

The permission to be issued (hereinafter referred to as "the permission") will cease to have effect in five years from the date of issue as regards any part of the development **not completed** by that date. Where the development has not been completed but substantial works have been carried out pursuant to "the permission" during the said five years, an application to "extend" "the permission" may be made. Such application shall not be made earlier than one year before the expiration of "the permission".

**Please note that no works can commence on foot of "A Notification of Decision" on an application.**

**The development is only authorised when a "Notification of Final Grant" is issued.**

**Continuation of County Manager's Order No. 2007PG1247**

**Connection to Council Services:**

Where the development involves connections to the Council's Sanitary Services a separate application for permission for such connections and associated road openings is required. (Separate fees are payable in addition to any development charges levied). Such application for permission must be made and approved by the Council before commencement of any works on the opening of road, verge or footpath, as appropriate, for the purpose of making the connections.