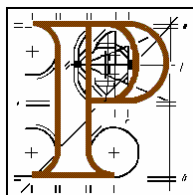


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2009

Donegal County

Planning Register Reference Number: 09/70363

An Bord Pleanála Reference Number: PL 05A.235050

APPEAL by Michael McClelland care of North West Modern Designs of 42 Marian Park, Buncrana, County Donegal against the decision made on the 15th day of September, 2009 by Donegal County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of attached domestic garage to side of existing dwelling at number 7 Carraig Bridge, Bunnamayne, Bridgend, in the townland of Bunnamayne, County Donegal.

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.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the County Donegal Development Plan 2006-2012 (as varied), to the overall design and scale of the development proposed for retention, to the location of the appeal site and to the established pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity, or depreciate the value of properties in the vicinity of the site. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board noted that the planning authority had decided to refuse permission because it was considered that the development proposed for retention would constitute a material contravention of the Development Plan, however, having regard to the provisions of Section 37(2)(b) of the Planning and Development Act, 2000 and to the scale and nature of this proposal, the Board considered that the development did not constitute a significant material contravention of the development plan in this instance and considered that planning permission should be granted for the development proposed for retention.

CONDITIONS

1. The development proposed for retention shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following condition.

Reason: In the interest of clarity.

2. The garage hereby permitted shall be used solely for domestic storage purposes ancillary to the use of the existing dwelling on site.

Reason: In the interest of clarity and to cater for orderly development.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2010.