An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Donegal County

Planning Register Reference Number: 18/50031

An Bord Pleanála Reference Number: ABP-301490-18

APPLICATION FOR LEAVE TO APPEAL against the decision of the planning authority by Paul and Rosemary Gallagher care of Canavan Associates Limited of 23 Princes Street, Derry, Northern Ireland, having an interest in land adjoining the land in respect of which Donegal County Council decided on the 29th day of March, 2018 to grant subject to conditions a permission to Michael Boyle of Atlantic Drive Limited care of Corner Stone Architecture of Ballykilduff, Portnoo, County Donegal.

PROPOSED DEVELOPMENT: (a) Demolition of part of the existing bar and store areas to the existing building, (b) construction of a new extension to rear of the existing building consisting of a new bar area, restaurant areas, toilet blocks, kitchen and stores on ground and first floor areas, (c) change of use from existing stores at first floor level to restaurant area, (d) associated signage to the building, (e) construction of new rear entrance foyer, (f) construction of a new side store to the gable end of the existing building, (g) external smoking and bar area, and (h) additional carparking area together with all associated site development works at The Bayview Bar, Main Street, Meenmore, Dungloe County Donegal.

DECISION

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations 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 submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of

2018.