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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 20/51538**

**Application for Leave to Appeal** against the decision of the planning authority by Iain Shovlin care of Genesis Planning of 27 Patrick Street, Newry, County Down having an interest in land adjoining the land in respect of which Donegal County Council decided on the 28<sup>th</sup> day of January, 2021 to grant subject to conditions a permission to Thomas and Ann Polland care of Michael Friel and Architects and Surveyors Limited of West End House, Ardara, County Donegal.

**Proposed Development:** Construction of a dwelling house, proprietary domestic wastewater treatment system and all associated site works at Naran, Portnoo, Donegal PO, 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**

It is considered that it has been shown that –

- (i) 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 4 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 4 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.

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

**Dated this            day of            2021.**