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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 21/50568**

**Appeal** by Evelyn and Patrick Kelly of Terhohill, Glenegannon, Carndonagh, County Donegal against the decision made on the 20<sup>th</sup> day of May, 2021 by Donegal County Council to grant subject to conditions a permission to Mark McGonagle care of North West Modern Designs of 42 Marian Park, Bunrana, County Donegal in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of (a) existing machinery storage shed with retaining wall and (b) retaining wall to front of shed and all associated site development works at Magheradrumman, Carndonagh, County Donegal in the townland of Magheradrumman.

**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 nature and scale of the development for which retention is sought and the pattern of development in the area, it is considered, subject to compliance with the conditions set out below, that the development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would constitute an acceptable use at this location. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development for which retention is sought shall be retained, 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 conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained, carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The use of the shed shall be limited to domestic use only, incidental to the use of the main dwelling house and may include for activities associated with the restoration of cars and tractors for hobby purposes and machinery storage purposes.

**Reason:** To ensure that the use of the building provides for activities appropriate to a rural area.

3. Access to the site shall be via the existing entrance on the southern boundary. No additional access points shall be permitted without prior approval from the planning authority.

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

4. A comprehensive boundary/entrance treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority. This scheme shall include the following: -

- (a) details of boundary/entrance treatments along the southern boundary of the site adjoining the public road, including heights, materials and finishes; and
- (b) Details of boundary treatments and landscaping measures for the remainder of the site and the area to the northwest of the shed including the retaining wall.

Upon receipt of written agreement from the planning authority the applicant shall fully implement the approved details within six months unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of visual amenity and traffic safety.

5. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works. Surface water from the site shall not be permitted to drain onto the adjoining public road.

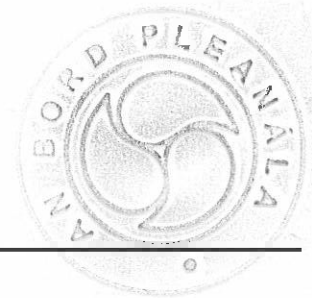
**Reason:** To ensure adequate servicing of the development, and to prevent pollution.



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Terry Ó Niadh

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



Dated this 31st day of January, 2022