



An  
Bord  
Pleanála

Board Order  
ABP-312223-21

---

**Planning and Development Acts 2000 to 2021**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 21/51232**

**Application for Leave to Appeal** against the decision of the planning authority by Patrick McGarrigle of 38 Culduthel Mains Crescent, Inverness, Scotland having an interest in land adjoining the land in respect of which Donegal County Council decided on the 18<sup>th</sup> day of November, 2021 to grant subject to conditions permission to Stuart and Noreen Darcy of FDR Car Sales care of Martin Burke of 48 Beinn Aoibhinn, Letterkenny, County Donegal.

**Proposed Development:** Proposed car sales display area with boundary fencing and all other associated site development works, all Tully, Donegal Town, County Donegal.

## Decision

**REFUSE** 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 not 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 conditions imposed by the planning authority to which the grant is subject.



---

**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this 17<sup>th</sup> day of January 2022.

