

An  
Bord  
Pleanála

Board Order  
ABP-312465-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Donegal County Council.**

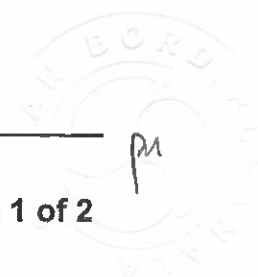
**Planning Register Reference Number: 21/52157**

**Application for Leave to Appeal** against the decision of the planning authority by John Sweeney care of McHugh Planning and Design of Aughalatty, Carrigart, Letterkenny, County Donegal, having an interest in land adjoining the land in respect of which Donegal County Council decided on the 17<sup>th</sup> day of December, 2021 to grant subject to conditions permission to Louise Butterly care of Michael Friel of Creeslough, County Donegal.

**Proposed Development:** Erection of a dwelling house and septic tank with all other associated site development works, all at Derryreel, Falcarragh, County Donegal, in the townland of Derryreel.

## **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

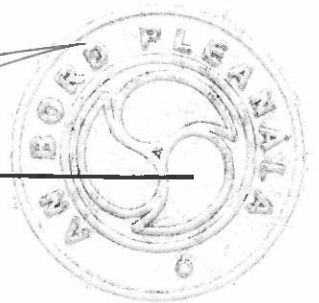
Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (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 conditions numbered 3 and 10 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of conditions numbered 3 and 10 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.

  
Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 30<sup>th</sup> day of February 2022.