



Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council.

Planning Register Reference Number: 2350078.

Appeal by John and Eoin Gallagher care of Boner Gallagher and Company Solicitors of Main Street, Dungloe, County Donegal against the decision made on the 15th day of June, 2023 by Donegal County Council to grant, subject to conditions, a permission to Cathal Gillespie and Roisin McFadden care of Michael Friel Architects and Surveyors Limited of Creeslough, Letterkenny, County Donegal in accordance with the plans and particulars lodged with the said Council:

Proposed Development: Erection of a dwelling house with detached domestic garage/private studio and septic tank including all other associated site development works, at Meenderrygamp, Gweedore, County Donegal.

Decision

DISMISS the said appeal under subsection (1) (b) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature of the appeal, which does not relate to any planning matters of material relevance to the proposed development, (the basis of the appeal instead being stated to relate to issues of legal rights to use land, including grazing and turbary rights), the Board determined that in the particular circumstances, the appeal should not be further considered. In this regard, the Board also noted the provisions of section 34(13) of the Planning and Development Act 2000, as amended, which states that a person shall not be entitled solely by reason of a permission under this section to carry out any development.



Stephen Bohan

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

Dated this *7th* day of *May* 2024.