



An
Bord
Pleanála

Board Order ABP-322021-25

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 24/61768

Application for Leave to Appeal against the decision of the planning authority by William Frances McCloskey of Upper Lenamore Road, Carrigart, County Donegal having an interest in land adjoining the land in respect of which Donegal County Council decided on the 7th day of February, 2025 to grant subject to conditions a permission to Brid McLaughlin and Patrick McGroddy care of Kenneth McCorkell Engineering and Design of Drumlackagh, Carrigart, County Donegal in accordance with the plans and particulars submitted to the said Council.

Proposed Development: Construction of a dwellinghouse with septic tank, domestic garage and attached ancillary accommodation with all associated site development works, all at Carrigart, Letterkenny, 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.

Reasons and Considerations

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.

The Board considered the requirements of condition number 12 for the planting of a hedgerow with semi-mature species native to the area and the planting of at least 15 number semi-mature broadleaf trees. The Board was satisfied that this condition does not materially change the development and does not materially affect the applicant's enjoyment of the land.

As such, the Board considered that the applicant for leave to appeal does not meet the criteria for leave to appeal as set out under section 37(6) of the Planning and Development Act 2000, as amended, above and, on this basis, the Board decided to refuse the application for leave to appeal.

A circular stamp of An Bord Pleanála is visible, featuring a stylized 'S' logo and the text 'AN BORD PLEANÁLA' around the perimeter. A handwritten signature in blue ink is written over the stamp.

Emer Maughan

Member of An Bord Pleanála

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

Dated this 31st day of March 2025.