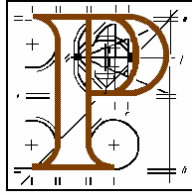


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Mayo County

Planning Register Reference Number: 11/626

An Bord Pleanála Reference Number: PL 16.240313

APPEAL by Evelyn Barrett Maye of Cross West, Cross, Cong, County Mayo against the decision made on the 2nd day of March, 2012 by Mayo County Council to grant subject to conditions a permission to Sinéad O'Malley care of Morgan Duggan and Associates of 7 Lakeview Point, Claregalway Corporate Park, Claregalway, County Galway in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a serviced dwellinghouse, domestic garage, effluent treatment system and soil polishing filter at Cross West, Cross, Cong, County Mayo.

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 “Sustainable Rural Housing - Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, the location of the site in a Structurally Weak Area as defined in the current County Development Plan, the local nature of the housing need and the suitability of the site for a septic tank, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 22nd day of December, 2011 and by the further plans and particulars received on the 7th day of February, 2012, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The finished floor level of the house shall be at 104.65 metres, as shown on the site layout plan submitted to the planning authority on 22nd of December 2011.

Reason: In the interest of clarity and to ensure that the development integrates in a satisfactory manner into the landscape.

3. (1) The septic tank shall be installed and maintained in accordance with the recommendations of the EPA manual Treatment Systems for single houses.
- (2) Prior to occupation of the dwelling house the developer shall submit for the written agreement of the planning authority a certificate from an approved person with professional indemnity insurance stating that the septic tank and ‘Puraflo’ have been installed in accordance with the terms of the permission and the EPA manual.

- (3) Water supply and drainage arrangements, including the disposal of surface water, shall otherwise comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

4. The house shall be finished in nap plaster or dash with no colour components. Any stone used shall be a local stone indigenous to the area. Roof slates/tiles shall be blue/black in colour. The front door shall be of simple design in hardwood. No white PVC is permitted.

Reason: In the interest of visual amenities of the area.

5. The existing hedgerow at the north and west site boundaries shall be retained. In the first planting season following occupation of the house, the site shall be planted in accordance with the landscaping scheme received by the planning authority on the 7th day of February, 2012.

Reason: In the interest of visual amenity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2012.