

An
Bord
Pleanála

Board Direction
BD-012764-23
ABP-312899-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/07/2023.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

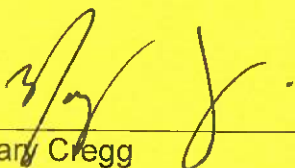
TVHO 7 of Mayo County Development plan 2022-2028 seeks to ensure the provision of adequate areas of *'high quality, safe and overlooked open space within residential developments'*. TVHP2 of the Mayo County Development Plan 2022-2028 supports the creation of attractive residential developments with a range of housing options and appropriate functional public and private open space that is consistent with the standards and principles set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the associated Urban Design Manual – A Best Practice Guide, DEHLG (2009) and any subsequent guidelines. Section 4.7.1 of the Mayo County Development Plan 2022-2028 refers to the location, siting and design of public open spaces and states that public spaces should be safe, therefore “passive surveillance” is to be considered, and that “houses should front onto open spaces thereby creating a high level of natural and passive surveillance”.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered, in the context of the provisions of the Mayo County Development plan 2022-2028 and the Urban Design Manual – A Best Practice Guide, DEHLG

(2009), not only the percentage residual open space but also the location and siting of the open space which would be impacted if the proposed development were to be granted permission. If permission were granted for the proposed development, this would result in loss of high quality open space in a location which is currently overlooked from the front of houses in the centre of this development. The Board therefore agreed with the planning authority that the proposal would injure the amenities of the properties in the area. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.

The Board noted that CSO 3 of the Mayo County Development Plan states that during the transition period between the adoption of the County Development Plan and the adoption of the local area plans for Ballina, Castlebar and Westport, the objectives (including zoning objectives), policies and standards in the Mayo County Development plan 2022-2028 shall apply to these towns. Having regard to the location and siting of the proposed residual open space, the Board considered that the proposed development would contravene section 4.7 and in particular 4.7.1 of the Mayo County Development Plan 2022-2028.

Board Member



Mary Clegg

Date: 10/07/2023