

An
Bord
Pleanála

Board Direction
BD-012370-23
ABP-312966-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/05/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

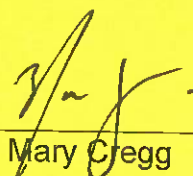
1. It is the policy of the Planning Authority as set out in the Mayo County Development Plan 2022-2028 to control urban sprawl and ribbon development. The proposed development would be in conflict with this policy because, when taken in conjunction with existing and permitted development in the vicinity of the site, it would consolidate and contribute to the build-up of ribbon development in this open rural area, and would contravene RHO7 of the Mayo County Development Plan 2022 – 2028. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The subject site is located within an area designated "Under strong Urban Influence" as identified in the Mayo County Development Plan 2022-2028. Furthermore, the site is located in an area that is designated as an Area Under Strong Urban influence in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and in the National Planning Framework (February 2018), where National Policy Objective 19 aims to facilitate the provision of single

housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area. Having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicants have demonstrated a genuine housing need to live in this rural area as required under the National Planning Framework and the Sustainable Rural Housing Guidelines. It is considered, therefore, that the applicants do not come within the scope of the housing need criteria as set out within the current Mayo County Development Plan 2022-2028, specifically RHP 4 which makes specific reference to the National Planning Guidance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the existence of rock outcrops at/close to the surface within the appeal site, the Board is not satisfied on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and/or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.

Note: The Board noted that the Inspector's report referenced concerns with respect to traffic hazard, in terms of endangerment of public safety by reason of the additional traffic movements the development would generate on a local road at a point where sightlines are restricted in a south westerly direction and which have not been demonstrated in accordance with the Mayo County Development plan standards. While the Inspector noted that this is a "new issue" in terms of the appeal, and ordinarily this would warrant further consideration or information, given the substantive reasons for refusal set out above, the Board decided not to pursue this issue in the context of this appeal.

Board Member



Mary Cregg

Date: 08/06/2023