

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Mayo County

Planning Register Reference Number: P16/430

An Bord Pleanála Reference Number: PL 16.247233

APPEAL by Paul Gill Limited care of Axo Architects of Hopkins Road, Castlebar, County Mayo against the decision made on the 17th day of August, 2016 by Mayo County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The conversion and change of use of part of existing office to a self-contained studio apartment together with alterations to external elevations and associated site works at 7 Ashwood Meadows, Ballinrobe Road, Westport, 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 limited nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of residential and visual amenity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the Inspector's concerns in respect of location of a new access door at the rear of the building could be dealt with by way of condition.

CONDITIONS

1. The development shall be carried out and completed in accordance with Drawing Number P(01) 03 received by An Bord Pleanála with the appeal documentation on the 9th day of September, 2016, 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 layout shown on Drawing Number P(01) 03 lodged with the appeal shall be amended by the omission of the rear door at the east elevation and the location of the main entrance door to the apartment to be off the area shown as "Tea Station". Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development.

3. The development shall not be sold or let separate to the office unit through which it is entered.

Reason: In the interest of orderly development.

4. 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, as amended. 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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 2016.