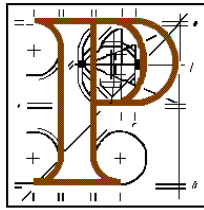


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Mayo County**

**Planning Register Reference Number: 15/708**

An Bord Pleanála Reference Number: PL 16.247581

**APPEAL** by Stephen Hannon care of John Halligan Architects of Charlestown, County Mayo against the decision made on the 21<sup>st</sup> day of October, 2016 by Mayo County Council to refuse permission for the proposed development.

**PROPOSED DEVELOPMENT:** Construction of a dwellinghouse and all ancillary site works with connection to all public utilities at Rathscanlan, Swinford, County Mayo.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, 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 planning history and the zoning objective for the site and the existing adjoining residential development at Meadow Park it is considered that the proposed development, subject to compliance with the conditions set out below, would not be prejudicial to public health or set undesirable precedent for similar development, would not seriously injure the visual and residential amenities of the area and would 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 lodged with the planning authority on the 3<sup>rd</sup> day of October, 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. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

3. A wall, constructed in local stone to a maximum height of 1.2 metres shall be constructed along the boundary with the public road. Details of the proposed boundary treatment and materials and finishes and for hard and soft landscaping for all external space within the perimeter of the site shall be submitted to and agreed with the planning authority prior to commencement of development.

**Reason:** In the interest of the amenities of the area and clarity.

4. The site shall be landscaped in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include indigenous deciduous tree and hedge planting. Any plants which die, are removed or become seriously damaged or diseased, within five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of orderly development and visual amenity.

5. Details of the materials, colours and textures of all the external finishes including roof materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

6. Hours of construction shall be confined to the hours of 0800 and 1900 Mondays to Fridays excluding bank holidays and 0800 hours and 1400 hours on Saturdays only. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In the interest of the amenities of the area and clarity.

7. 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 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.

8. The developer shall pay to the planning authority a financial contribution in respect of the Mayo County Council Supplementary Development Contribution scheme 2009 in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

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

**Dated this            day of            2017.**