

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## Mayo County

**Planning Register Reference Number: P16/707**

An Bord Pleanála Reference Number: PL 16.247759

**APPEAL** by Anthony Donnelly of Lakeside, Carheen, Tourmakeady, County Mayo against the decision made on the 24<sup>th</sup> day of November, 2016 by Mayo County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** House renovation, two-storey extension to rear of dwelling, single-storey ancillary sheds and gatehouse work studio, reinstatement of waste treatment and retention of road access at Lakeside, Carheen, Tourmakeady, 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 planning history on site and the nature of the proposal to extend and upgrade the effluent treatment and discharge, it is considered that, subject to compliance with the conditions set out below, the proposed development would be appropriate and would not prejudice public health, or constitute a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### Appropriate Assessment

The Board noted the Appropriate Assessment Screening determination carried out by the Inspector. The Board concurred with the Inspector's determination, and adopted her conclusions and recommendations in this regard. The Board was therefore satisfied, having regard to the nature, location and scale of the subject development, that the retention and construction of the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Lough Carra/Mask Complex Special Area of Conservation (Site Code 001774) and the Lough Mask Special Protection Area (Site Code 004062), or on any other European sites, in view of the site's conservation objectives.

## CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and amended in the further information submitted to the planning authority on the 10<sup>th</sup> day of November 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 proposed gatehouse studio shall be used only as a private domestic studio and shall not at any time be used for agricultural, industrial or commercial purposes or converted for human habitation.

**Reason:** In the interest of residential amenity and public health.

3. Details of the external finishes of the proposed dwelling including the type of stone to be used shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4.
  - (a) The proposed entrance shall be located at the northern end of the site frontage as generally indicated in the submitted plans and the entrance at the southern end shall be blocked up. The entrance shall be recessed and constructed in accordance with the requirements of the planning authority.
  - (b) The entrance gates shall open inwards.
  - (c) The existing front boundary shall be retained except to the extent that its removal or modification is necessary to provide for the entrance to the site and improved visibility in accordance with Design Manual for Road and Bridges Guidelines for regional roads.

**Reason:** In the interest of traffic safety and in the interest of visual amenity.

5. No surface run-off from the site shall discharge onto the public road. Existing road side drainage shall not be impaired and new entrance shall be designed to ensure the uninterrupted flow of existing road side drainage.

**Reason:** In the interest of orderly development

6. 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.

7. The proposed wastewater treatment system shall be located in accordance with drawings submitted with the application on the 7<sup>th</sup> day of September, 2016 (to the west of the site) and shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. < 10)" - Environmental Protection Agency, 2009. The use of a reed bed shall only be used where it is demonstrated to the planning authority's satisfaction that it will enhance the treatment system proposed in the Site Assessment form. All details including a monitoring contract shall be submitted for the written agreement of the planning authority prior to commencement of development.

**Reason:** In the interest of public health and to protect the water quality of environmentally sensitive area in the Lough Mask catchment.

8. Details of the external finishes of the proposed dwelling including the type and colour of plaster, roof tile, windows and doors to be used shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All materials and finishes shall harmonise with the existing dwelling structure.

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

9. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of 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 order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

10. Construction activity, excavation and demolition waste shall be managed in accordance with a construction and waste management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of site clearance and construction phases and details of the methods and locations to be employed for the prevention of pollution of air and water and details (including date) of the removal/disposal of the mobile home.

**Reason:** In the interests of environmental protection.

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

**Dated this            day of            2017.**