



An  
Bord  
Pleanála

**Board Order**

**PL 16.247821**

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**Planning and Development Acts 2000 to 2016**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P16/786**

**APPEAL by** Harold and Peter Conway care of O'Donnell Designed of Seaview, Carrowbaun, Westport, County Mayo against the decision made on the 6th day of December, 2016 by Mayo County Council to refuse permission for the proposed development.

**Proposed Development:** Demolition of existing dwelling and construction of four number detached dwellings and associated site works at Ardmore, 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 planning history, previous use of the appeal site, the pattern of development in the area and the statutory guidance document for sustainable residential housing, it is considered that the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of density, would not seriously injure the amenities of the area and would be acceptable in terms of traffic safety. Furthermore, the Board does not consider that the proposed development would constitute a material contravention of the development plan for the area. The proposed development would, therefore, 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, 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.
  - (a) House number 4 in the submitted plans shall be stepped back by one additional metre from the northern boundary and revised site layout drawings shall be submitted to, and agreed in writing with the planning authority.
  - (b) The second floor bedroom window on the northern elevation of House number 4 shall be relocated on the western wall and replaced by a high level window.
  - (c) Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of House number 4 without a separate grant of planning permission.

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

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

4. The developer shall comply with the requirements of the planning authority with respect to on-site parking, site entrance details, signage, naming of development and road markings which shall be ascertained and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of traffic safety.

5. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

6. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. Prior to commencement of development, details of the following shall be submitted to, and agreed in writing with, the planning authority:
  - (i) A hard landscaping plan with delineation and specification of site boundary along the access from the public lane, other site boundary details including entrance finishes and use of natural stone wall to selected boundaries and provision of two number visitor parking spaces.
  - (ii) A soft landscaping plan incorporating the extensive planting of deciduous trees.

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

8. Prior to the commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority. A panel of the proposed finishes shall be placed on site to enable the planning authority adjudicate on the proposals. Construction materials and detailing shall adhere to the principles of sustainability and energy efficiency and high maintenance detailing shall be avoided.

**Reason:** In the interests of orderly development and the visual amenities of the area.

9. 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.

