

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## Mayo County

**Planning Register Reference Number: P16/828**

An Bord Pleanála Reference Number: PL 16.248117

**APPEAL** by John Bourke care of Gary McGinty of Lislary, Ballinphull, County Sligo against the decision made on the 6<sup>th</sup> day of February, 2017 by Mayo County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of extension to dwellinghouse, together with all associated site works at Castle Road, Belleek, Ballina, County Mayo.

## DECISION

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefor.

## REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the development proposed to be retained (namely a long-standing domestic extension to the rear of the dwelling), it is considered that the imposition of condition number 2 - requiring extensive works to the roadside entrance and boundary, removal of historical features and potentially loss of trees - would be disproportionate and excessive and is not justified in terms of the proper planning and sustainable development of the area.

## 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.

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

**Dated this      day of                      2017.**