



Planning and Development Acts 2000 to 2017

Planning Authority: Mayo County Council

Planning Register Reference Number: P17/95

Appeal by Damien Gibbons care of Colleen Savage of 107A Blaney Road, Crossmaglen, Newry, County Down against the decision made on the 12th day of April, 2017 by Mayo County Council to refuse permission for development comprising renovation and construction of an extension to number 4 Father Angelus Park and construction of two number semi-detached dwelling houses with connection to public services and together will all ancillary site works at number 4 Father Angelus Park, Carrowbeg, Westport, County Mayo in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for (a) demolition of a single storey flat roofed outbuilding to the rear of the dwelling, (b) construction of two-storey side and rear extensions to existing dwelling and internal alterations, including revised main entrance from the proposed side extension and replacement of existing front door with a window, (c) provision of two off-street parking spaces and (d) landscaping, drainage and associated development works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the construction of a pair of two-storey semi-detached dwellings based on the reasons and considerations marked (2) under.

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 (1)

Having regard to the zoning, nature and scale of the proposed extensions to number 4 Father Angelus Park, and the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed side and rear extensions to the existing house would not be out of character with existing development within the area, would be acceptable in terms of visual impact and traffic safety, and would not seriously injure the residential amenities of the area or of property in the vicinity. The proposed extensions would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed extensions to number 4 Father Angelus Park 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. Revised front elevation details to the house proposed to be extended, showing the new window to the existing front elevation replacing the front door, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of clarity.

3. The external finishes of the proposed extension, shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

5. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. 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.

Reasons and Considerations (2)

1. Having regard to the established character and pattern of development in the vicinity, it is considered that, given the proximity of the rear first-floor windows of the proposed two houses to the boundary and rear garden to number 3 Father Angelus Park, the proposed additional housing would represent overdevelopment of the site and would seriously injure the residential amenities of the area by reason of overlooking and loss of privacy for adjoining residents and would be contrary to residential development standards set out in the Westport Town and Environs Development Plan, which seek to minimise overlooking of gardens. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the layout and design of the proposed houses with inadequate provision of garden space behind the rear building line and below Development Plan standards, would constitute a substandard form of development, would seriously injure the residential amenities of future occupants of the houses and would be contrary to the residential development standards set out in the Westport Town and Environs Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017