



An
Bord
Pleanála

Board Order
ABP-303193-18

Planning and Development Acts 2000 to 2018

Planning Authority: Mayo County Council

Planning Register Reference Number: P18/622

Appeal by Brid McGing care of Keith O'Connell of Cox's Yard, Distillery Road, Westport, County Mayo against the decision made on the 14th day of November, 2018 by Mayo County Council to refuse a permission to the said Brid McGing for the proposed development.

Proposed Development: Renovate existing dwelling house including elevation alterations and attic conversion with ancillary site works at Leckanvy, Westport, Co 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 zoning provisions of the current Mayo Development Plan, to the pattern of development in the area and to the nature, scale and layout of the proposed changes to the existing dwelling, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not injure the visual amenities of the area and would not interfere with the character of the area or the pattern of development in the area. Furthermore, it is considered that the proposed development would not set an undesirable precedent for other similar developments in the area and would, therefore, be in accordance with the proper planning and sustainable development in the area.

In deciding not to accept the inspector's recommendation to seek further information with regard to compliance with Part F of the Irish Building Regulations, the Board was satisfied that this matter could be addressed by way of condition.

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. The proposed attic shall not be used for habitable purposes.

Reason: In the interest of residential amenity.

3. 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 prior to commencement of development.

Reason: In the interest of visual amenity.

4. 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.

Paul Hyde

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

Dated this day of 2019.