



Planning and Development Acts 2000 to 2018

Planning Authority: Mayo County Council

Planning Register Reference Number: P.18/587

APPEAL by Michael F. and Rita O'Malley care of Ken O'Connell of Cox's Yard, Distillery Road, Westport, County Mayo against the decision made on the 15th day of January, 2019 by Mayo County Council to refuse permission.

Proposed Development: Construction of a development consisting of a retail unit on ground floor with two number residential units on the first floor, a proprietary effluent treatment unit, a soil polishing filter, percolation area, landscaping and all ancillary site works, at Cloonlaur, Killadoon Post Office, Westport, County Mayo.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

1. The proposal would provide for a mixed-use development which includes the provision of two number residential units in an area defined as Structurally Weak within the current Mayo County Development Plan. Given that there is a general presumption within this development plan, as per Section 2.3, against multi-unit residential developments in rural areas outside serviced towns and villages, the proposal would result in a development that is heavily reliant on private car transport and as such would be contrary the proper planning and sustainable development of the area.
2. On the basis of the information submitted with the application and the appeal, the observation of a high-water table and the ground conditions observed under foot during site inspection, the Board is not satisfied that there is sufficient evidence presented to demonstrate that the subject site is suitable for the safe disposal of foul effluent arising from the proposed development. Accordingly, it is considered that the proposed development would be prejudicial to public health, would give rise to a serious risk of water pollution and would be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2019.