



Planning and Development Acts 2000 to 2019

Planning Authority: Mayo County Council

Planning Register Reference Number: P19/16

APPEAL by Patrick and Annette McCann care of John Lambe of Quay Street, Westport, County Mayo and by Fiona and Denis Butler of 20 Kirkpatrick Drive, Clonsilla, Dublin against the decision made on the 5th day of September, 2019 by Mayo County Council to grant subject to conditions a permission to Ray Lyons care of Axo Architecture of Ellison Street, Castlebar, County Mayo.

Proposed Development: Construction of a new dwellinghouse, septic tank/effluent treatment unit and percolation/polishing bed together with all associated site works, at Callacoon, Louisburgh, County Mayo. The proposed development was revised by further public notices received by the planning authority on the 14th day of August, 2019.

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. Having regard to the location of the subject site, which is within a “Rural Area under Strong Urban Pressure” as set out in the Mayo County Development Plan 2014 – 2020, and to national policy, as set out in National Policy Objective 19 in the National Planning Framework, which is “to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area ... having regard to the viability of smaller towns and rural settlements”, the Board is not satisfied, having regard to the documentation submitted with the application, that the applicant has established a demonstrable economic or social need to live at this site within this rural area, or that the applicant’s housing need could not be satisfactorily met within an established smaller town or village/settlement centre (such as the nearby settlement of Louisburgh, which the relevant Local Area Plan identifies as having a significant level of vacant housing stock). It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in national policy for a house at this location, notwithstanding the provisions of the Mayo County Development Plan 2014 – 2020, and that the proposed development would be contrary to the over-arching national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the scale and design of the proposed dwelling and its location relative to adjoining development, and in particular to the adjoining dwelling to the west, it is considered that the proposed development, notwithstanding the amendments made as part of the response to the appeals, would be overbearing and out of character with the established pattern of development in the area and would seriously injure the visual amenities of the area. The proposed development, therefore, be contrary to the proper planning and sustainable development of the area.

Philip Jones

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

Dated this day of 2020.