



Planning and Development Acts 2000 to 2019

Planning Authority: Mayo County Council

Planning Register Reference Number: P19/584

Appeal by JKP Developments care of James O'Donnell, Planning Consultancy Services of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 17th day of September, 2019 by Mayo County Council to refuse permission for the proposed development.

Proposed Development: Construction of three number (one number detached) two-storey houses and associated site development works and connection to utilities at Blackford Manor, Garryduff, Newport Road, Castlebar, County 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 site's location on serviced urban land, the existing pattern of residential development at this location, the planning history of the site and to the Castlebar Town and Environs Development Plan 2008-2014 (as extended) provisions which enable the expansion of established and approved uses not conforming to land use zoning objectives to be considered on their merits, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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. Opaque glazing shall be provided to the bathroom window at the first-floor level of the detached dwelling unit.

Reason: In the interest of residential amenity.

3. The roof finishes of the proposed development shall match those of the existing dwellings in Blackford Manor.

Reason: In the interest of visual amenity.

4. A naming/numbering scheme for the dwellings shall be submitted to and agreed in writing with the planning authority prior to the occupation of the dwellings.

Reason: In the interest of orderly street numbering.

5. Water supply and drainage arrangements, including the disposal of surface water and the diversion of on-site services, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 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.

Terry Prendergast
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2020