



Planning and Development Acts 2000 to 2019

Planning Authority: Mayo County Council

Planning Register Reference Number: P19/79

Appeal by Michael McBride of Sheeroe, Westport, County Mayo against the decision made on the 2nd day of October, 2019 by Mayo County Council to grant subject to conditions a permission to Charles McDermott care of Lally Chartered Engineers of Údarás Business Park, Tourmakeady, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of the existing building and for permission to renovate externally and internally and to construct a domestic garage and all associated site works at Fairview, Sheeroe, Westport, County Mayo, as amended by the further public notice received by the planning authority on the 6th day of September, 2019.

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 planning history of the site and the scale, bulk, floor area and footprint of the proposed house, it is considered that, subject to compliance with the conditions set out below, the development to be retained and the proposed alterations, would be generally in accordance with the permission originally granted on the site under Mayo County Council reference number P05/437, would not seriously injure the visual amenities of the area and would be in compliance with the provisions of the Mayo County Development Plan 2014-2020, including objectives LP-01, LP-02 and LP-03, which seek to preserve and protect the scenic amenity of the county. The development to be retained and the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 25th day of July, 2019, and the 6th day of September 2019, 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 the development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development to be retained and the proposed development shall be amended as follows:
 - (a) the area situated between the basement level, the proposed south side screen wall and the existing front retaining wall shall be infilled to a level similar to the front surface level (i.e. +76m based on spot levels detailed on the Site Section BB plan drawing number 17-035/13 submitted to the planning authority on the 8th day of February 2019) and shall be suitably landscaped, and
 - (b) the five windows on the front elevation at basement level shall be omitted.

Revised drawings showing compliance with these requirements, and details of any additional retaining wall structure that may be required in order to comply, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the works.

Reason: In the interest of visual amenity.

3. The landscaping scheme shown on drawing number 19.282 LP001, as submitted to the planning authority on the 25th day of July, 2019 shall be carried out within the first planting season following the commencement of the proposed alterations to the house on site.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

4. The building shall function as a single occupancy dwellinghouse only and shall not be sub-divided into separate dwelling units.

Reason: To protect residential amenity and in the interest of orderly development.

5. Drainage arrangements, including the attenuation and 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.

6. 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 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.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.