



An
Bord
Pleanála

Board Order
ABP-305870-19

Planning and Development Acts 2000 to 2019

Planning Authority: Mayo County Council

Planning Register Reference Number: P19/45

Appeal by Stephen and Eileen Rice care of Future Analytics of 23 Fitzwilliam Square South, Dublin against the decision made on the 11th day of October, 2019 by Mayo County Council to grant subject to conditions a permission to Tia Crowley and Michael Horan care of Axo Architects Limited of Ellison Street, Castlebar, County Mayo in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a new detached two-storey dwelling including associated site works, all at Hillside, Westport, County Mayo, as revised by the further public notice received by the planning authority on the 17th 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 existing pattern of development, the sloping nature of site and its location adjacent to an Architectural Conservation Area and to the approximate date of construction of the stone arch which the Board accepts as not being of historic architectural merit, and also having regard to the nature, scale and design of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not detract from the character of the area or environs of an Architectural Conservation Area and would not seriously injure the amenities of property in the area. 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, as amended by the further plans and particulars submitted on the 12th day of August, 2019 and the 17th 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 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 development shall be amended as follows:

The front courtyard shall be designed for use as an amenity space with provision for one car parking space only.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no additional development including, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or associated equipment, shall take place above roof level other than as indicated on the submitted drawings unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

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

Reason: In the interest of public health.

6. Site development and building works shall be carried out between the hours of 0800 and 1800 from Mondays to Fridays inclusive, between 0800 and 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.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006.

Reason: In the interest of sustainable waste management.

8. 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.

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

Dated this day of 2020.