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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P19/377**

**Appeal** by Paul and Julie McFetridge of The Yves, Ballyholan, Downhill Road, Ballina, County Mayo against the decision made on the 10<sup>th</sup> day of December, 2019 by Mayo County Council to grant subject to conditions a permission to Kara McFadden and Jamie Lewis care of Simon Beale Associates of Old School House, Casement Street, Ballina, County Mayo in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of (1) the existing dwelling house (floor area 229.6 square metres) and (2) the existing domestic shed (floor area 24 square metres), all at Ballyholan, Downhill Road, Ballina, 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**

It is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the visual amenities of property in the vicinity and would be acceptable in terms of traffic safety and the protection of the environment. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 31<sup>st</sup> day of July 2019, the 18<sup>th</sup> day of September 2019 and the 14<sup>th</sup> day of November 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 retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. (a) Within six months of the date of this decision the proposed vehicular entrance/egress point at the southern site boundary shall be constructed and completed in accordance with the site layout map received by the planning authority on the 14<sup>th</sup> day of November, 2019.
- (b) The existing vehicular entrance/egress point at the north-east and site boundary shall be closed with a boundary wall within two weeks of completion of the new vehicular access.

**Reason:** In the interest of traffic safety.

3. The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** To ensure a proper standard of development.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the garage shall be restricted to use as a private domestic garage/shed, unless otherwise authorised by a prior grant of planning permission.

**Reason:** To protect the amenities of property in the vicinity and in the interest of clarity.

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

**Dated this            day of            2020.**