



Planning and Development Acts 2000 to 2019

Planning Authority: Mayo County Council

Planning Register Reference Number: P19/566

APPEAL by Justin Cullen of Ardkeen, Kilmeena, Westport, County Mayo against the decision made on the 11th day of February, 2020 by Mayo County Council to refuse permission to the said Justin Cullen.

Proposed Development Removal of existing roof and the installation of a new roof structure with additional accommodation (160 square metres) and associated roof lights and gable windows, this will include a revised ridge height of 6.5 metres above ground level including associated ground works and site enclosure, all at Ardkeen, Kilmeena, Westport, County Mayo.

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. Section 20.2.4 of Volume 2 of the current Mayo County Development Plan states that where it is proposed to extend/renovate a structure with an existing septic tank system, the applicant will be required to demonstrate, to the satisfaction of the planning authority, that the existing septic tank is in working order and is suitable for the proposed development, by way of a report carried out by a suitably qualified person. This policy is considered reasonable. Having regard to the substantial scale of the proposed extension and in the absence of relevant information in the application and the appeal, it is considered that the proposed development would be contrary to Section 20.2.4 of the Development Plan, would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the application and the appeal, the Board is not satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the European site Clew Bay Complex Special Area of Conservation (Site Code 001482), or any other European site, in view of the site's conservation objectives. In such circumstances the Board is precluded from granting permission.

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

Dated this day of 2020.