



An
Bord
Pleanála

Board Order
ABP-307948-20

Planning and Development Acts 2000 to 2020

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/345

Appeal by Ladbrokes (Ireland) Limited care of Fergal FitzPatrick of 1 The View, Sallins Park, Sallins, County Kildare against the decision made on the 21st day of July, 2020 by Mayo County Council to refuse permission to Ladbrokes (Ireland) Limited for the proposed development.

Proposed Development: Internal subdivision of existing vacant ground level, single storey mid-terrace retail unit to include for the change of use of the subdivided part to Licensed Betting Office (to be relocated, subject to planning from existing local Ladbrokes Licensed Betting Office premises at Castle Street, Castlebar, County Mayo), to include for all associated internal alterations, new shopfront advertising signage and high level projecting signage to front (south-east) elevation and new satellite dish installation and air conditioning condenser unit mounted at high level within enclosed area to rear, together with all associated site development works, all at premises formerly known as 'A Stór', Ellison Street, 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 town centre zoning objective of the subject site, to the pattern of development in the area and to the modest scale of the proposed development, together with the proposal to occupy a vacant unit, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character of the area and would help strengthen the commercial function of the town centre of Castlebar. 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 the 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. Details of the proposed advertising signage and shopfront display shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

3. Details of the materials, colours and textures of all external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0800 and 1900 hours from Mondays to Fridays inclusive, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays or 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.

5. The opening times of the betting office shall be between the hours of 1015 and 1830 from Mondays to Fridays inclusive, between the hours of 1000 and 1830 on Saturdays and between the hours of 1100 and 1800 on Sundays. The betting office shall not operate outside the above hours without a prior grant of planning permission.

Reason: In the interest of orderly development.

6. 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 prior 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.

Maria FitzGerald
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2021.