

An
Bord
Pleanála

Board Order ABP-308909-20

Planning and Development Acts 2000 to 2020

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/444

Appeal by John and Kathleen Bourke care of Ken Casey of Stonepark, Foxford, County Mayo against the decision made on the 20th day of November, 2020 by Mayo County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing dwelling to facilitate N5 upgrade works and construction of detached two-storey dwelling with domestic shed and all associated site works and service connections associated with this development at Milebush, Castlebar, County Mayo. The proposed development was revised by further public notices received by the planning authority on the 27th day of October, 2020.

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Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2(i) and the reason therefor.

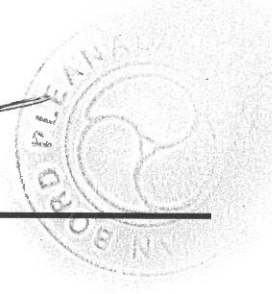
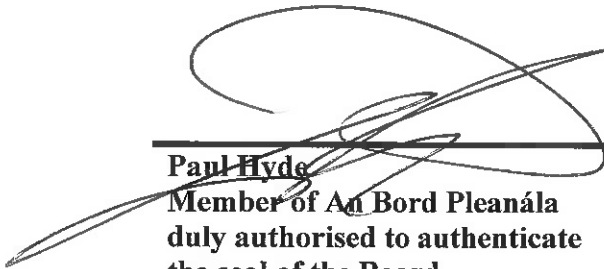
Reasons and Considerations

The Board was satisfied, having regard to the distance to adjoining properties to the east, that opaque windows were not required at first level on the eastern elevation or any other elevation.

In deciding not to accept the Inspector's recommendation to amend condition number 2(i), the Board was satisfied having regard to the distance to adjoining properties to the east that opaque windows were not required at first level on the eastern elevation or any other elevation.

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.



Paul Hyde
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this *12th* day of *May* 2021