

An  
Bord  
Pleanála

Board Order  
ABP-309089-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P20/751**

**APPEAL** by Patrick Reilly care of Keith O'Connell of Cox's Yard, Distillery Road, Westport, County Mayo against the decision made on the 1<sup>st</sup> day of December, 2020 by Mayo County Council to refuse permission.

**Proposed Development:** Demolition of the existing structures and construction of a permanent replacement dwelling, upgrading of existing septic tank and percolation area, localised improvement works to existing water well and construction of a dry bed shed. All at Deerpark West, 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

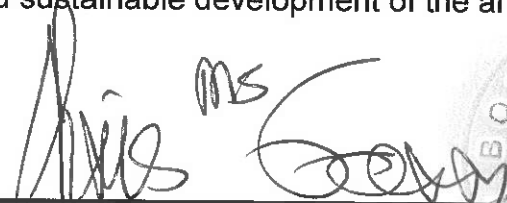
1. The proposed development is located in a rural area designated as being under strong urban influence in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, and in an area identified as being under strong urban pressure for development as set out in the Mayo County Development Plan 2014-2020, where housing is restricted to persons demonstrating a genuine housing need based on their roots in or links to a particular area in accordance with Section 2.3.1 of the Plan. Furthermore, the site is located in an area that is designated as being under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has established a demonstrable economic or social need to live at this specific site in this rural area. It is, therefore, considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines, in national policy and in development plan policy, for a house at this



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location. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would be contrary to the Ministerial Guidelines and to the overarching provisions of the National Planning Framework and having regard to the relevant provisions of the Mayo County Development Plan 2014-2020. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the access/egress point onto a Strategically Important Regional Road served by a continuous white line and where a speed limit of 80 km/h applies, and the provisions of the Mayo County Development Plan 2014-2020 which restrict development on such roads outside the 60 km/h speed limit zone, it is considered that the proposed development would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this *20<sup>th</sup>* day of *August* 2021.