

Planning and Development Acts 2000 to 2020

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/790

Appeal by Artan Meha care of David O'Malley and Associates of Unit 4, First Floor, McHale Retail Park, Castlebar, County Mayo against the decision made on the 20th day of January, 2021 by Mayo County Council to grant subject to conditions a permission to Eilish Gill care of Fox and Gallagher Limited of Teeling Street, Ballina, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of existing old post office coffee shop, bakery and takeaway, signage and retracting awning including all other associated works/services at The Old Post Office, Crossmolina, 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 location of the site within the town centre of Crossmolina and the historic use of the building for retail and residential, it is considered that the retention of the café use, along with permission for signage and awning would, subject to compliance with the conditions set out below, not seriously injure the residential amenities of adjoining properties and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 conditions require details to be agreed with the planning authority the developer shall agree such details within three months of the date of this Order and the development shall be carried out and completed in accordance with agreed particulars.

Reason: In the interest of clarity.

2. The change of use hereby permitted for retention shall only relate to the ground and first floor only.

Reason: In the interest of clarity.

3. No advertising or advertising structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible outside the building, unless authorised by a further grant of planning permission.

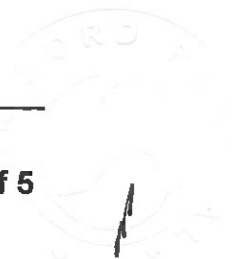
Reason: In the interest of visual amenity.

4. The café and takeaway facility shall not be operated between 23.00 and 08.00 on any day.

Reason: In the interest of the amenities of property in the vicinity.

5. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order. This scheme shall include the provision of litter bins and revised refuse storage facilities.

Reason: In the interest of visual amenity.



6. The developer shall control odour emissions from the premises in accordance with measures which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interest of public health and to protect the amenities of the area.

7. 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 within three months of the date of this Order 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 proper 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.

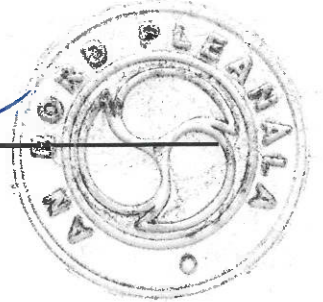
Terry Prendergast

Terry Prendergast

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *11th* day of *June* 2021.