

Planning and Development Acts 2000 to 2020

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/948

Appeal by Barcastle Industries Limited care of The Planning Partnership of McHale Retail Park, Castlebar, County Mayo against the decision made on the 21st day of April, 2021 by Mayo County Council to refuse permission for the proposed development.

Proposed Development: Minor external alterations and change of use of existing commercial unit. The development will also include new shopfront and new signage at Moneen Road, Moneenbradagh, Castlebar, County Mayo, as amended by the further public notice received by the planning authority on the 25th day of February, 2021 as follows: Minor external alterations and change of use of ground floor only from office to retail shop at existing commercial unit. The development will also include new shopfront and new signage

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 zoning objective for the site which seeks to provide for the improvement of retailing, enterprise and industrial employment and where a retail shop is open to consideration, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. 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, as amended by the further information submitted on the 25th day of February, 2021 and the 26th day of March, 2021, 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 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 shopfront and signage to be provided on the exterior elevation 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. All retail activity shall be confined to the ground floor of the unit. The first floor shall be used for uses ancillary to the retailing activity.

Reason: In the interest of orderly development and to define the extent of the permission.

4. The proposed shopfront shall be in accordance with the following requirements:
- (a) Signs shall be restricted to a single fascia sign using sign writing or comprising either hand painted lettering or individually mounted lettering.
 - (b) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission.
 - (c) Any internal shutter shall be only of the perforated type coloured to match the existing shopfront colour.
 - (d) No adhesive materials shall be affixed to the windows or shopfront.

Reason: In the interest of visual amenity.

5. Notwithstanding the provisions of the Planning and Development Regulations 2001 or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertising structures, banners, canopies, flags or other projecting elements shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.


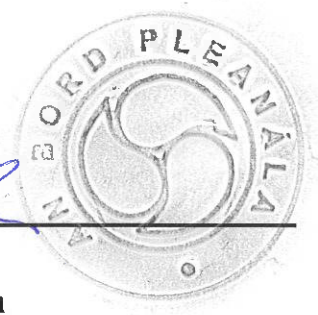
Reason: To protect the visual amenities of the area.

6. Details of any car parking spaces to be reserved to serve the proposed retail unit shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: To ensure that adequate off-street car parking is available to serve the development.

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 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 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.

Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 21st day of October 2021.