

Planning and Development Acts 2000 to 2020

Planning Authority: Mayo County Council

Planning Register Reference Number: P21/415

APPEAL by Joseph Carrabine care of Marie Galvin of 11 Nephin Court, Ballina, County Mayo against the decision made on the 21st day of June, 2021 by Mayo County Council to refuse permission for the proposed development.

Proposed Development: Construction of a new single storey dwelling with a new puraflo wastewater treatment system as well as all other associated ancillary site development works and new landscaping with foliage indigenous to the local area, all at Friarstown, Cloghans, Ballina, County Mayo.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

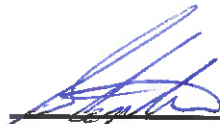

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any

submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. On the basis of the submissions made in connection with the application and appeal, the Board is not satisfied that the development, individually, or in combination with other plans or projects, would not be likely to have a significant effect on European sites - River Moy Special Area of Conservation (Site code: 002298) and Lough Conn and Lough Cullin Special Protection Area (Site code: 004228), in view of the sites' conservation objectives and as such would be contrary to the requirements of Part XAB of the Planning and Development Act 2000, as amended. In these circumstances the Board is precluded from giving further consideration to a grant of planning permission. 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 site within a Rural Area under Strong Urban Influence as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, to National Policy Objective 19 of the National Planning Framework, which seeks to manage the growth of areas that are under strong urban influence, in order to avoid over-development and to ensure that the provision of single housing in rural areas under urban influence are provided based on demonstrable economic or social need to live in a rural area, and to location of the site in an area 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 Mayo County Development Plan 2014- 2020, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based

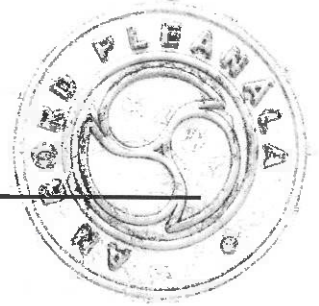
need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to Ministerial guidelines and to the proper planning and sustainable development of the area.

Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *17th* day of *November* 2021.