

An  
Bord  
Pleanála

Board Order  
ABP-311090-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: 21/88**

**Appeal** by Ann and Michael Murray and others care of 12 Saint Patrick's Avenue, Castlebar, County Mayo against the decision made on the 19<sup>th</sup> day of July, 2021 by Mayo County Council to grant subject to conditions a permission to Thelma Healy care of O'Grady Consulting Engineers of McHale Retail Park, Castlebar, County Mayo in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of a part single part two-storey flat roof dwelling within the curtilage of and attached to Number 36; the demolition of an existing rear garden shed at Number 36 and construction of a rear garden shed at Number 35; reconfiguration/modification of site layout, private open spaces, boundaries and access points; and all associated and ancillary works and development above and below ground including connections to services, all at 35 and 36 Saint Patrick's Avenue, Castlebar, 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.**

## **Reasons and Considerations**

Having regard to the established residential nature of the area, to the zoning provisions for the site, as set out in the current Castlebar and Environs Development Plan 2008 - 2014 (as extended), and to the design, character and layout of the development proposed, it is considered that the proposed dwelling would not adversely impact on the residential amenities of adjoining properties, would be acceptable in terms of visual impact, impact on architectural heritage and traffic safety, and would otherwise be in accordance with the provisions of the current Development Plan for the area. 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 drawings and details submitted to the planning authority on the 12<sup>th</sup> day of May, 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 materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

**Reason:** In the interests of public health and orderly development.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

5. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of the visual amenities of the area.

6. 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.

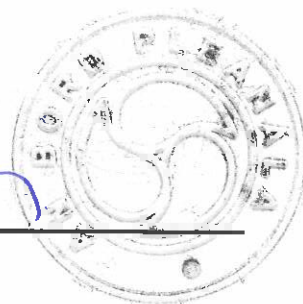
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



**John Connolly**

**Member of An Bord Pleanála**

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



Dated this 7<sup>th</sup> day of June 2022.