

An
Bord
Pleanála

Board Order
ABP-312966-22

Planning and Development Acts 2000 to 2021

Planning Authority: Mayo County Council

Planning Register Reference Number: P21/1292

Appeal by Lance and Helen Flannelly care of The Planning Partnership of McHale Retail Park, Castlebar, County Mayo against the decision made on the 10th day of February, 2022 by Mayo County Council to refuse permission.

Proposed Development: Construction of a dwellinghouse and garage with a packaged wastewater treatment system and polishing filter and all associated site works at Roemore, Breaffy, County Mayo.

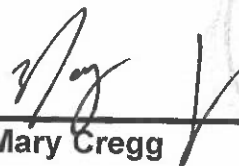
Decision

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

Reasons and Considerations

1. It is the policy of the planning authority as set out in the Mayo County Development Plan 2022-2028 to control urban sprawl and ribbon development. When taken in conjunction with existing and permitted development in the vicinity of the site, it is considered that the proposed development would be in conflict with this policy, would consolidate and contribute to the build-up of ribbon development in this open rural area, and would contravene Objective RHO7 of the Mayo County Development Plan 2022–2028 in this regard. The proposed development would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The subject site is located within an area designated “Under Strong Urban Influence” as identified in the Mayo County Development Plan 2022-2028. Furthermore, the site is located in an area that is designated as an Area 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 the National Planning Framework (February 2018), where National Policy Objective 19 aims 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 documentation submitted with the application and appeal, the Board is not satisfied that the applicants have demonstrated a genuine housing need to live in this rural area as required under the National Planning Framework and the Sustainable Rural Housing Guidelines. It is considered, therefore, that the applicants do not come within the scope of the housing need criteria as set out within the Mayo County Development Plan, 2022-2028, specifically RHP 4 which makes specific reference to the National Planning Guidance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the existence of rock outcrops at/close to the surface within the appeal site, the Board is not satisfied on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and/or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.



Mary Cregg

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board**

Dated this 20th day of June 2023