

An
Bord
Pleanála

Board Order
ABP-313116-22

Planning and Development Acts 2000 to 2021

Planning Authority: Mayo County Council

Planning Register Reference Number: P21/1379

Appeal by Martin Bourke care of Planning Workshop of 17 Cornaroyna Manor, Ballinrobe, County Mayo against the decision made on the 23rd day of February, 2022 by Mayo County Council to refuse outline permission for the proposed development.

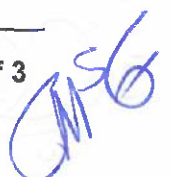
Proposed Development: A single storey dwelling house and shed, and wastewater treatment system, soil polishing filter including new access road and all associated site services and landscaping works at Cuing Beg, Pontoon, County Mayo.

Decision

REFUSE outline 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 Mayo County Development Plan 2022-2028, (MTP28), in relation to lands adjoining Strategically Important Regional Roads to which speed limits greater than 60 km/h apply, to avoid the creation of any additional access points from new development or the generation of increased traffic from existing accesses to Strategically Important Regional Roads, unless it can be demonstrated that the development is required for economic or social reasons and cannot be accessed from a non-Strategically Important Regional Road. The proposed development, by itself and by the precedent which a grant of outline permission for it would set, would adversely affect the use of the R310, a strategically important regional road, would contravene materially the policy of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site is located in an elevated position along a designated scenic route with scenic views. In addition, according to the Mayo County Development Plan 2022-2028, policy NEP14, it is policy to protect, enhance and contribute to the physical, visual and scenic character of County Mayo and to preserve its unique landscape character. It is considered that the proposed development, including the provision of a dwelling and associated driveway in connection with the specific site characteristics including ground level changes, would contravene this policy and the proposed development would seriously injure the high scenic amenity of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



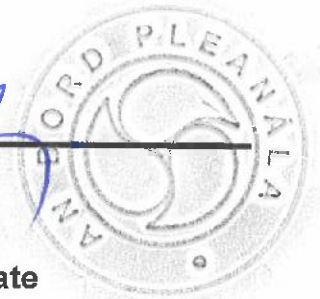
3. Having regard to the soil conditions and high water table at the subject site, the Board is not satisfied, on the basis of the documentation submitted with the planning application and the appeal, that effluent from the development can be satisfactorily treated and or disposed of on site, notwithstanding the proposed use of a proprietary treatment system. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

4. On the basis of the information provided with the application and the appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have significant effect on the River Moy Special Area of Conservation (Site Code 002298) and the Lough Conn and Lough Cullin Special Protection Area (Site Code 004228), or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting outline permission.



Chris McGarry

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



Dated this 14th day of June 2023.