



An
Bord
Pleanála

Board Order
ABP-314699-22

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: P21/992

APPEAL by Brendan O'Malley and Cliona Kilmartin care of John G. Gill of Bloomfield, Hollymount, County Mayo against the decision made on the 31st day of August, 2022 by Mayo County Council to refuse permission.

Proposed Development: Construction of a house and garage, and all ancillary site development works at Cloonmonad, Westport, County Mayo.

Decision

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

Reasons and Considerations

1. The site is located on lands zoned Agriculture/High Amenity in the Westport Town and Environs Development Plan 2010-2016, as extended, for which the objective is to protect this area from development other than permitted agricultural uses and to protect the landscape character of this area. The site falls within the rural area around Westport identified as under Strong Urban Influence where in accordance with the Mayo County Development Plan 2022-2028 and National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February, 2018, the policy is 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. The Board is not satisfied that the applicant has sufficiently demonstrated that they have a rural-generated housing need. The Board considers that the proposed development would contribute to the encroachment of random development in the area, would interfere with the character of the landscape at this location, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would contravene materially the zoning objective of the Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the Mayo County Development Plan 2022-2028, the location of the site within a floodplain, flood zone A – High probability of flooding, where, in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in

2009, development should be avoided and only considered in exceptional circumstances and where the justification test has been applied. The proposed development of a dwelling, a highly vulnerable development, within Flood Zone A would be contrary to the Ministerial Guidelines, would be prejudicial to public health, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *31st* day of *October*, 2023.

