

An
Bord
Pleanála

Board Order
ABP-317791-23

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: 2360099

Appeal by John Cuffe of Quay Road, Crocketstown, Quignalecka, Ballina, County Mayo against the decision made on the 20th day of July, 2023 by Mayo County Council to grant subject to conditions a permission to Kieran Holmes care of OMD Design Limited of Unit 2, Killala Road Business Park, Killala Road, Ballina, County Mayo in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a first floor extension to existing dwelling house, re-design the ground floor layout and carry out all associated alterations, including the front elevation, together with all associated site works, all at Quay Road, Crockets Town, Quignalecka, Ballina, County Mayo as amended by the revised public notice received by the planning authority on the 27th day of June, 2023.

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 existing pattern of permitted development in the area, to the provisions of the Mayo County Development Plan 2022 -2028, and to the nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the amenity of neighbouring properties in terms of overdevelopment, overlooking or overshadowing. 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 plans and particulars received by the planning authority on the 30th day of May, 2023, 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. (a) The side elevations of the house and proposed extension shall be finished in smooth concrete or plaster dash.
- (b) Roof slates/tiles shall be blue-black dark in colour.
- (c) Windows shall have vertical emphasis. The window frames shall be finished in timber effect, powder coated aluminium or other suitable agreed finish. No white uPVC is permitted. The front door shall be of a simple design.

Revised drawings, including elevations, showing compliance with these requirements 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. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interests of traffic safety and of proper planning and sustainable development.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
 - (a) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,

- (b) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (c) off-site disposal of construction/demolition waste,
- (d) details of how it is proposed to manage excavated soil, and
- (e) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority. The developer shall provide contact details for the public to make complaints during construction and provide a record of any such complaints and its response to them, which may also be inspected by the planning authority.

Reason: In the interests of amenities, public health and safety.

- 5. Construction on site shall be limited to between 0800 hours and 1800 hours, Monday to Friday and between 0900 hours and 1700 hours on Saturday, and not at all on Sundays or public holidays, unless otherwise agreed in writing with the planning authority.

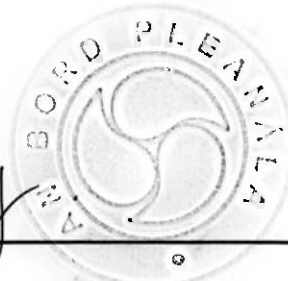
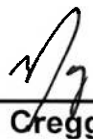
Reason: In the interests of residential amenity and orderly development.

- 6. No part of the development including rainwater goods shall overhang any adjoining private property.

Reason: In the interest of proper planning and sustainable development.

7. 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.



Mary Cregg

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

Dated this 8th day of April 2024.