

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: 2360233**

**Appeal** by Charles Cannon care of Hendrik W. van der Kamp, Town Planner of 1 Woodstown Court, Knocklyon, Dublin against the decision made on the 3rd day of August, 2023 by Mayo County Council to refuse permission for the proposed development.

**Proposed Development:** Changes to plans and elevations of approved extension and existing house (previously approved planning permission register reference P20/555) and for provision of additional lower ground floor level to the approved extension to the rear of existing dwelling at Kilsallagh, Westport, 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 location of the site within a designated rural area, and to the policies and objectives of the Mayo County Development Plan 2022-2028, specifically Section 2.7, Vol 2 in relation to extensions to rural dwellings, to the acceptable scale, mass, height and design of the revised extension proposals as well as the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or property in the vicinity. 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 An Bord Pleanála on the 23<sup>rd</sup> day of August 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. The external finishes of the proposed extension, including roof tiles/slates, shall harmonise with those of the existing dwelling in respect of colour and texture.

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

3. (a) 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.
- (b) Water supply and drainage arrangements, including attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

4. The mature trees, hedgerows, walled boundaries and fencing along the development site boundaries shall be maintained in situ.

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

5. (a) The proposed effluent treatment and disposal system and percolation area shall be located, installed and maintained in accordance with the details submitted to the planning authority on the 8<sup>th</sup> day of February 2023 and to An Bord Pleanála on the 23<sup>rd</sup> day of August 2023 and in accordance with the requirements of the document entitled: Code of Practice - Wastewater Treatment and Disposal Systems Serving Rural Dwellings (p.e .≤ 10) – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to

and agreed in writing with the planning authority prior to the commencement of development.

- (b) Within three months of the completion of the works, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the raised percolation area is constructed in accordance with the standards set out in the EPA document.
- (c) The existing wastewater treatment system and percolation area shall be removed off-site, and the area shall be chemically sterilised.


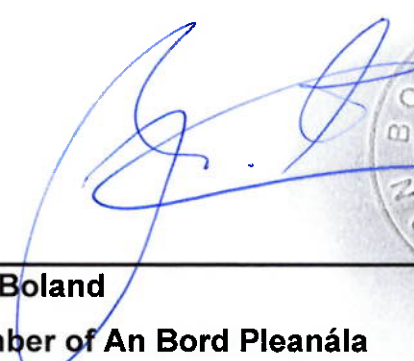
**Reason:** In the interest of public health.

- 6. The use of the domestic garage shall be for purposes incidental to the use of the main dwelling. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the domestic garage and extensions in the interest of residential amenity.

7. The proposed jacuzzi shall be omitted in order to reduce the hydraulic load on the wastewater disposal systems.

**Reason:** In the interest of public health.



---

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

Dated this *1<sup>ST</sup>* day of *October* 2024.