

An
Bord
Pleanála

Board Order ABP-317886-23

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

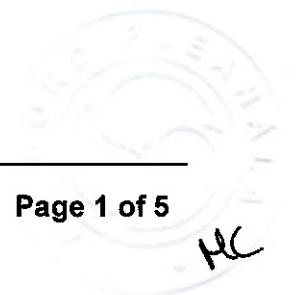
Planning Register Reference Number: 22/650

Appeal by Ronan Hallinan care of OMD Design Limited of Unit 2, Killala Road Business Park, Killala Road, Ballina, County Mayo against the decision made on the 10th day of August, 2023 by Mayo County Council to refuse permission.

Proposed Development: Demolish existing single-storey extension to rear of existing dwellinghouse. Construct new single-storey extension to rear of existing dwellinghouse. Carry out alterations and refurbishments to existing dwellinghouse associated with the proposed works. Replace existing septic tank with a new effluent treatment system and percolation area. Set back front boundary wall and hedge together with all ancillary site works, all at Ardnaree or Shanaghy, and Carrowcushlaun Townlands, Ballina, County Mayo, as revised by the further public notices received by the planning authority on the 18th day of July, 2023.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.



Reasons and Considerations

Having regard to:

- (a) the design, scale and layout of the proposed development, and the presence of the existing dwelling on site,
- (b) the extent of front boundary to be removed and the subsequent improvement in sightlines onto a local road, and
- (c) the provisions of the Mayo County Development Plan 2022-2028,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or the residential amenities of properties in the vicinity, would not adversely impact the built heritage of the area, and would not give rise to the creation of a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 9th day of December, 2022 and on the 1st day of March, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2.
 - (a) A new recessed roadside boundary shall be constructed in accordance with the revised site layout plan received by the planning authority on the 1st day of March, 2023 which shall be composed of a stone wall or an earthen bank or a sod and stone bank to a consolidated height of one metre which shall have a double row of native hedging species (e.g. holly, hawthorn, blackthorn, ash etc.) common to the locality planted on top.
 - (b) The entrance gates shall be recessed 4.5 metres behind the line of the new roadside boundary and the sightlines outlined in the site layout drawing received by the planning authority on the 1st day of March, 2023 shall be provided to the satisfaction of the planning authority prior to commencement of the extension and refurbishment of the existing dwellinghouse.
 - (c) The gates shall be linked to the new roadside hedgerow with a fence or hedgerow or a sod and stone ditch at a height not exceeding one metre and splayed at an angle of 45 degrees to the public road.
 - (d) The area between the recessed roadside boundary and the edge of the public road shall be landscaped/grassed and maintained in a tidy condition at all times. No feature in excess of one metre in height shall be located in the sight triangle of the site access.
 - (e) All landscaping and planting shall take place in the first planting season following completion of the proposed development.

Reason: In the interest of visual amenity, traffic safety and local biodiversity.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwellinghouse in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. The construction of the proposed 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 all intended construction practice for the proposed development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

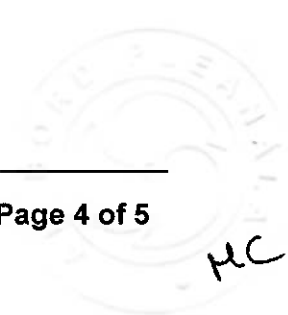
5. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

6. The existing septic tank on the site serving the existing dwellinghouse shall be decommissioned and shall be replaced with the proposed new wastewater treatment system. Immediately upon commissioning of the new treatment system, the septic tank on the site shall be emptied (the contents appropriately disposed of) and rendered inoperable by filling with gravel or other suitable fill material and the percolation area shall be thoroughly disinfected.

Reason: In the interest of orderly development and public health.




7. (a) The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank system shall be discharged to a raised percolation area which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwellinghouse, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the raised percolation area is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.



Mary Cregg

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

Dated this 17th day of April 2024.