



An  
Bord  
Pleanála

## Board Order ABP-319119-24

---

### Planning and Development Acts 2000 to 2022

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P23/633**

**Appeal** by Barone Pension Fund care of Technúil-Priory Consulting Engineers of Priory Grove, Muckross Road, Killarney, County Kerry against the decision made on the 30<sup>th</sup> day of January, 2024 by Mayo County Council to grant subject to conditions a permission to John Mulroy, Mulroy's Pub and Restaurant Limited care of Masterson Design Limited of Linenhall Street, Castlebar, County Mayo in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use of existing pub and restaurant into two number apartments to consist of one first floor two-bedroom apartment and one second floor one-bedroom apartment, all at Market Street, Gorteendrunagh, Castlebar, 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 nature and scale of the proposed development, the central urban location, Settlement Strategy Objective SSO 3 of the Mayo County Development Plan 2022-2028 for the urban regeneration of vacant properties, the draft Castlebar Local Area Plan, and national policy as outlined in the Sustainable Residential and Compact Settlements Guidelines published by the Department of Housing, Local Government and Heritage in January 2024 and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines published by the Department of Housing, Local Government and Heritage in December 2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for an acceptable form of development, and 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, 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. Prior to commencement of development, the developer shall submit the following for the written agreement of the planning authority:
- (a) Details of all external finishes, including first and second floor windows, guttering, and fascia.
  - (b) Details of proposed bin storage arrangements on property within the control of the developer.
  - (c) Details of wastewater discharge arrangements, including confirmation from Uisce Éireann regarding the adequacy and capacity of the existing infrastructure.

**Reason:** In the interest of visual amenity, orderly development, and public health.

3. Surface water discharge from the development shall comply with the requirements of the planning authority for such works and services.

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

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. 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 the 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 the Board 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.



The image shows a handwritten signature in blue ink, which appears to read 'Mick Long', written over a circular official stamp. The stamp contains the text 'AN BORD PLEANÁLA' around the perimeter and a stylized logo in the center.

**Mick Long**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this 3<sup>rd</sup> day of September 2024.**