



An
Bord
Pleanála

Board Order ABP-319133-24

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: 23/634

Appeal by John Howley care of The Planning Partnership of Upper Chapel Street, Castlebar, County Mayo against the decision made on the 29th day of January, 2024 by Mayo County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retain change of use from commercial unit (previously granted under planning register reference number P01/2216) to residential unit at 8 Market Road, Ballina, County Mayo.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to AMEND condition number 2 so that it shall be as follows for the reason set out.

2. The unit shall be restricted to use as a two-bedroom, three-person residential unit.

Reason: In order to comply with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023), and in the interest of residential amenity.

Reasons and Considerations

Having regard to the central location of the premises, the planning history relating to the property, and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023), it is considered that the residential use of the unit is acceptable in principle and that, subject to the revised condition number 2, the development proposed to be retained would be in accordance with the proper planning and sustainable development of the area.



Declan Moore

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

Dated this 24th day of September 2024.