

An
Bord
Pleanála

Board Order
ABP-319619-24

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: 2460045.

Appeal by Martin Lally and Fionnuala Byrne care of Taylor McCarney Architects of Breaffy Road, Castlebar, County Mayo against the decision made on the 3rd day of April 2024 by Mayo County Council to refuse permission for the proposed development.

Proposed Development: The development will consist of the refurbishment of the existing public house and residential building into a proposed new residential property, comprising of the partial demolition of the existing building and the construction of a new two storey family home which includes alterations to existing roof, proposed new pitched and flat roofs to the rear, removal of glass to the first floor windows to the façade and all associated site works, drainage, and all service connections, at 36 Spencer Street, 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

The proposed development and revised design as set out complies with Policy Objective BEP 8 of the Castlebar Local Area Plan 2023-2029 which emphasises the retention, sympathetic maintenance, and sustainable reuse of historic buildings, as well as the preservation of streetscape character, fabric, and detail. 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 archaeology of the area and would not give rise to the impact upon the Registered Monument. 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 documents received by the planning authority at application, as amended by further plans and particulars received by An Bord Pleanála on the 30th day of April 2024 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. Prior to commencement of development, detailed structural drawings and a construction methodology statement indicating the means proposed to ensure the protection of the structural stability and fabric of all the retained structures (front elevation) shall be submitted to, and agreed in writing with, the planning authority. These details shall include demonstrating the methods proposed to retain the front facade, demolition and excavation arrangements, the proposed foundation system and underpinning, structural bracing and support and method of construction.

Reason: In the interest of preserving the architectural integrity and heritage value of the retained structures.

3. The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) as appropriate following consultation with the National Monument Service (NMS) in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The AIA shall involve an examination of all development layout/design drawings, completion of documentary/cartographic/ photographic research and fieldwork, the latter to include, where applicable - geophysical survey, metal detection survey and archaeological testing (consent/licensed as required under the National Monuments Acts), building survey/ analysis. The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological

remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

4. 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 interest of traffic safety and to prevent pollution.

5. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture the details of which shall be agreed in writing with the planning authority prior to the commencement of development

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

7. 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 noise management measures and off-site disposal of construction/demolition waste.

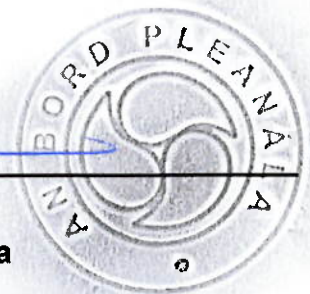
Reason: In the interest of public safety and residential amenity.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 12th day of February 2025.