



An  
Bord  
Pleanála

Board Order  
ABP-319999-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: 2460194**

**Appeal** by Noel Meaney care of Enviroplan Consulting Limited of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 30<sup>th</sup> day of May, 2024 by Mayo County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of an extension to the existing dwellinghouse, construction of an outbuilding, and all associated site development and external works at Lisloughrey, Cong, 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**

### **Appropriate Assessment Screening**

It is considered that the proposed development could potentially have a significant effect on the water dependent habitats and species associated with the Lough Corrib Special Area of Conservation (Site Code: 000297) and the Lough Corrib Special Protection Area (Site Code: 004042) from effects associated with the construction activities and the outfall of surface water to the adjoining surface water drainage system. An Appropriate Assessment is, therefore, required on the basis of the effects of the project.

### **Appropriate Assessment Stage 2**

Following the Appropriate Assessment screening and the consideration of mitigation measures, the Board concluded that the proposed project would not adversely affect the integrity of the Lough Corrib Special Area of Conservation (Site Code: 000297) and the Lough Corrib Special Protection Area (Site Code: 004042), in view of the sites' Conservation Objectives. This conclusion has been based on a complete assessment of all implications of the project alone, and in combination with other plans and projects.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the aforementioned designated sites.
- Detailed assessment of in-combination effects with other plans and projects including historical projects, current proposals, and future plans.

- Absence of any reasonable scientific doubt as to the potential for likely adverse effects on the integrity of the Lough Corrib Special Area of Conservation (Site Code: 000297) and the Lough Corrib Special Protection Area (Site Code: 004042).

### **Proper Planning and Sustainable Development**

Having regard to the location of the site within a designated rural area and to the compliance with the policies and objectives of the Mayo County Development Plan 2022-2028, specifically those policies as set out in Sections 2.7 and 2.8 of Volume 2 of the development plan which relate to rural domestic extensions and outbuildings, to the acceptable scale, proportions, height and design of the domestic extension proposals, and to 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, would not adversely impact upon the architectural heritage in the area and would not result in exacerbation of flood risk within the site nor within the adjacent lands 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, 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 mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented in full.

**Reason:** To protect the integrity of European Sites.

3. The mitigation measures set out in the Construction and Environmental Management Plan (CEMP), as submitted to the planning authority on the 8<sup>th</sup> day of April 2024, shall be implemented in full.

**Reason:** To protect natural heritage and amenities of the area, in the interest of proper planning and sustainable development.

4. The use of the proposed boat shed shall, notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, be restricted to those uses as specified in the application documentation, which is the storage of the householders own private boat(s) and boating equipment, as well as ancillary domestic storage. The proposed boat shed shall not be used for any other purpose without a prior grant of planning permission.

**Reason:** To restrict the use of the outbuilding in the interest of 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 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 An Bord Pleanála 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.



Liam McGree

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 13 day of January 2025.