

An
Bord
Pleanála

Board Order ABP-321880-25

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: 24/483

Appeal by John Kearns of Knappagh, Midgefield, Westport, County Mayo against the decision made on the 20th day of January, 2025 by Mayo County Council to grant subject to conditions a permission to Phil Lynch care of Gaven Joyce of James Street, Westport, County Mayo.

Proposed Development: Retention of granny flat as constructed as overflow accommodation ancillary to the main dwelling with connection to existing proprietary effluent treatment system together with associated site works, all at Tawnynameeltoge/Midgefield, Westport, County Mayo.

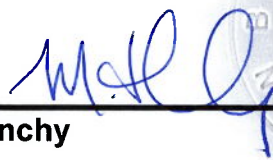
Decision

REFUSE permission for the above development for the reasons and considerations set out below.

Reasons and Considerations

1. The applicant has not demonstrated to the satisfaction of the Board that the existing septic tank and percolation area has the capacity, and is appropriately designed, to accommodate the granny flat proposed to be retained. The development proposed to be retained would, therefore, be prejudicial to public health.
2. It is considered that the design and finishes of the development proposed to be retained would be contrary to Section 2.9.4 (Volume 2: Development Management Standards) of the Mayo County Development Plan 2022-2028 as the structure neither reflects the design and finishes of the existing structure on site nor is it of a high quality contemporary and innovative design. The development proposed to be retained would contravene the development plan requirements for ancillary buildings and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not concur with the Inspector's conclusion and recommendation. The Board was not satisfied from the information on the file that the existing septic tank has the capacity to accommodate the additional development. The Board also considered that the design and finish of the development proposed to be retained would be contrary to the quality of design stipulated in the development plan. The Board, therefore, considered that permission should be refused for the development proposed to be retained.



Mary Henchy

Member of An Bord Pleanála

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

Dated this ^{11th} day of *Feb* 2025.