

An
Bord
Pleanála

Board Order ABP-321914-25

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: P24/60484

Appeal by Cian, John and Deirdre Garrett of 45 Erris Street, Crossmolina, County Mayo against the decision made on the 27th day of January, 2025 by Mayo County Council to grant permission, subject to conditions, to Eileen Rowland care of Fox and Gallagher Limited of Teeling Street, Ballina, County Mayo for the proposed development.

Proposed Development: Erection of two number three bed semi-detached two-story dwellinghouses; also connection to public sewer/surface water and public water main, including all other ancillary site work/services at Erris Street, Crossmolina, Ballina, County Mayo as amended by the revised public notice received by the planning authority on the 23rd day of December, 2024.

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 location and character of the site and surrounding area in an urban area together with the provisions of the Mayo County Development Plan 2022-2028, including the provisions of the Crossmolina Settlement Plan, and Objectives CSO 4 and SSO 4, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of its scale and nature, would not seriously injure the visual or residential amenity of the area and would be acceptable in terms of pedestrian and traffic safety. 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, as amended by the further plans and particulars received by the planning authority on the 30th day of October 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. Revised drawings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development omitting the car parking spaces labelled 3 and 4 on drawing number 24.129.01 - P03 - R02. Arrangements for car parking arrangements and future access arrangements for both properties within the indicated ownership of the applicant shall be agreed with the planning authority.

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

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. The landscaping scheme shown on drawing number P32, as submitted to the planning authority on the 30th day of October, 2024, shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

6. All vehicular access arrangements shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the vehicular entrance, including boundary treatments, signage, road surface finishes and surface water details for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

7. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenities of property in the vicinity.

8. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

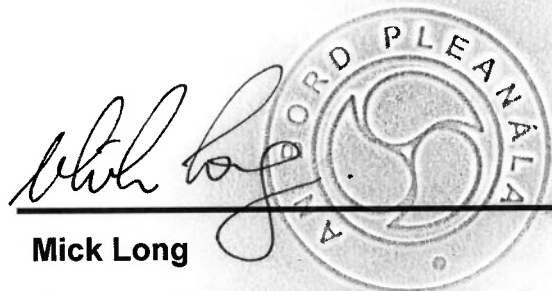
Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

9. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

10. 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.



The image shows a handwritten signature in dark ink, which appears to read 'Mick Long', written over a circular official seal. The seal contains the text 'AN BORD PLEANÁLA' around the perimeter and a stylized logo in the center. A horizontal line is drawn across the signature and the seal.

Mick Long

Member of An Bord Pleanála

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

Dated this 16th day of June

2025