

An
Coimisiún
Pleanála

Commission Order
PL-501210-MO-26

Planning and Development Act 2000, as amended

Planning Authority: Mayo County Council

Planning Register Reference Number: 2660101

Appeal by Sean Regan against the decision made on the 30th day of March, 2026 by Mayo County Council to grant subject to conditions a permission to Niall Murphy and Roisin Kearns in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construct a proposed new dwelling house, garage, septic tank system and percolation area, complete with all associated works at Speck, Charlestown, 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

Having regard to the location of the site outside of Rural Areas under Strong Urban Influence, the existing development adjacent, and having regard to the modest scale of the proposed development and its positioning in relationship to the adjacent property, it is considered that, subject to compliance with the conditions set out below, the proposed development would not significantly detract from the rural character of the area, or the amenities of the adjoining property. The proposed development would be in accordance with the provisions of the Mayo County Development Plan 2022-2028 and 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 finished floor level of the dwelling shall be at 98.800 metres as shown on the site layout plan submitted to Mayo County Council on the 9th day of February 2026.

Reason: In the interests of proper planning and development.

3. The existing roadside boundary shall be removed over the entire site frontage, and a new boundary wall shall be erected and set back a minimum distance of 3.5 metres from the nearside edge of the tarred carriageway. The area between the new wall line boundary and the carriageway shall be excavated out, filled, levelled and made suitable for parking motor vehicles. Roadside drainage shall be maintained at all times. Setback area to be drained by gullies and piped to soakaway. All utility poles shall be removed from setback area.

Reason: To accommodate future road improvement works and in the interest of proper drainage and traffic safety.

4. No surface water shall be discharged from the site onto the adjoining public road or any third party property. Surface water shall be discharged to soakways on site.

Reason: To avoid flooding.

5. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 9th day of February, 2026 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

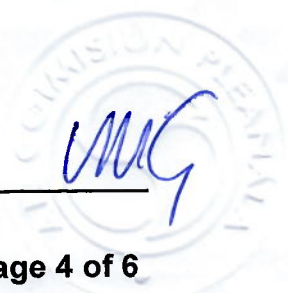
Reason: In the interest of public health and to prevent water pollution

6. If ESB lines cross the site, the developer shall inform the ESB of the intention to start work and arrange for diversions of the lines, if necessary.

Reason: In the interest of public safety and the proper planning and sustainable development of the area.

7. The house shall be finished in nap plaster or dash with no colour components. Roof slates/tiles shall be blue black dark in colour. No brick shall be permitted as a finish to any part of the dwelling. Any quoin detailing shall be omitted. The window frames shall be finished in timber effect, powder coated aluminium or other suitable agreed finish. No white uPVC shall be permitted. Front door shall be of simple design. Gutters, fascia and eaves details shall be dark in colour.

Reason: In the interest of visual amenity.



8. The developer shall plant native hedging at all site boundaries and further planting behind the front wall, save at the entrance where adequate sight visibility shall be retained. Such planting shall be carried out in the first planting season following commencement of development and shall be maintained. Any unsuccessful or damaged specimens shall be replaced. All existing hedgerows and trees shall be maintained. No hedgerow or trees shall be removed during bird nesting season.

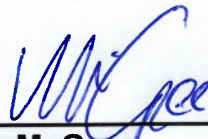
Reason: To assimilate development on this site into the area, in the interests of visual amenity and proper planning and development.

9. The garage shall be used only as a private domestic shed and shall not at any time be used for agricultural, industrial, or commercial purposes or converted for human habitation.

Reason: In the interest of residential 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 Coimisiún 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

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 19th day of AUGUST 2026