

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Mayo County

Planning Register Reference Number: 16/266

An Bord Pleanála Reference Number: 16.LV.3305

APPLICATION FOR LEAVE TO APPEAL against the decision of the planning authority by Brendan and Charlotte Duignan of Ballynaslee, Partry, Claremorris, County Mayo having an interest in land adjoining the land in respect of which Mayo County Council decided on the 18th day of July, 2016 to grant subject to conditions permission to Jim and Geraldine Donegan care of Lally Chartered Engineers of Udaras Business Park, Tourmakeady, County Mayo.

PROPOSED DEVELOPMENT: Demolish existing house and construct a detached dwelling house, domestic garage, proprietary treatment system and all associated site works at Ballynaslee, Partry, Claremorris, County Mayo, as revised by the further public notice received by the planning authority on the 24th day of June, 2016.

DECISION

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the submissions and documents received in connection with the application for leave to appeal and condition number 1 set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.