

Board Order 16.RL.3610

Planning and Development Acts 2000 to 2018 Planning Authority: Mayo County Council Planning Register Reference Number: P17/521

WHEREAS a question has arisen as to whether the use of existing property (formerly a dwelling with a guesthouse activity) solely as a dwelling at Ballymacragh, Westport Road, Castlebar, County Mayo is or is not development:

AND WHEREAS Anne Cannon care of The Planning Partnership of McHale Retail Park, Castlebar, County Mayo requested a declaration on this question from Mayo County Council and the Council issued a declaration on the 19th day of July, 2017 stating that the matter was development and was not exempted development:

AND WHEREAS Ann Cannon referred this declaration for review to An Bord Pleanála, on the 8th day of August, 2017:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to

- (a) section 3(1) of the Planning and Development Act, 2000, and
- (b) the planning history of the site.

AND WHEREAS An Bord Pleanála has concluded that the use of the existing property, formerly a dwelling with a guest house activity, solely as a dwelling is not a material change of use, as it does not, in the particular circumstances of this case, raise material planning issues, having regard to the scale and location of the subject property, set back from the road, and the seasonality of the previous guesthouse use:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the use of existing property (formerly a dwelling with a guesthouse activity) solely as a dwelling at Ballymacragh, Westport Road, Castlebar, County Mayo is not development.

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.

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

Dated this day of 2018