

## **Mayo County Council Material Contravention Report 2023**

**Planning Application No: P22/1049**

**Name of Applicant: Brendan Byrne and Son**

**Nature and Extent of Development: 25 dwelling units**

**Location of Proposed Development: Elm Park, Clare, Claremorris**

**Zoning Status: Strategic Residential Reserve Tier 1** in Map CM1 Claremorris Land use zoning in Mayo County Development Plan 2022-2028.

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Planning Application P22/1049 relates to the construction of 25 dwelling units at Elm Park, Clare Claremorris. The proposal is contrary to the zoning provision for Claremorris, which is part of the Mayo County Development Plan 2022-2028, Strategic Residential Reserve Tier 1

It is however the opinion of Mayo County Council Planning Authority that the development should be granted in this instance for the following reasons:

- The proposed development was previously permitted for residential development under planning reference P03/905, where 158 units was granted on the total site area. However, this portion of the site was undeveloped.
- The proposed development will result in the full completion of Elm Park development. This will be a welcomed development for occupants of the development which have lived in a partially finished development for a considerable time. Thus, the proposed development will enhance both the residential and visual amenity of Elm Park residents.
- The land the subject of this application is well located in close proximity to Claremorris town centre and adjoins lands zoned town centre outer core. The site is a good example of a well-connected and permeable location.
- Table 2.7.7 of Mayo County Development Plan 2022-2028 highlights a housing target of 182 units for Claremorris town for the plan period. Given the national housing crisis there is a housing need in Claremorris for additional new houses. Therefore, the proposed development of 25 housing units consisting of good housing mix of bungalows, semi-detached and maisonettes is considered a much-needed private residential development in Claremorris town.
- The proposed development as amended through the application process represents a quality residential scheme and is consistent with the standards and principles set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the associated Urban Design Manual – A Best Practice Guide, DEHLG (2009).

## **Policy Consideration in support of the material contravention as per Mayo County Development Plan 2022-2028:**

### **TVHO 9**

To guide multiple residential development in a sequential manner outward from the core area of settlements, to maximise the utility of existing and future infrastructure provision, to promote sustainability, to make more efficient use of underutilised lands, and to avoid the extension of services and utilities to more remote areas.

### **SSO 6**

To strengthen the core of settlements and encourage the compact growth of settlements by way of the development of infill sites, brownfield lands, under- utilised land / buildings, vacant sites, and derelict sites within the existing built-up footprint of the settlements and develop outwards from the centre in a sequential manner.

### **SSO 7**

To promote measures to reduce vacancy and the underuse of existing building stock and support initiatives that promote the reuse, refurbishment and retrofitting of existing buildings and the regeneration of under-utilised lands within all settlements in the Settlement Hierarchy and the rural countryside.

### **CSP 1**

To promote and facilitate the development of sustainable communities in the county, by managing the level of growth in each settlement to ensure future growth is in accordance with the Core Strategy and County Settlement Hierarchy, in order to deliver sustainable and vibrant rural and urban communities.

### **TVHO 1**

To ensure that a suitable variety and mix of dwelling types and sizes is provided in developments to meet different needs, having regard to demographic and social changes, whilst all times acknowledging and reflecting the existing character of the area.

### **TVHP 2**

To support the creation of attractive residential developments with a range of housing options and appropriate provision of functional public and private open space that is consistent with the standards and principles set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the associated Urban Design Manual – A Best Practice Guide, DEHLG (2009) and any subsequent guidelines.

**Final Recommendation:**

It is recommended that Mayo County Council as a Planning Authority initiate the material contravention procedure as set out in Article 36 of the Planning and Development Regulations 2001 as amended.

Joan Walsh

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**Joan Walsh Executive Planner 15/11/2023**

Alan Di Lucia

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**Alan Di Lucia Senior Executive Planner 20/11/2023**