

**MINUTES OF MAYO COUNTY COUNCIL MEETING HELD ON MONDAY, 4<sup>th</sup>  
NOVEMBER, 2002, AT 4.00 p.m.**

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**The Leas Chathaoirleach, Cllr. M. Burke, was in the Chair.**

**The other Councillors present were:-**

**Cllrs. E. Caffrey, B. Golden, S. Molloy, A.M. Reape, E. Staunton, S. Weir, J. Mannion, D. Ryan, G. Coyle, P. Kilbane, F. Leneghan, T. Quinn, Patk. Burke, B. Cooper-Flynn, T.D., H. Kenny, A. McDonnell, J. Mee, J. Carty, T.D., J. Cribbin, R. Finn, P. McHugh, J. Flannery, J. Maloney, J. Mellett, M. Adams, F. Chambers, M. Ring, T.D., P. Sweeney.**

**The Officers in attendance were:-**

**Mr. D. Mahon, Co. Manager, Mr. J. Beirne, Dir. of Services / Co. Engineer, Mr. J. Loftus, Dir. of Services, Mr. J. Condon, Meetings Administrator, Mr. P. Hynes, Dir. of Services, Mr. S. Granahan, Dir. of Services, Mr. R. Norton, Dir. of Services, Mr. I. Douglas, Sen. Planner, Ms. B. Gannon, Senior Ex. Planner, Ms. K. O'Malley-Harlow, Sen. Ex. Planner, Mr. M. O'Boyle, Ex. Engineer, Ms. N. Coyne, A/Sen. Staff Officer, Ms. C. Kenny, A/Staff Officer.**

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**Proposed by Cllr. P. McHugh**

**Seconded by Cllr. P. Kilbane**

**Resolved:-**

**"That "Standing Orders" be suspended in order to allow a debate on the Commonage Framework Plan in County Mayo".**

**Following a detailed discussion, it was -**

**Proposed by Cllr. B. Cooper-Flynn**

**Seconded by Cllr. F. Leneghan**

**Resolved:-**

**"That this Council calls on the Minister for Agriculture and Food to re-examine all CFP in Mayo with a view to revising the drastic level of destocking currently being proposed".**

**Proposed by Cllr. E. Staunton**

**Seconded by Cllr. G. Coyle**

**Resolved:-**

**"That this Council send a Deputation to the Minister for Agriculture and Food, Mr. Joe Walsh, T.D., to discuss the issue of Commonage Framework Plan in County Mayo".**

**ITEM NO. 1.**  
**TO CONSIDER LIST OF PLANNING APPLICATIONS DATED 29<sup>th</sup> OCTOBER, 2002.**

1. **Pat O'Malley – Application for Planning Permission to construct dwellinghouse and treatment system at Callacoon, Louisburgh.**

The Council were informed of the up to date position on this Planning application.

2. **Owen O'Malley – Application for Planning Permission to construct dwellinghouse and septic tank at Carramacloughlin, Westport.**

The Council were informed of the up to date position on this Planning application.

3. **Kieran Nevin – Application for Planning Permission to construct dwellinghouse with proprietary effluent treatment unit and raised percolation bed at Carrowmore, Liscarney, Westport.**

The Council were informed that this Planning application had been withdrawn.

4. **Peter Calvey – Application for Planning Permission to construct 2 No. dwellinghouses, septic tanks and garages at Knappaghbeg, Westport.**

The Council were informed of the up to date position on this Planning application.

5. **Padraic Nevin – Application for Planning Permission to construct dwellinghouse with proprietary effluent treatment unit and raised percolation bed at Carrowmore, Liscarney, Westport.**

The Council were informed that this Planning application had been withdrawn.

6. **Jimmy Byrne – Application for Planning Permission to extend and renovate existing cottage complete with septic tank and percolation area at Tawncoolawee, Castlebar.**

The Council were informed of the up to date position on this Planning application.

7. **Assumpta Gruddy & Michael Lavelle – Application for Planning Permission to construct dwellinghouse with percolation area, septic tank and puraflo system at Toorglass, Ballyhaunis.**

The Council were informed of the up to date position on this Planning application.

8. Margaret & John Reilly – Application for Planning Permission to construct 2 No. dwellinghouses and proprietary effluent treatment units at Srah, Bunnahowen, Ballina.

The Council were informed of the up to date position on this Planning application.

9. Peter Burke – Application for Planning Permission to construct 12 No. holiday homes and sewerage treatment system together with all ancillary site works and services at Ballycastle Townland, Ballycastle.

The Council were informed of the up to date position on this Planning application.

10. William Quinn – Application for Outline Planning Permission to construct dwellinghouse, septic tank with puraflo system at Dunfeeney Upper, Ballycastle, Ballina.

The Council were informed of the up to date position on this Planning application.

11. Mary Quinn Henry – Application for Planning Permission to construct dwellinghouse, septic tank with puraflo system at Creevagh, Lacken, Ballina.

The Council were informed of the up to date position on this Planning application.

12. William Quinn – Application for Planning Permission to construct dwellinghouse and septic tank at Dooneaghny, Ballina.

The Council were informed that this Planning application had been withdrawn.

13. Eamon Keane – Application for Planning Permission to construct dwellinghouse and septic tank at Crossbeg, Tooreen, Ballyhaunis.

The Council were informed of the up to date position on this Planning application.

#### ITEM NO. 2.

#### CONSIDERATION OF PROPOSED DRAFT DEVELOPMENT PLAN.

The time being 5.45 p.m., the Cathaoirleach, Cllr. T. Quinn, took the Chair.

Proposed by Cllr. P. McHugh  
Seconded by Cllr. F. Chambers  
Resolved:-

**“That the following Sections of the proposed Draft Development Plan be amended to read as follows:-**

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**The projected figure 117,800 is of the same order as the actual Census figure of 117,482.**

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**Housing in the countryside.**

It is an objective of the Council that, in the rural area outside of the lands zoned for residential development, in the Town Development Plans for Ballina, Castlebar and Westport **and in the unserviced lands outside the lands zoned for residential development in the Development Plans for Ballyhaunis, Swinford, Ballinrobe and Claremorris** and the lands zoned for residential development in the Local Area Plans for the other towns, only the permanent housing needs of farm families shall be accommodated, subject at all times to the consideration of the proper planning sustainable development of the area.

It is an objective of the Council that in the rural areas outside the **smaller towns and** villages identified in the Development Framework only the permanent housing needs of farm families and emigrants who wish to return permanently from overseas to their own locality and persons whose employment locally provides a service to the local area will be accommodated, subject at all times to the consideration of the proper planning sustainable development of the area.

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It is an objective of the Council to prepare a Minerals **and Aggregates** Development Strategy for the county.

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**Views and Prospects**

It is an objective of the Council to ensure that development does not interfere with views and prospects and the amenities of places and features of natural beauty or interest when viewed from the public realm. **Views and prospects worthy of preservation and protection are indicated on Map No.**

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**Likely Significant Effects on the Environment**

Section 10(6)(a) of the Planning and Development Act 2000 requires that the Development Plan contain information as to the *“Likely Significant Effects on the Environment of implementing the Plan”*. This will be included in the published text.

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Any new development shall be required to be set back 75 metres from any new offline traffic route<sup>1</sup> **(addition of footnote)**

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### **(b) Strategic Development**

The creation of new direct access on to these roadways **for strategic development** shall be considered within the framework of development policy. The need or reason for and the benefits for the sustainable **and strategic** development of the area shall be taken into account in considering applications for such development. **(In this context strategic development is that which benefits the county as a whole or a significant geographical part of the county).**

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### **BUILDING LINE**

The building line requirements for various developments are set out hereunder in Table 1.1. This building line is the minimum requirement and applicants should be encouraged to develop at a greater distance from the public roadway.

**Table 1.1. Building Line Requirements**

<b>Road Classification</b>	<b>Requirement</b>
National Primary Roads National Secondary Roads	The building line shall be not less than 40 metres from the fence of a re-aligned road or from the designed fence line on an unimproved route.
Regional Routes	The building line shall be not less than 30 metres from the fence of a re-aligned road or from the designed fence line on an unimproved route.
Adjacent to any other public roadway or roadway of public importance	The building line shall be not less than 10 metres from the fence of a re-aligned carriageway or from the designed fence line on an improved road or right of way.
Town Streets	Existing Frontage or Existing Building line.
Housing Developments	The building line shall be not less than 6 metres from the front boundary (also see Section 3.3.23)

<sup>1</sup> ie any proposed route built away from the line of an existing route

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**3.3.21 SINGLE HOUSES IN THE COUNTRYSIDE**

**Single houses in the countryside shall be subject to the Objectives set out in 3.1.1. Rural Housing and 3.3.12 Controlled Roads.**

**The boundary of villages shall be determined having regard to the location of such factors as speed limits where applicable, natural or physical features which define an obvious cut off point eg a bridge or a road junction, footpaths and public lighting, distance from services such as water and sewerage, pedestrian accessibility to schools, church, Post Office or shop or other factors as deemed appropriate by the Planning Authority.**

Houses should be sited in the best locations for the comfort of the occupants by ensuring the orientation of the house maximises the sunlight, are sheltered from the wind and rain, avoid dust and fumes from passing traffic and most of all have privacy.

All new houses in the countryside shall comply with Mayo County Council Design Guidelines for Rural Housing.

**Sites in rural areas shall be a single entity and must satisfy the minimum size requirements set out in this section. Site requirements are influenced by the need to ensure the satisfactory treatment and disposal of effluent from private effluent treatment systems, traffic safety and the desire to encourage more sustainable spatial solutions to single houses in the countryside in order to protect rural and scenic amenities and to avoid ribbon development.**

**In submitting an application for a new dwelling house in the countryside, applicants will be required to demonstrate the extent to which they have considered the following options and proposals will be assessed having regard to the extent to which these matters have been addressed:**

- a) Can the proposed dwelling be located beside an existing house on the holding as part of or an extension to the farmhouse complex or groupings.**
- b) Can an existing building on the holding be renovated.**
- c) Can the proposed dwelling be located on the footprint of any existing ruin or cluster of ruined buildings (ie where a substantial structure or structures exist) on the holding subject to normal planning considerations.**

**Where either a, b or c are applicable:**

- 1 The minimum site size required shall be 2000 m<sup>2</sup> (except for lakeside developments or developments adjacent to public beaches to which the standards set out below shall apply).
- 2 On National and Regional Routes, the minimum building line shall be as specified in Table A.
- 3 On local roads the minimum building line for all new houses unrelated to an existing ruin or building but adjacent to an existing farmhouse complex or grouping (ie (a) above) shall be a minimum of 10m from the fence of an realigned road or right of way or from the design fence of an unimproved route or any other wall specified by the Council.
- 4 Where the building line of an existing building or ruin is less than that specified in Table A, the planning authority will assess each application on its merits having regard to issues of traffic safety, protection of existing residential amenities, design and environmental effects. Potential applicants are advised to discuss such proposals with the Planning office prior to submission of an application.

Where it is demonstrated that a), b) or c) are not possible then the following standards shall apply:

- 1 Minimum site of 3000 m<sup>2</sup> if the house does not form part of the farmhouse complex or grouping.
- 2 Minimum separation of 100m between any existing house and the proposed house other than the farm family house.
- 3 Minimum building line requirements for all classes of roads as set out in Table A.

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### **Childcare facilities.**

**Childcare facilities** will be required in all **new** housing developments at a rate of one **childcare facility providing for a minimum 20 childcare places** for each 75 residential units **and** in accordance with the DOELG Planning Guidelines for Childcare Facilities, **the Childcare (Pre-School Services) Regulations 1996** and Guidelines for Best Practice in the Design of Childcare Facilities.

Creches/playschools will only be permitted in residential areas when it can be **shown** that they will not cause hazard due to traffic congestion or adversely effect the amenity of adjoining residences.

Applications for creches and playschools within a new or existing place of work or in proximity thereof, such as an industrial estate, will be favourably considered. Applications for such proposals in terraced houses, semi-detached houses **or houses located on a cul-de-sac will be treated on their merits having regard to the matters listed below in relation to parking/drop-off**

point, availability of private and secure open space, layout and design of the housing area and the effect on the amenities of adjoining properties.

An application for a creche and playschools shall include the following:

- A description of the nature of the facility, ie full-day care, sessional day care, drop in facility, after school care etc.
- Details of proposed opening times
- Proposed number and age range of children
- Proposed number of staff
- Internal floor area devoted to such use, excluding areas such as kitchens, toilets, sleeping and other ancillary areas
- **Details of safe and convenient** car parking arrangements, for both **customers** and staff
- **Details of open space provision and measure for management of same**

The following criteria shall be used to assess the suitability of childcare facilities:

- The suitability of the site for the type and size of facility proposed
- The availability of outdoor play area and details of management of same
- The convenience of the proposed facility in relation to public transport nodes, pedestrian access from existing residential areas and/or places of work and existing educational facilities, proximity to neighbourhood, district or town centres
- a) Traffic safety – the extent to which safe access and adequate parking and drop off facilities are provided for clients and staff
- b) Local traffic conditions – the implications of the proposal on the existing traffic flow and genral road safety of the area
- The availability of suitable and adequate services in terms of water and sewage to facilitate the development
- The intended hours of operation
- The number of such facilities in the area

Temporary permissions may be granted **in exceptional circumstances** for between 1-5 years to assess the impact of the creche or playgroup developments on their surroundings. The conversion **to** a creche of an existing dwelling house within a housing estate will only be permitted where part of the house remains in residential use”.

**ITEM NO. 3.**

**TO APPROVE OF THE DISPOSAL OF 1 ACRE OF LAND AT SWINFORD INDUSTRIAL PARK, KILKELLY ROAD, SWINFORD, TO MR. EAMON RABBETTE, MONEEN, CASTLEBAR, IN ACCORDANCE WITH NOTICE DATED 18<sup>th</sup> JUNE, 2002, ALREADY CIRCULATED.**

Proposed by Cllr. M. Adams  
Seconded by Cllr. Patk. Burke  
Resolved:-

“That we hereby approve of the disposal of 1 acre of Land at Swinford Industrial Park, Kilkelly Road, Swinford, to Mr. Eamon Rabbette, Moneen, Castlebar, for €90,000, in accordance with Section 183 of the Local Government Act, 2001, and Notice dated 18<sup>th</sup> June, 2002, already circulated”.

**ITEM NO. 4.**

**TO CONSIDER NOMINATING REPRESENTATIVES TO ATTEND CONFERENCE – “VALUES AND ETHICS – CAN I MAKE MAKE A DIFFERENCE?” – TO BE HELD IN THE WEST COUNTY HOTEL, ENNIS, CO. CLARE, ON 6<sup>th</sup>, 7<sup>th</sup> AND 8<sup>th</sup> NOVEMBER, 2002.**

The Council were informed of the estimated cost of sending a Delegate to this Conference.

**ITEM NO. 5.**

**TO CONSIDER NOMINATING REPRESENTATIVES TO ATTEND LOCAL AUTHORITY MEMBERS ASSOCIATION ANNUAL WINTER SEMINAR 2002 TO BE HELD IN THE DOLMEN HOTEL, CARLOW, ON 8<sup>th</sup> AND 9<sup>th</sup> NOVEMBER, 2002.**

The Council were informed of the estimated cost of sending a Delegate to this Seminar.

Proposed by Cllr. P. McHugh

Seconded by Cllr. P. Kilbane

Resolved:-

“That the Cathaoirleach, Cllrs. M. Adams, S. Bourke, J. Carty, T.D., J. Maloney, S. Molloy, G. Murray, A. McDonnell, P. McHugh, A.M. Reape, R. Finn, M. Burke, E. Caffrey, J. Cribbin, J. Flannery, H. Kenny, J. Mannion, M. Ring, T.D., S. Weir and E. Staunton be nominated to attend Local Authority Members Association Annual Winter Seminar 2002 to be held in the Dolmen Hotel, Carlow, on 8<sup>th</sup> and 9<sup>th</sup> November, 2002”.

**ITEM NO. 6.**

**TO CONSIDER NOMINATING REPRESENTATIVES TO ATTEND CLARE TOURISM CONFERENCE – “EXPLORING SPORT TOURISM” – TO BE HELD IN THE FALLS HOTEL, ENNISTYMON, CO. CLARE, ON 29<sup>th</sup> AND 30<sup>th</sup> NOVEMBER, 2002.**

The Council were informed of the estimated cost of sending a Delegate to this Conference.

Proposed by Cllr. P. McHugh

Seconded by Cllr. P. Kilbane

Resolved:-

“That the Cathaoirleach, Cllrs. S. Bourke, J. Carty, T.D., F. Lenegha, J. Maloney, P. McHugh, A.M. Reape, R. Finn, M. Burke, E. Caffrey, G. Coyle, J. Cribbin, J. Flannery, H. Kenny, J. Mannion, M. Ring, T.D., and E. Staunton be nominated to attend Clare Tourism Conference – “Exploring Sport Tourism” – to be held in the Falls Hotel, Ennistymon, Co. Clare, on 29<sup>th</sup> and 30<sup>th</sup> November, 2002”.

**Anti-Poverty Learning Network Meeting – Tullamore, Co. Offaly – 7<sup>th</sup> November, 2002.**

Proposed by Cllr. P. McHugh

Seconded by Cllr. P. Kilbane

Resolved:-

“That Cllrs. M. Adams, J. Maloney, A. McDonnell and Patk. Burke be nominated to attend Anti-Poverty Learning Network Meeting to be held in the Bridge House Hotel, Tullamore, Co. Offaly, on 7<sup>th</sup> November, 2002”.

**Conference – Landmark Hotel, Carrick-on-Shannon, Co. Leitrim – 14<sup>th</sup> and 15<sup>th</sup> November, 2002.**

Proposed by Cllr. P. McHugh

Seconded by Cllr. P. Kilbane

Resolved:-

“That Cllrs. M. Adams, G. Murray, R. Finn, M. Burke, J. Flannery and S. Weir be nominated to attend Conference – “Energy from Fresh Air – Planning for Irish Wind Energy 2002” – to be held in the Landmark Hotel, Carrick-on-Shannon, Co. Leitrim, on 14<sup>th</sup> and 15<sup>th</sup> November, 2002”.

The County Manager informed the Members that the Estimates Meeting for the Financial Year ending 31<sup>st</sup> December, 2003, scheduled to take place on Monday, 25<sup>th</sup> November, 2002, will now take place on Monday, 13<sup>th</sup> January, 2003.

**VOTES OF CONGRATULATIONS.**

Proposed by Cllr. E. Staunton

Seconded by Cllr. S. Weir

Resolved:-

“That a Vote of Congratulations be extended to Deel Rovers, Crossmolina, on winning the Connaught Club Championship Semi-Final”.

Proposed by Cllr. M. Ring

Seconded by Cllr. M. Adams

Resolved:-

**“That a Vote of Congratulations be extended to Kilmeena on winning the Mayo Junior Football Championship Final”.**

**The Meeting concluded at 6.35 p.m.**