



An
Bord
Pleanála

Board Order
ABP-305523-19

Planning and Development Acts 2000 to 2019

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/19/361

Appeal by S. Kildea and Sons Limited care of Earth Science Partnership (Ireland) Limited of Tonranny, Westport, County Mayo against the decision made on the 4th day of September, 2019 by Roscommon County Council to refuse a permission to S. Kildea and Sons Limited for the proposed development.

Proposed Development: Retention of additional works carried out consisting of the removal of excavated material and construction of an extension to the concrete slab granted under planning reference PD/16/411 and all associated ancillary works, all at Rooskagh Townland, Bellanamullia, Athlone, County Roscommon.

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.

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 nature and scale of the development proposed to be retained, and to the established pattern of development at this location, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board noted that the development to be retained is not directly connected with, or necessary to, the management of a European site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the development proposed to be retained, either individually or in combination with other plans or projects, on these European sites in view of the sites' Conservation Objectives. The Board was satisfied that the development proposed to be retained, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site, in view of the site's Conservation Objectives.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 5th day of March, 2020, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Within the first planting season after the date of this order, the berm along the western site boundary shall be top-soiled and reseeded and planted with native species hedgerows which shall be permanently maintained.

Reason: In the interests of visual and residential amenity.

3. 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 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 Bord 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.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.