

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/12/2022.

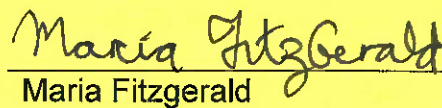
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. The proposed development is in an area that is at risk of flooding. The Board is not satisfied, on the basis of the information lodged with the planning application and in response to the appeal, that the proposed development would not give rise to a heightened risk of flooding either on the proposed development site itself, or on other lands. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
2. On the basis of the information submitted with the planning application and the Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the River Shannon Callows SAC (Site Code: 000216) and the Middle Shannon Callows SPA (Site Code: 004096), or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.
3. Having regard to Policy 70 of the Monksland/Bellanamullia (Athlone West) Local Area Plan 2016-2022, as varied, which seeks in the interest of preservation of biodiversity and natural heritage to ensure that no development takes place within a minimum distance of 10m measured from each bank of any

river, stream or watercourse within the LAP boundary..., and to the design and layout of the proposed development where House B is located c.8m from the Cross River and where the associated private amenity space and landscaping proposals encroaches further into the riparian strip and associated tree line of the Cross River, the Board considers that the proposed development is contrary to the provisions of the Local Area Plan and to the proper planning and sustainable development of the area

**Board Member**

  
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Maria Fitzgerald

**Date:** 16/12/2022