



An
Coimisiún
Pleanála

Direction
CD-021525-25
ACP-323199-25

The submissions on this file and the Inspector's report were considered at a meeting held on 09/12/2025.

The Commission decided to make a split decision, to

(1) grant permission (subject to conditions) for house numbers 1 to 6 and ancillary works in accordance with the said plans and particulars,

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

(2) refuse permission for house numbers 7 to 65

for the reasons and considerations marked (2) under.

Planning

Commissioner:

Date: 15/12/2025

Mary Gurrie

Mary Gurrie

DRAFT WORDING FOR ORDER

Reasons and Considerations (1)

Having regard to the location of the proposed development for house numbers 1 to 6 as per Drawing number 2 "Proposed house/road levels layout plan" dated the 6th day of September, 2023 within the Roscommon town boundary on land zoned 'existing residential' in the Roscommon Town Local Area Plan 2024-2030, it is considered that subject to compliance with the conditions set out below, the proposed development of Houses 1-6 would allow for the completion of the existing residential development on zoned land, would not adversely affect the residential amenities of the area and would be acceptable in terms of residential amenity and traffic safety. This element of the proposed development would comply with the provisions of the Roscommon Development Plan 2022-2028, including in particular policy objectives CS2.2, CS2.3 and CS2.5, which collectively promote sustainable settlement patterns, the direction of growth towards designated settlements and the delivery of zoned and serviced land to facilitate population growth and achieve sustainable compact growth, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This element of the proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to An Coimisiún Pleanála on the 19th day of December 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development revised drawings showing the layout of the six houses, roads and boundary treatments shall be submitted to the planning authority for agreement and placed on the public file.

Reason: In the interest of clarity.

3. The turning bay, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works. The developer shall agree such details in writing with the planning authority prior to the commencement of development.

Reason: In the interests of amenity and of traffic and pedestrian safety.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of visual amenity.

5. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

6. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health and sustainable urban drainage.

7. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

9. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including traffic, dust and noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

11. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical

features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames of new residential areas

12. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security as may be accepted in writing by the planning authority to secure the provision and satisfactory completion of roads, sewers, watermains, drains, car parks, open spaces and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development.

Reason: To ensure the satisfactory completion of the development.

13. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

14. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

15. 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 prior to commencement of development or 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 Coimisiún 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.

Reasons and Considerations (2)

1. The part of the proposed development for house number 7-65 as per drawing number 2 "Proposed house/road levels layout plan" dated the 6th day of September, 2023 which is located on unzoned land outside of the defined Roscommon Town Boundary, if permitted, would undermine the principles of the core strategy set out in Volume 1, Chapter 2 of the Roscommon County Development Plan 2022-2028, including in particular policy objectives CS2.2, CS2.3 and CS 2.5, which collectively promote sustainable settlement patterns, the direction of growth towards designated settlements and the delivery of zoned and serviced land to facilitate population growth and achieve sustainable compact growth. The principle of this element of the proposed development is therefore unacceptable and would be contrary to the proper planning and sustainable development of the area.
2. The new "Sustainable Residential and Compact Settlement Guidelines for Planning Authorities" published by the Department of the Environment, Heritage and Local Government in 2024, require a high quality approach to the

design of new housing. It is the policy of the planning authority, as set out in the Roscommon County Development Plan 2022-2028 for the area, to ensure that the design and layout of all new housing estates on urban lands to achieve attractive and sustainable development through better design. Having regard to the proposed site layout and house design of house numbers 7-65, including the unbroken linear pattern and lack of landscaping, it is considered that the proposed development would not be in accordance with the design principles as set out in Section 12.6 Residential Development of the Roscommon County Development Plan 2022-2028. It is considered that this element of the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

1. The Commission noted and agreed with the inspector's assessment that the density of the proposed development of 25.5 dwellings per hectare does not accord with the recommended density range of 30 to 50 units per hectare expected for a suburban location in a Key Town as set out in the Sustainable Residential Development in Urban Areas & Compact Settlement Guidelines, 2024. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.
2. Having regard to the proposed provision of 65 dwellings and the provision of further dwellings in a potential future phase on lands owned by the applicant the Commission considered that the need for the provision of childcare facilities had not been adequately addressed as required by Section 12.6 of the development plan. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.