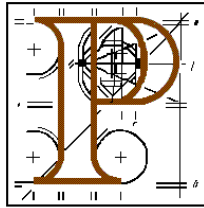


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Roscommon County

**Planning Register Reference Number: PD/15/119**

An Bord Pleanála Reference Number: PL 20.245600

**APPEAL** by Basil and Margaret Gillooly care of Liam Loughrey Chartered Engineer of 9 Bachelor's Walk, Ballinasloe, County Galway and by Helen Handley care of John P. Gavin and Associates of Ballinagard, Roscommon Town against the decision made on the 14<sup>th</sup> day of September, 2015 by Roscommon County Council to grant subject to conditions a permission to John and Niamh Keane care of Collins Boyd Engineering Limited of Galway Road, Roscommon, County Roscommon in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** (i) The demolition and removal of an existing dwelling house and outbuildings; (ii) construction of four number detached dwellings and domestic garages; (iii) a new entrance onto the N63 Galway Road and (iv) all with connections to the public sewers and public water mains including all other associated site works at Ardnanagh Townland, Roscommon, 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 residential zoning of the subject site, the planning history of the site and to the policies and objectives of the Roscommon County Development Plan 2014-2020 and the Roscommon Local Area Town Plan 2014-2020, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity, would be in accordance with the policy of the said development plan and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The 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 on the 11<sup>th</sup> day of August, 2015 and by the further plans and particulars received by An Bord Pleanála on the 5<sup>th</sup> day of November, 2015, 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. The proposed house on site number 4 shall be omitted. A proposal for a single storey house on this site may be the subject of a future application for planning permission.

**Reason:** It is considered that the proposed two-storey house on site number 4 would result in an adverse impact on the residential amenity of the dwellings to the south-east by reason of overlooking.

3. Road width shall be reduced to 5.5 metres between kerbs, and corner radii at the junction of the access roadway and the main road shall be reduced to 6 metres.

**Reason:** To provide for improved pedestrian and cyclist safety and to comply with provisions for Design Manual for Urban Roads and Streets.

4. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

5. Details of all proposed boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, with particular emphasis on the eastern and western boundaries. In the case of boundary treatment along the eastern boundary of the site, the proposed treatment shall be in accordance with drawing number JNK-PL-02B submitted to An Bord Pleanála on the 5<sup>th</sup> day of November, 2015 and, in particular, with the proposed boundary treatment on the eastern boundary which indicates the provision of a 1 metre high retaining wall with concrete post and panel fencing, 1.8 metres high block wall plastered both sides and capped. This boundary treatment shall take place whether or not an application is submitted for further development on site number 4.

**Reason:** In order to protect adjoining residential amenities.

6. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall provide for the establishment of a hedgerow along the eastern boundary of the site. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, 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 order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

7. Prior to the commencement of development, the developer shall consult with Iarnród Éireann to ensure that all works are undertaken in accordance with RSC Guideline RSC-G-010-A (Third Party Guidance on Railway Risk).

**Reason:** In the interest of Rail Safety.

8. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

9. 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.

10. Proposals for an estate/street name, house and apartment 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/apartment 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 interests of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

11. The open spaces shall be developed for, and devoted to public use. They shall be kept free of any development and shall not be incorporated into house plots.

**Reason:** In order to ensure the development of the public open space areas, and their continued use for this purpose.

12. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer.

**Reason:** In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

13. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

14. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interests of sustainable waste management.

15. 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 noise management measures and off-site disposal of construction/demolition waste.

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

16. 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 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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**