



Planning and Development Acts 2000 to 2016

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/16/408

Appeal by John Kenny of Tully, Oldtown, Athlone, County Roscommon against the decision made on the 6th day of December, 2016 by Roscommon County Council to grant subject to conditions a permission to John Nevin care of Richard Campbell of Church Hill, Ballinasloe, County Galway.

Proposed Development: Construction of a dwellinghouse, wastewater treatment system, domestic garage and all ancillary site works and services at Toberiheen, Ballydangan, County Roscommon.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

1. Having regard to the location of the site with an area designated as “Structurally Weak” in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and in a ‘Category B’ rural area, designated as being under urban influence, as set out in Table 5.3 of the Roscommon County Development Plan 2014-2020, and based on the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the applicant has sufficiently established a rural generated housing need for a dwelling at this location. The proposed development would, therefore, be contrary to the said Ministerial guidelines and to the development plan which are considered to be reasonable. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would be accessed from an accommodation road designed to facilitate farming activities. It is considered that, by itself and by the precedence it would set for other residential development, the proposed development would constitute a traffic hazard by reason of intensification of a substandard road unsuitable for housing development. Furthermore, it is considered that the proposed development in the remote rural area would lead to demands for the uneconomic provision of public services and infrastructure in an un-serviced rural location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the ground conditions on site, to the submissions on file and to the evidence of eutrophication of water channels that are tributaries of the River Shannon and down gradient to the site, the Board was not satisfied that the proposed development would not constitute an unacceptable risk of groundwater pollution connected with the disposal of wastewater. The proposed development would, therefore, be prejudicial to environmental and public health.

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

Dated this day of 2017