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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Roscommon County Council**

**Planning Register Reference Number: 17/384**

**APPEAL** by Helen Breen care of Kieran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 3<sup>rd</sup> day of November, 2017 by Roscommon County Council to refuse permission to the said Helen Breen.

**Proposed Development**

Construction of (i) a detached part single, part two-storey three bedroom dwelling (314 square metres) with domestic store (10 square metres), new vehicular access, proprietary on-site wastewater treatment system with percolation area, and on-site stormwater attenuation ponds, (ii) the renovation and extension (84 square metres) of existing stone agricultural shed for use as stables (total floor area 156 square metres) comprising three number horse boxes, tack room, foaling box, birthing box and replacement vehicular access to the proposed stables including re-aligned boundary wall, (iii) landscaping and ancillary works, all at Camcloon, Ballydangan, Athlone, 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 within an "Area Under Strong Urban Influence" as identified 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 an area where housing is restricted to persons demonstrating local need in accordance with the Roscommon County Development Plan 2014-2020, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the soil conditions and high water table, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.
3. On the basis of submissions made in connection with the planning application and the appeal and in the absence of a Natura Impact Statement, the Board is not 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 Middle Shannon Callows Special Protection Area (Site Code 004096) and River Shannon Callows Special Area of Conservation (Site Code 000216), or any other European site, in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.

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

**Dated this            day of            2018.**