

Board Order ABP-306641-20

Planning and Development Acts 2000 to 2019

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/19/584

Appeal by Saskia de Jong of Lecarrow or Strandhill, Drumkeeran, County Leitrim against the decision made on the 17th day of January, 2020 by Roscommon County Council to grant subject to conditions a permission to Juergen Blomenkemp care of McKiernan Architects of Unit 3, The Old Presbytery, Main Street, Carrick-on-Shannon, County Leitrim in accordance with plans and particulars lodged with the said Council:

Proposed Development: Works to existing private mooring on the shoreline of Lough Allen comprising of (1) extension of the existing southern breakwater, (2) construction of new breakwater to the north of the existing breakwater complete with floating jetty and ramp, and (3) deepening of the existing boating channel at Lough Allen Lodge, Tawlaght Townland, 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 nature, scale and design of the proposed development, the historical use of the site and the existing development on the site, the location of the site along a designated waterway, and the objectives of the River Basin Management Plan 2018-2021 issued by the Department of Housing, Planning and Local Government, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Roscommon County Development Plan 2014-2020, including those relating to the protection of wetlands and inland waterways, would be appropriate for the location, would not seriously injure the visual amenities of the area or of property in the vicinity, and would not be likely to cause a deterioration in the quality of water or the ecological status of Lough Allen. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. (a) The mitigation measures and associated monitoring, outlined in the plans and particulars lodged with the planning authority in relation to the proposed development, shall be carried out in full, except as may otherwise be required in order to comply with the following conditions.
 - (b) A suitably qualified ecologist shall be retained by the developer, or any agent acting on its behalf, to oversee site set-up and the construction of the proposed development, and the implementation of mitigation and all monitoring measures relating to ecology set out in the construction method statement submitted. The ecologist shall be present during site construction works.

Reason: In the interest of clarity and the protection of the environment and in order to minimise the impact of construction activity on species and habitats of conservation interest and on the wider terrestrial and aquatic biodiversity of the area.

- (a) All dredged material to be stored for drying, shall be located in an area surrounded by a drainage filtration system, in order to prevent dredged material from contaminating the lake.
 - (b) All suitable dredged material shall be reused on site.
 - (c) All dredged material deemed to be unsuitable as fill material shall be removed by an approved waste collector to a licenced or permitted facility, within one month of the completion of the development.

Reason: In the interests of orderly development and environmental protection.

- 4. (a) All construction materials shall be stored in a designated storage area which shall be fenced off.
 - (b) No fuel shall be stored on site unless suitably bunded.
 - (c) All refuelling of plant shall be carried out in a designated area, in order to prevent spillage into the lake. The designated area shall be identified on a revised site layout which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.
 - (d) All waste oils shall be collected by a licensed waste oil collector.
 - (e) Spill kits including an adequate number of oil booms and soakage pads shall be retained on site at all times in order to deal with any accidental spillage.

Reason: In the interests of orderly development and environmental protection.

5. Drainage arrangements, including the 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.

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.