



Planning and Development Acts 2000 to 2020

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/19/571

Appeal by Kieran and Rosaleen Donoghue of Frasnadeffa, Ballaghadereen, County Roscommon against the decision made on the 19th day of June, 2020 by Roscommon County Council to grant subject to conditions a permission to Brian McGrath care of Morris Lohan Consulting Engineer Limited of 22 Castle View Terrace, Castle Street, Roscommon in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of as constructed dwellinghouse and ancillary site works (previously granted under planning register reference number PD/05/1143) and also permission to complete the development at Frasnadeffa, Ballaghadereen, 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 previous planning permission for a detached dwellinghouse on the subject site, the unfinished nature and negative appearance of the existing development, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development for which retention permission is sought and the proposed development, would improve the visual amenities of the site and surrounding area and would not be prejudicial to public health. The development for which retention permission is sought and the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 12th day of May, 2020, 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 retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The entrance gates to the house shall be set back not less than four metres and not more than six metres from the edge of the public road. Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed one metre in height.
- (b) The proposed front boundary wall shall match the finish of the proposed dwelling, the exact height and location of which shall be agreed in writing with the planning authority within three months of the date of this Order.

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

3. The water supply to serve the proposed dwelling shall have sufficient yield to serve the proposed development, and the water quality shall be suitable for human consumption. Details, demonstrating compliance with these requirements, shall be submitted to, and agreed in writing with, the planning authority prior to the occupation of the dwelling.

Reason: To ensure that adequate water is provided to serve the proposed dwelling, in the interest of public health.

4. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

5. (a) The site shall be landscaped with indigenous deciduous trees and hedging species within the first planting season following the completion of the development in accordance with the landscaping plan submitted to the planning authority on the 12th day of May, 2020.

(b) 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.

6. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 12th day of May, 2020, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009.
- (b) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the Environmental Protection Agency document.
- (c) No clean uncontaminated surface water from the roof or paved areas shall be permitted to enter the wastewater treatment system.

- (d) A grease trap shall be installed to serve the food preparation area of the dwellinghouse and it shall be maintained in accordance with the manufacturer's instructions.

Reason: In the interest of public health.

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

Dated this day of 2020.