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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Roscommon County Council**

**Planning Register Reference Number: PD/19/440**

**Appeal** by David Molloy care of Turner Design Services of Castle View House, Castle Street, Roscommon Town, County Roscommon against the decision made on the 10<sup>th</sup> day of July, 2020 by Roscommon County Council to refuse permission for the proposed development.

**Proposed Development:** Demolish existing rear two-storey outbuilding/stores, in order to provide space to construct three number two bedroom town houses and one number one bedroom apartment and modify area to rear of liquor store at ground floor level to include a stairs and lobby area to form access to roof garden and the first and second floor apartments. Convert first and second floor levels overlooking Main Street from a previous private dwelling to two number two-bedroom apartments, over existing restaurant and liquor store and construct new entrance halls with stairs providing separate private access to both units from first floor level. Convert part of existing adjoining stores to refuse bin and bulk storage areas to serve the proposed dwelling units. Create roof garden at first floor level to provide communal open space for the proposed development and also carry out all ancillary site works and services, including the relevant connections to the public facilities at Main Street, Roscommon Town as amended by the revised public notices received on the 31<sup>st</sup> day of December 2019, which was

amended on the 7<sup>th</sup> day of January 2020, and the 15<sup>th</sup> day of June 2020.

## **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**

In deciding not to accept the Inspector's recommendation to refuse permission for the construction of the three townhouses to the rear of the site, and the demolition works to facilitate the townhouses, the Board considered that, in the particular circumstances of this case, and having regard to the constraints of this urban site, the provision of amenity space to the front of the townhouses is acceptable given the town centre context.

## **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 19<sup>th</sup> day of December 2019 and the 13<sup>th</sup> 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 carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

**Reason:** In the interest of public health.

4. 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 satisfactory standard of development.

5. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Thereafter, the

waste and recycling shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and recyclable materials, in the interest of protecting the environment.

6. 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, traffic management measures and off-site disposal of construction/demolition waste.

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

7. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours 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.

8. Proposals for a house/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 apartment numbers, shall be provided in accordance with the agreed scheme.

**Reason:** In the interest of urban legibility.

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

**Dated this                      day of                      2021**