

An
Bord
Pleanála

Board Order
ABP-310313-21

Planning and Development Acts 2000 to 2021

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/21/123

APPEAL by Eamon Minagh care of MMKDA Consulting Engineers of 7 Main Street, Athlone, County Westmeath against the decision made on the 28th day of April, 2021 by Roscommon County Council to refuse permission.

Proposed Development: Construction of two number detached dwellings together with ancillary services and all associated site works at Millbrook, Beallanamullia Townland, Athlone, County Roscommon.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. The proposed development is in an area that is at risk of flooding. The Board is not satisfied, on the basis of the information lodged with the planning application and in response to the appeal, that the proposed development would not give rise to a heightened risk of flooding either on the proposed development site itself, or on other lands. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
2. On the basis of the information submitted with the planning application and the Natura Impact Statement, the Board cannot be 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 River Shannon Callows Special Area of Conservation (Site Code: 000216) and the Middle Shannon Callows Special Protection Area (Site Code: 004096), or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

3. Having regard to Policy 70 of the Monksland/Bellanamullia (Athlone West) Local Area Plan 2016-2022, as varied, which seeks in the interest of preservation of biodiversity and natural heritage to ensure that no development takes place within a minimum distance of 10 metres measured from each bank of any river, stream or watercourse within the Local Area Plan boundary, and to the design and layout of the proposed development where House B is located circa eight metres from the Cross River and where the associated private amenity space and landscaping proposals encroaches further into the riparian strip and associated tree line of the Cross River, the Board considers that the proposed development is contrary to the provisions of the Local Area Plan and to the proper planning and sustainable development of the area.

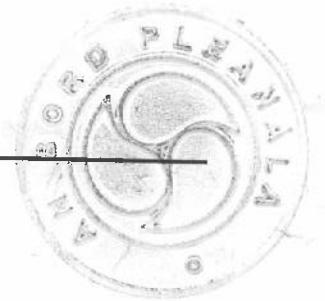
Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *3rd* day of *January* 2023.