

An
Bord
Pleanála

Board Order
ABP-319211-24

Planning and Development Acts 2000 to 2022

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/23/60036

Appeal by Liam Madden of Convent Road, Longford and by Martin and Maura Towey of Knocknacunny, Ballaghaderreen, County Roscommon against the decision made on the 22nd day of February, 2024 by Roscommon County Council to grant subject to conditions a permission to Sean Curran care of Tobin Consulting Engineers of Fairgreen House, Fairgreen Road, Galway in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Change of use of existing building, former cigar factory to a recycling facility. (b) The provision of 24 number car parking spaces and two number truck parking spaces, and four number EV charging points and one number accessible parking space. (c) Provision of covered bicycle stand for 20 number bicycles. (d) Erection of perimeter security fencing, access gates and revisions to the southwestern vehicular access. (e) Provision of two number weighbridges. (f) Connection to existing services including foul water and surface water including of three number new attenuation tanks and (g) all ancillary works at Ballaghaderreen Townland, Ballaghaderreen, County Roscommon as revised by the further public notices received by the planning authority on the 26th day of January 2024.

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.

Reasons and Considerations

Having regard to the planning history and location of the site within a serviced urban area, the proposed development in an existing and currently vacant building comes within the scope of the Light Industry use category as per the land use zoning matrix, and complies with the economic policies and objectives of the current Roscommon County Development Plan 2022-2028, specifically BN11 in relation to facilitating appropriate light and heavy industry, including recycling facilities within existing vacant industrial buildings, and having regard to the scale and design of the alterations, and to the pattern of industrial development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate appropriately within the site, would not adversely impact upon the visual amenity of the Business Park and would constitute an appropriate form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the inspector and concluded that by itself or in combination with other plans or projects, the proposed development would not be likely to have a significant effect on any European site and that an Appropriate Assessment is not, therefore, required.

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 received by the planning authority on the 15th day of December 2023, 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. The facility shall not operate without a valid Waste Facility Permit to comply with the Waste Management Facility Permit Regulations 2007, as amended. The total maximum tonnage permitted for the facility shall not exceed 23,400 tonnes per annum.

Reason: In the interest of public health.

3. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roof, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) Water supply and drainage arrangements, including 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 proper planning and sustainable development.

4. No advertisement or advertisement structure shall be displayed or erected on the building or within the curtilage of the site in such a manner as to be visible from the outside of the building, unless authorised by a further grant of planning permission. Internally illuminated signage shall not be permitted, without the prior formal assessment and written consent of the planning authority.

Reason: In the interest of visual amenity.

5. All recycling materials shall be stored, segregated, processed and baled within the enclosed factory space building.

Reason: In the interest of visual amenity.

6. During the operational phase of the development, the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 and 2300 and (b) 45 dB(A) 15 min and 60 dB LAfmax, 15 min at all other times. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site.

7. The hours of operation will be limited to between 0800 hours and 1800 hours Mondays to Fridays and between 0800 hours and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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. All mitigation measures included within the Noise Assessment received by the planning authority on the 3rd day of August 2023 shall be implemented in full. A programme of noise monitoring shall be conducted upon commencement of operations on site at the nearest noise sensitive receptors. The monthly results shall be submitted to the local authority at the end of each month.

Reason: To protect the residential amenities of property in the vicinity of the site.

9. Roadside boundary treatment shall be developed prior to the commencement of operations of the recycling facility. All landscaping shall be undertaken in the first planting season following the commencement of operations of the recycling facility, in accordance with the details contained on the landscaping plan submitted on the 15th day of December 2023. Any trees or shrubs that become damaged or diseased within a period of five years shall be removed and replaced with others of similar size and species in the next planting season.

Reason: In the interest of visual amenity.

10. Final details of the setbacks including details of surfacing, and construction of footpaths and set back of the roadside boundary and street lighting along the internal industrial estate road, access and traffic arrangements as submitted to the planning authority on the 3rd day of August 2023 shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of public safety and sustainable transportation.

11. Prior to the commencement of development precise details of the materials to be used within the bicycle parking shelters, including provision of adequate illumination shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public safety and sustainable transportation.

12. The sight distance triangles set out within drawing number 1015-2116 submitted to the planning authority on the 3rd day of August 2023 shall be maintained on a permanent basis and kept free of obstruction at all times. Any vegetation that restricts visibility within the splays shall be cut back or removed.

Reason: In the interest of traffic and pedestrian safety.

13. A minimum of 25% of the proposed car parking spaces in on-surface car parking shall be provided with electrical connection points, to allow for functional electric vehicle charging. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

14. Site development and building works shall be carried out between the hours of 0700 and 1900 Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

15. The construction of the development shall be managed in accordance with a Construction Waste Management Plan and a Construction and Environmental Management Plan, which shall be submitted to, final details of which shall be agreed in writing with the planning authority prior to commencement of development. These plans shall provide details of intended construction practice for the development, management of construction waste and materials on site, environmental control measures, including noise, dust and vibration management measures, working hours, construction traffic and parking, measures for managing construction sediment run-off and off-site disposal of construction/demolition waste.

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

16. It shall be the responsibility of the developers to implement the recommendations of the Road Safety Audit, submitted as part of the planning documentation to the Planning Authority on the 3rd day of August 2023.

Reason: In the interest of public safety and sustainable transportation.


Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this 15th day of January 2025