

An  
Bord  
Pleanála

**Board Order**  
**ABP-319526-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Roscommon County Council.**

**Planning Register Reference Number: PD/23/42.**

**WHEREAS** by Order dated the 27<sup>th</sup> day of November, 2023, Roscommon County Council, under planning register reference number PD/23/42, granted subject to conditions a permission to Ronan Kildea care of Dolan and Associates of Teach Mhuire, Church Street, Creagh, Ballinasloe, County Galway for development comprising construction of a dwellinghouse, a domestic garage, installation of a septic tank with a percolation area and construction of all ancillary site works to facilitate same at Corraree and Ballygatta, Taughmaconnell, Ballinasloe, County Roscommon:

**AND WHEREAS** condition number 2 attached to the said permission required the developer to submit to the planning authority for written agreement a revised site layout plan showing the dwelling relocated to the 65.5 metres contour line on site:

**AND WHEREAS** there are two separate contours on the subject site indicating a ground level of 65.5 metres O.D and the developer and the planning authority failed to agree on the location of the dwelling on site and the matter was referred by the developer to An Bord Pleanála on the 15<sup>th</sup> day of April 2024 for determination:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the location of the proposed dwelling on the 65.5 metres contour located centrally in the site, approximately 85 metres to 90 metres north of the southern boundary of the site, as indicated on the site layout plans indicating contour levels received by the Board on the 15<sup>th</sup> day of April. 2024 to be in compliance with condition number 2 of planning register reference number PD/23/42.

## **Reasons and Considerations**

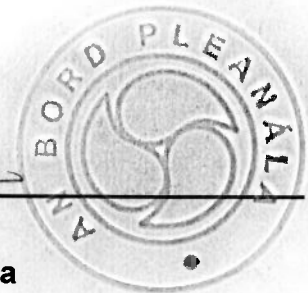
Having regard to the documentation on file which clearly shows the progression on the site layout and the footprint of the proposed dwelling within the site, it appears that the applicant in allaying the concerns of the planning authority with regard to the overall height of the dwelling sought to move the dwelling forward between the additional information submitted by the applicant to the planning authority on the 11<sup>th</sup> day August, 2023 and the clarification of additional information received by the planning authority on the 25<sup>th</sup> day of September, 2023. It would seem more reasonable to assume that the planning authority's intent in attaching condition number 2 was to move the dwelling further forward, a distance of approximately 10 metres in order to relocate the dwelling on 65.5 metres contour line rather than relocate the dwelling a distance 30 metres further to the rear in order to coincide with the 65.5 metres contour to the south-eastern boundary of the site.

Therefore, having regard to the documentation on file together with the submissions on file the Board considered that, in order to comply with condition number 2 of grant of permission issued by Roscommon County Council on 27<sup>th</sup> day of October, 2023, the dwelling shall be moved northwards from its location as indicated in the site layout plan submitted to the planning authority on the 25<sup>th</sup> day of September 2023 so as to be located on the 65.5 metres contour line in the centre of the site.



**Paul Caprani**

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



**Dated this 19<sup>th</sup> day of March 2025.**