

An
Coimisiún
Pleanála

Commission Order
ABP-322176-25

Planning and Development Acts 2000 to 2022

Planning Authority: Roscommon County Council

Planning Register Reference Number: 2497

Appeal by Elaine and Billy Kilmartin Fitzpatrick of 4 Priory Park, Coosan Road, Athlone, County Westmeath against the decision made on the 13th day of March, 2025 by Roscommon County Council to refuse permission.

Proposed Development: Construction of a detached garage and permission to construct an extension to the rear of the existing dwellinghouse to include removal of rear existing external and internal walls, removal of front porch and chimneys, install solar panels to roof of new extension to the rear and to decommission existing septic tank and install new proprietary treatment unit and percolation area and all associated site works, all at Carrick, Curraghboy, Athlone, 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.

Reasons and Considerations

Having regard to the provisions of the Roscommon County Development Plan 2022-2028, the location of the site within an existing rural settlement, and the nature and scale of the proposed development and its relationship with adjacent development and the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be generally acceptable, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, and would be acceptable in terms of design, visual and residential amenity, public health and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 17th day of February, 2025, 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 proposed 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 and to ensure an appropriate high standard of development.

3. (a) Prior to commencement of development, the developer shall submit, for the written agreement of the planning authority, drawings demonstrating that the required sightlines from the vehicular entrance can be achieved consistent with Section 12.24 (Accessibility and Sight Lines) of the Roscommon County Development Plan 2022-2028. Such plans shall outline any works required to achieve such sightlines and shall otherwise preserve existing roadside boundaries and mature trees in their present condition and the height of any roadside boundaries shall be limited to a maximum height of one metre to maintain adequate visibility.
- (b) The entrance gates to the proposed development shall be set back not less than 2.4 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.

Reason: In the interest of traffic safety.

4. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included in the site characterisation report and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

- (b) Treated effluent from the wastewater treatment system shall be discharged to a percolation area/polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the completion of the development, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.
- (d) The existing septic tank shall be decommissioned and removed in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

- 5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

6. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply.

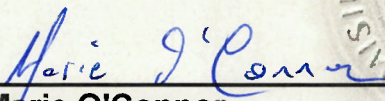
Reason: In the interest of public health and to ensure adequate water facilities.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 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. 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



Marie O'Connor

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 30 day of July 2025.