

Planning and Development Act 2000, as amended

Planning Authority: Roscommon County Council

Planning Register Reference Number: 24/60400

Appeal by Seamus Bennett against the decision made on the 29th day of September, 2025 by Roscommon County Council to grant subject to conditions a permission to Bord na Móna Energy Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development of a recreational shared cycle and walkway. The development proposes the following: (a) The delivery of a shared cycle and walkway on Bord na Móna lands. This will include the repurposing of 5,375 metres of existing former rail bed, 540 metres along existing bog headlands/former high fields, and 2,085 metres along pre-existing machine access routes. (b) The construction of car and/or bicycle parking facilities at a number of gateway locations along the proposed route and the provision of EV charging spaces at the Gateway locations. This will include: (i) one number Type 02 Gateway, (ii) two number Type 03 Gateways, (iii) two number Rest Points. (c) The Type 02 Gateway (RN-02-05) will include the provision of a gently sloped access route to the shared cycle and walkway, a walker totem and Type 02 modular pavilion feature. (d) The Type 03 Gateways (RN-03-03) and (RN-03-01) will include the provision of a walker totem and Type 03 modular pavilion feature. (e) The provision of thematic

experiences which will consist of: (i) An Acoustic Mirror feature at former narrow gauge rail line underpass 05-03 at road crossing RN-00-04, (ii) an Acoustic Sponge feature at former narrow gauge rail line underpass 05-02 at Gateway RN-03-03. (f) Upgrade works to three number agricultural crossings. (g) The decommissioning of the former narrow gauge rail line level crossing and provision of upgrade works at the local access road crossing RN-00-02. (h) The removal of two number existing containers and concrete slabs at the RN-03-03 Gateway. (i) The erection of wayfinding and interpretative signage at Gateway locations along the route. (j) Fencing and screening will be erected where required for health and safety and biodiversity reasons. This will include 3,224 meters of screening. (k) The implementation of Nature Based Drainage proposals at the Gateway locations to cater for surface water drainage at car park locations and (i) all other ancillary and associated site works, all on Bord Na Móna Lands within the Townlands of Meelick, Derrymoylin, Cuilbeg, Slattagh More, Dooslattagh, Caul, and Cloonmore, County Roscommon, as amended by the revised public notices received by the planning authority on the 5th day of August, 2025.

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

In coming to its decision, the Commission had regard to the following:

- (a) the Climate Action Plan (2025), in particular 7.3.2. Priority 2, Supporting the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial heritage assets,
- (b) the Northern and Western Regional Assembly Regional Spatial and Economic Strategy (RSES) policies,
- (c) the National Policy Framework, First Revision (April 2025), including, inter alia, National Policy Objective 3, Making a Just Transition - Peatlands, and National Strategic Outcome 3 in relation to Greenway/Blueway Network,
- (d) A Strategy for the Future Development of National and Regional Greenways (2018),
- (e) the EU Just Transition Fund Regenerative Tourism and Placemaking Scheme for Ireland's Midlands 2023-2026,
- (f) the Midlands Trail Network Toolkit,
- (g) the Roscommon Climate Action Plan (2024), and
- (h) the Roscommon County Development Plan 2022-2028, including, inter alia, Policies SO 13, RD 5.2, ED 6.9, ED 6.21, ED 6.22, ED 6.25, ED 6.28, ED 6.29, ED 6.30, NH 10.8, NH 10.16 NH 10.17, NH 10.31, ITC 7.26 and BH 9.13,

and the following matters:

- (i) the nature and scale of the proposed shared walkway and cycleway (a proposed section of the EU Just Transition and exchequer funded Midlands Trails Network) which would include the repurposing of rail-beds and machine access routes, and would provide indirect connectivity between two secondary hubs, namely Roosky and Termonbarry, through existing infrastructure,
- (j) the entirety of the documentation submitted by the applicant, including the Natura Impact Statement and the range of mitigating and monitoring measures proposed,
- (k) the submissions and observations made in connection with the planning application and the appeal, and
- (l) the reports and recommendation of the Inspector, including the evaluation in relation to Appropriate Assessment and the proper planning and sustainable development of the area.

It is considered that, subject to compliance with the conditions set out below, the proposed development would provide a safe cycle and walking route with appropriately scaled car parking provision at the proposed 'Gateways' extending the recreational opportunities for the local population and visitors to the area, would not have significant negative effects on the environment, or the community in the vicinity, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area, and would not interfere with the existing land uses in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European Sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Lough Ree Special Area of Conservation (Site Code: 000440), the Lough Ree Special Protection Area (Site Code: 004064), the Ballykenny-Fisherstown Bog Special Protection Area (Site Code: 004101) and the Lough Forbes Complex Special Area of Conservation (Site Code: 001818) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for these sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the Lough Ree Special Area of Conservation (Site Code: 000440), the Lough Ree Special Protection Area (Site Code: 004064), the Ballykenny-Fisherstown Bog Special Protection Area (Site Code: 004101) and the Lough Forbes Complex Special Area of Conservation (Site Code: 001818) in view of the Conservation Objectives for the sites. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the Conservation Objectives of the sites using the best scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

- (i) the site-specific Conservation Objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) the mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's Report in respect of the potential effects of the proposed development on the aforementioned European Sites. In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the Conservation Objectives of the sites and that there is no reasonable scientific doubt as to the absence of such effects.

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 23rd day of July, 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. The mitigation measures contained in the submitted Natura Impact Statement shall be implemented in full.
Reason: To protect the integrity of European Sites.

3. The mitigation measures contained in the Ecological Impact Assessment (EclA) report and Habitat Management and Enhancement Plan (HMEP) shall be implemented in full.
Reason: In the interest of protecting the environment and the protection of European Sites.

4. Prior to commencement of development, full details of the arrangements and boundary treatments for the closure of legacy accesses onto the N5 and for the creation of a timber post and rail enclosure and private access gates to lands adjoining the site to the west (drawing number BNM-DR-MTN-RN-0302-Rev D03) and boundary treatments along the route and at the gateways shall be submitted for the written agreement of the planning authority.
Reason: In the interest of orderly development and traffic safety.

5. Prior to commencement of development, the developer shall prepare in consultation with the relevant statutory agencies a Construction Environmental Management Plan (CEMP) incorporating all mitigation measures indicated in the Natura Impact Statement, the Ecological Impact Assessment (EclA) and accompanying application documentation. The CEMP shall include specific proposals with respect to the application of the proposed Ecological Restriction Zone and proposals as to how the CEMP will be measured and monitored for effectiveness, and it shall be placed on file prior to commencement of development and shall be retained as part of the public record.
Reason: In the interest of protecting the environment, the protection of European Sites, and in the interest of public health.

6. Prior to commencement of development, a Traffic Management Plan (TMP) shall be submitted to, and agreed in writing with, the planning authority. The TMP shall set out proposed measures and best practice to be implemented during the construction phase of the proposed development. The TMP shall address site access and egress, traffic management signage, traffic management speed limits, road cleaning, road conditions, and implementation of the TMP. It shall also include details of construction traffic routing, the number of trips generated for deliveries and collection of materials from the site, provision for a storage compound and parking provision within the site, wheel washing and measures of control of dust and other pollutant materials, the installation of which shall be the responsibility of the developer.

Reason: In the interest of orderly development.

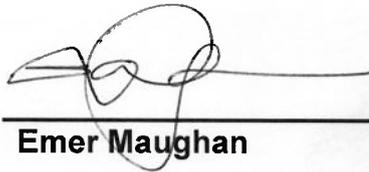
7. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a detailed Maintenance and Management Plan for the operation of the proposed development. The plan shall include a structure for community engagement with a dedicated Community Liaison Officer and details on the upkeep and management of the pathways, gateways, car parks and boundary treatments.

Reason: To ensure the continued management and maintenance of the proposed development to a satisfactory standard.

8. Archaeological monitoring, as described below, shall be carried out under the terms of a licence issued by the Department of Housing, Local Government and Heritage. The developer shall employ a qualified Archaeologist to monitor all groundworks associated with the proposed development. The Archaeologist shall be required to notify the Development Applications Units of the Department of Housing, Local Government and Heritage in writing at least four weeks prior to commencement of site preparations. This will allow the Archaeologist sufficient time to obtain a licence to carry out the work. The report of the archaeological monitoring shall include photographs of the area before, during and after monitoring has taken place, as well as detailed photographs of specific areas, as required. A key plan, clearly showing the location and direction from which photographs were taken, shall be included in the report (an annotated site location map will suffice for this purpose). Should archaeological material be found during the course of monitoring, the Archaeologist shall have work on the site stopped pending a decision as to how best deal with the archaeology. The developer shall be advised by the Development Applications Units of the Department of Housing, Local Government and Heritage with regard to any necessary mitigating action (e.g. preservation in situ or excavation) and shall facilitate the Archaeologist in recording any material found. The planning authority and the Development Applications Unit of the Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the monitoring.
- Reason:** To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

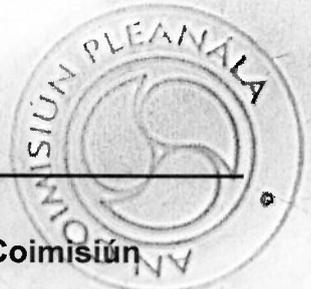
9. All accepted recommendations set out in the Stage 1/2 Road Safety Audit shall be implemented in full by the developer. On completion of the proposed development, a Stage 3 Road Safety Audit shall be completed by an independent road safety auditor, at the developer's expense, and shall be submitted for the written agreement of the planning authority. Any safety issues highlighted in the audit shall be reviewed and addressed by the developer at its own expense.

Reason: In the interest of road safety.



Emer Maughan

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



Dated this 4th day of March 2026.