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**Planning and Development Act 2000, as amended**

**Planning Authority: Roscommon County Council**

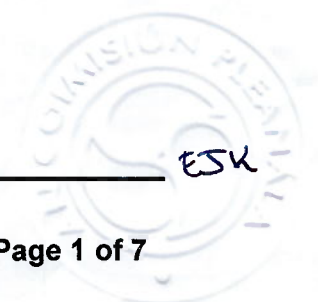
**Planning Register Reference Number: 259**

**Appeal** by Declan and Janette Kirrane against the decision made on the 16<sup>th</sup> day of October 2025 by Roscommon County Council to refuse permission for the proposed development.

**Proposed Development:** Permission to construct a dwelling house and domestic garage with connection to effluent treatment system together with associated site works on lands at Altore, Ballinlough, 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 Roscommon County Development Plan 2022-2028, to the nature and scale of the proposed development, and to the subject site which is located within Rural Policy Zone B (Remaining Rural Areas), it is considered that, subject to compliance with the conditions set out below, the proposed development would ensure that the countryside continues to play its role as a place to live, work and visit in accordance with Policy Objective CS 2.18, will ensure that private wastewater treatment plants are operated in compliance with the Environmental Protection Agency's Code of Practice for Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (2021), in accordance with Policy Objective ITC 7.46, and would be in accordance with rural house design considerations. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In disagreeing with the Inspector, the Commission were satisfied that the proposed development as amended by the further information will be sufficiently in accordance with the building types set out in Section 3.3 of the County Roscommon Rural Design Guidelines. Its scale in this rural location was not considered so excessive as to cause visual impact and failure to integrate into the surrounding landscape.

## 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 19<sup>th</sup> day of September, 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 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 dwelling 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) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.  
  
(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

**Reason:** In the interest of traffic safety and to prevent flooding or pollution.

4. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 19<sup>th</sup> day of September, 2025 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )” – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/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  $\leq 10$ )” – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/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.

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

5. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) The establishment of a hedgerow along the western and northern site boundaries with native hedgerow species interspersed with native trees at five metre intervals.
- (b) Any plants, trees or hedging which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

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

**Reason:** In the interest of public health and to ensure adequate water/wastewater 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. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interest of visual and residential amenity.

9. The proposed garage shall not be used for habitable or commercial purposes or any other purpose other than incidental to the enjoyment of the dwelling house.

**Reason:** In the interest of orderly development.

10. 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 Coimisiún 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.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**

Dated this *20th* day of *March*, 2026.

