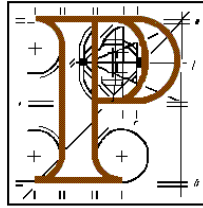


## An Bord Pleanála



## Inspectors Report

**Development:** Demolition and removal of house and outbuildings, construction of 4 no. houses and garages, new entrance onto N63 Galway Road, at Ardanagh Townland, Roscommon, Co. Roscommon.

### Planning Application

Planning Authority: Roscommon County Council  
Planning Authority Reg. Ref. PD/15/119  
Applicant: John & Niamh Keane  
Type of Application: Permission  
Planning Authority Decision: Grant

### Planning Appeal

Appellant(s): Basil & Margaret Gillooly  
Helen Handley

Observers: None

Type of Appeal: Third Party

Date of Site Inspection: 14/12/2015

**Inspector:** Gillian Kane

## **1.0.0 SITE LOCATION AND DESCRIPTION**

1.0.1 The subject site is located in the southern environs of Roscommon, on the eastern side of the N63 – Galway Road. With frontage directly on to the road, a single storey building in a dilapidated state has a number of smaller outbuildings to the rear (east). The remainder of the site is heavily overgrown, with ground level changes of c. 3m falling from a high point in the north-west corner to the lowest point in the south-east corner. The site boundaries comprise post and wire fencing in places and thick foliage in other places. On the date of the site visit, it was noted that a number of trees on the site had been felled.

1.0.2 To the north and south of the subject site are standard detached dwellings on relatively large plots. To the south and east of the site, a residential cul-de-sac accommodates a series of detached bungalows on large plots. The rail line runs to the rear (north-east and east) of the site.

1.0.3 Photographs and maps in Appendix 1 serve to describe the site and location in further detail.

## **2.0.0 PROPOSED DEVELOPMENT**

2.0.1 Permission was sought for the demolition of an existing dwelling (124sq.m.) and the construction of 4 no. detached dwellings with garages: House A: 385sq.m., House B: 290sq.m., House C: 251sq.m., House D: 258sq.m. (total GFA 1,184sq.m.), new entrance on to N63 Galway Road and all associated site works on a site of 0.7339ha.

2.0.2 Two letters of objection to the proposed development were submitted to the Council.

### **2.1.0 Reports on File following submission of application**

2.1.1 **Railway Safety Commission (RSC):** If permission is granted, the party undertaking work should consult with Iarnród Éireann regarding road-rail interfaces on access routes which may have increased flow or abnormal loads during the construction phase. Party should ensure future works are undertaken with consultation of Iarnród Éireann and in accordance with RSC Guidelines.

2.1.2 **Irish Water:** No objection subject to 2 no. conditions.

2.1.3 **Roads Section:** No objection subject to 5 no. conditions.

2.1.4 **Environment Section:** No objection subject to submission of a Construction Waste Management Plan and the carrying out of an asbestos survey.

2.1.5 **Housing Dept.:** Part V does not apply.

2.1.6 **Planning Report:** Proposed development is permitted in principle within the zoning objective. Proposed development complies with policies of the Roscommon Town LAP and the settlement policies of County Development Plan. Proposed layout is acceptable, with density of 5.4 units per ha. Notwithstanding that proposed public open space falls below the required 15% (0.11ha), the proposal is acceptable. All proposed dwellings are more than 22m from adjoining dwellings, so no overlooking will arise. Proposed House A is architecturally different to the rest of the houses and should be revised. Further information should be requested.

## 2.2.0 **Request for Additional Information**

2.2.1 On the 11<sup>th</sup> of June 2015, the applicant was sent the following AI request:

- 1 design statement for proposed development
- 2 revised drawings showing house A to be similar to other proposed houses.
- 3 details of proposed boundary treatments
- 4 details of surface water treatment
- 5 compliance with Part V
- 6 revised site layout plan showing proposed FFL of all dwelling houses and their garages at no more than 1m above the existing ground levels, or submit justification of non-compliance with analysis of relationship of proposed to existing dwellings.

## 2.3.0 **Response to Request for AI**

2.3.1 The Applicant responded to the AI request on the 4<sup>th</sup> August 2015, submitting a s96 Certificate of Exemption from Part V (item 5) and a design statement for the proposed development (item 1).

2.3.2 In response to the request to redesign House A (item 2) and address boundary details, the applicant stated that the Georgian style of House A is appropriate to the setting and therefore houses B,C and D were redesigned to be in keeping with House A – Drawing no.s JNK-PL-6A to 11A refer. Drawing no. JNK-PL-02B-A was submitted showing proposed boundary treatments (item 3).

2.3.3 In response to item 4 drawing no. JNK-PL-14A was submitted showing details of proposed surface water run-off.

2.3.4 In response to item 6, the applicant stated that the proposed FFL's were required to allow the foul sewer to flow by gravity to the existing public sewer and have a self-cleaning velocity. The applicant noted that the alternative was a pumping station which is not ideal from a maintenance perspective. The submission stated that the proposed southern boundary would comprise a 1m high wall, screened with native trees.

2.3.5 The submission of further information was re-advertised in August 2015.

2.3.6 Two objections to the revised proposals were submitted to the Planning Authority.

#### **2.4.0 Reports on File following submission of AI**

2.4.1 **Planning Report:** The revised house designs and boundary treatments are considered acceptable. Policy 4.37 of the county development plan and objective 28 of the Roscommon Town Plan seeks to minimise the provision of new sewerage pumping stations and therefore proposed rise in site levels is acceptable. Recommendation to grant permission.

#### **3.0.0 PLANNING AUTHORITY DECISION**

3.0.1 By order dated 14/09/15 a notification of decision to GRANT permission subject to 11 no. standard conditions.

#### **4.0.0 RELEVANT PLANNING HISTORY**

4.0.1 **06/1870** Outline planning permission was granted for the demolition of dwelling house and construction of 5 no. detached dwellings.

4.0.2 **07/2134** Permission granted to extend reg. ref. 06/1870 to 20/112018.

4.0.3 **PL20.229101** (Planning Authority reg. ref. 07/2134) Permission consequent on the grant of outline planning permission sought for the demolition of dwelling on site and construction of 5 no. dwellings. Granted on appeal to An Bord Pleanála. Conditions of note include:

2. The proposed house on site number 5 shall be omitted. A proposal for a bungalow-style house on this site may be the subject of a future application for planning permission. **Reason:** It is

considered that the proposed two-storey house on site number 5 does not comply with the terms of condition number 1 of the outline permission (planning register reference number 06/1870) which required the development to be carried out in accordance with the plans and particulars submitted to the planning authority on the 6th day of December, 2006.

3. The layout of houses numbers 1 and 2 shall be revised so that private amenity space is provided at the rear of these houses. Revised drawings showing compliance with this requirement shall be submitted to the planning authority for agreement prior to commencement of development. **Reason:** In the interest of the residential amenity of future occupants.

7. Details of all proposed boundary treatments shall be agreed in writing with the planning authority prior to commencement of development. In the case of boundary treatment along the eastern boundary of the site, the proposed treatment shall be in accordance with drawing number 11 submitted to the planning authority on the 14th day of March 2008 and, in particular, with the proposed boundary treatment indicated on Section X-X of that drawing which indicates the provision of a 1.8 metre high close boarded fencing, semi-mature tree planting, embankment planting and the construction of a one metre high retaining wall at lower ground level. **Reason:** In order to protect adjoining residential amenities.

## **5.0.0 LOCAL POLICY**

### **5.1.0 ROSCOMMON COUNTY DEVELOPMENT PLAN 2014-2020**

5.1.1 Roscommon Town is designated as a Tier 1 settlement in the settlement strategy of the development plan. It is the policy of the development plan to 'consolidate existing settlements in the county so that a clearly defined hierarchy of settlements allow for sustainable growth. **Core Policy 2.6** seeks to ensure that the character and vitality of established town and village centres and rural areas are maintained and enhanced, that quality of concept and design underpins all new development and that a sense of place and local distinctiveness is established in new development areas.

### **5.2.0 Roscommon Town Local Area Plan 2014- 2020**

5.2.1 A strategic aim of the LAP is to 'consolidate residential and economic development in the area, and ensure the development of a high quality built environment with a well developed public realm'. Section 5 of the LAP states that the plan will follow a sequential approach to new residential development. The subject site is zoned

Existing Residential in the LAP. Residential development is permitted in principle in such zones. The objectives for the zone are as follows:

- Protect and enhance the residential amenities of existing and new residential communities and provide a high level of services within walking distances of residential developments.
- Provide for infill residential development at a density and design appropriate to the area and needs of the community.
- Provide for new and improved ancillary social and community services.
- Improve accessibility from these areas to town centres.
- Provide for the appropriate retail facilities in addition to local community and social facilities for the immediate community.
- Require the inclusion of appropriate open spaces in development in this zone.

5.2.2 Section 7.13.2. of the LAP outlines the Council's residential development strategy. It states that the Urban Development Strategy aims to

- Secure the proper planning and development of the area by ensuring that there is adequate zoned land in appropriate locations available for housing.
- Consolidate residential development in the area and minimise further ribbon development.
- Limit new development in areas where necessary physical infrastructure (public sewerage, water supply, public street lighting, public footpaths) and social infrastructure including, but not limited to, schools and community facilities are unavailable.
- Seek an acceptable balance and mix in the provision of social/affordable and private housing in order to promote an appropriate social and demographic balance.

5.2.3 Policies to achieve these objectives include:

**Policy 105** Require that new residential accommodation meets the following:

- High standards of design and necessary standards of energy consumption, sanitation and;
- Avoids developing on floodplains;
- Avoids traffic or environmental problems or damage to visual amenity;
- Incorporates suitable infill development on appropriate sites; and
- Avoids further ribbon development along roads within the development envelope and immediately contiguous thereto.

**Policy 110:** Identify and facilitate the development and renewal of obsolete areas, derelict sites and derelict buildings in a manner appropriate to the area, including the completion of unfinished residential estates

**Objective 103:** Assess and ensure that all proposals for housing developments comply with the *Sustainable Residential Development in Urban Areas*, DEHLG, May 2007, and the *Urban Design Manual: A best practice guide*, December 2008, as well as the Development Management Guidelines and Standards included in this Chapter and in Chapter 9 of the Roscommon County Development Plan 2014-2020.

5.2.3 Urban Design policies include:

**Policy 112:** Promote character in 'townscape' and landscape by development that responds to and reinforces local distinctive patterns of development, landscape and culture.

**Objective 104:** Require designers to identify and recognise the essential elements of quality which determine the character of an area and then reinforces, or develops it in the proposed development.

**Policy 113:** Promote the continuity of street frontages and the enclosure of space by development, which clearly defines private and public spaces and has a hierarchy of private, semi-private and public open spaces.

**Objective 105:** Require designers to demonstrate that the proposed development has continuity and enclosure of spaces, and that public and private spaces are defined.

**Policy 123:** Ensure that a high standard of design is incorporated into residential developments through careful consideration of the layout to facilitate pedestrian safety and restrict vehicular traffic speeds.

**Policy 124:** Ensure that developments are appropriately designed in terms of their form, density, size and dwelling types within residential areas, such that they contribute to the built character of the area.

**Policy 126:** Ensure high quality in the design of buildings and promote the development of buildings that are accessible, that integrate well with and complement surrounding buildings and landscape, and are energy efficient and sustainable.

5.2.4 Regarding **infill development section 8.3.5** states that infill development must have due regard to the predominant existing uses, building lines and heights, design features, as well as the

existence of particular features such as built heritage, trees and open spaces. Proposals for infill development must demonstrate how they will integrate satisfactorily with the adjoining developments, without loss of amenity.

5.2.5 **Section 8.3.10** outlines the development management standards for new residential development. Regarding design statements, it states that to prevent the negative impacts on quality of life and the natural and/or built landscape associated with poor residential design, design statements justifying design proposals will be required to accompany applications for two or more houses. This must address the visual integration of the proposals in terms of design, siting and materials. Pedestrian access ways must also be addressed. Requirements for contents of design statements and landscape statements are contained in **section 8.2.4 and 8.2.5** respectively.

## 6.0.0 **GROUNDS OF APPEAL**

6.0.1 Two third party appeals against the Council's decision were received.

### 6.1.0 **Basil & Margaret Gillooly**

6.1.1 The appellants property is located to the immediate east of the subject site, adjoining the eastern boundary of the site. The grounds of the appeal can be summarised as follows:

6.1.2 The proposed development ignores the conditions of the An Bord Pleanala decision. A two storey dwelling has been proposed on site no. 4, despite the Board requiring a single storey dwelling on that part of the site. It is stated that the proposed dwelling has a FFL of 52m which is 2.08m above the FFL of the appellants dwelling. It is submitted that this will affect the privacy of the appellants home through overlooking, shading from the building and the high boundary wall, devaluation and possible flooding.

6.1.3 It is submitted that the Applicants response to the Councils request to revise the FFL's of the proposed dwellings is inadequate for the following reasons:

- No cross sections through the site submitted
- No site layout showing FFL of existing houses
- Justification with analysis of relationship with house to the south not submitted



- The proposed FFL of house no. 4 is 1.4m over ground level which contravenes the An Bord Pleanála request to restrict to no greater than 1m over ground level.
- It is submitted that a single macerating pump at each proposed dwelling would address the height required to be above the gravity sewer. This would allow the proposed house to be redesigned to be single storey and no greater than 1m above ground level.
- The proposed garage on site no. 4, with a FFL of 1.8m higher than and only 12m from the appellants dwelling, will cause overshadowing of the appellants house. The proposed garage should be relocated to the south-western corner of the site.
- It is submitted that the details of the proposed boundary treatments for site no. 4 are unclear. It is submitted that a tree & planter boundary will be insufficient to prevent access and that a wall / fence of 1.8m on both sides of the boundary is required.

6.1.4 It is submitted that the considerations of An Bord Pleanála were not taken into account and that whilst zoned land will be developed, the proposed development does not integrate with the surrounding area. The Bord is requested to refuse permission.

## **6.2.0 Helen Handley**

6.2.1 The appellant lives to the immediate south of the subject site. The grounds of the third party appeal can be summarised as follows:

6.2.2 The application does not show the relationship of the proposed dwellings with the existing dwellings. It is stated that house type A will require cut & fill of the site, that the proposed dwellings are 12m from the appellants boundary and 42m from the appellants house and rear windows. It is stated that the proposed dwellings and garage will be between 1.5m and 1.2m above ground level at a distance of only 2m of the existing boundary.

6.2.3 It is submitted that a gravity fed sewer should start at the highest point of a site and not the lowest as is shown in the subject proposal. Detailed sections of the pipework should have been requested by the Planning Authority. It is stated that if a new manhole is provided, the service road could be relocated to the south of the south allowing all the proposed dwellings to be built on the higher ground of the site and to be serviced by a gravity fed sewer. The resultant green space will be more than 15% of the site

and an improvement on the proposed open space. It is noted that this proposal was brought to the attention of the Planning Authority.

- 6.2.4 Proposed House type C, with a study, toilet and other rooms overlooks the appellants bungalow. The proposed kitchen and dining room with patio (1.5m above ground level) will directly overlook the appellants rear garden. It is submitted that the house types are not in keeping with the pattern of development in the area in terms of design and size. Insufficient boundary details and site cross sections have been submitted. House type A ignores the established building line.
- 6.2.5 It is submitted that due to ground levels and the height of the proposed dwellings and garages, a 3.5m high boundary will be required to prevent overlooking of the appellants home.
- 6.2.6 The proposed development does not comply with the Roscommon LAP as it does not protect or enhance the residential community to the south of the subject site, the proposed public open space is less than the required 15% and 22m separation distance is insufficient where there are such differences in ground levels.
- 6.2.7 The appellant states that propose house type A is out of keeping with the dwellings in the area, is too large and on too small a plot. Proposed house types B,C and D should be reduced in size. All proposed houses should be re-designed to reflect the fact that there is no Georgian architecture in the wider area.
- 6.2.8 The Board is requested to refuse permission.

## **7.0.0 RESPONSES**

### **7.1.0 Planning Authority Response**

7.1.1 No further comment subject to planning report on file.

### **7.2.0 Response of First Party to Third Party Appeals**

7.2.1 The first party note that permission for 5 no. houses on the site exists until November 2018 and that the principle of new residential development on the site has been established with a number of planning permissions. The lands are zoned for residential development and the proposed development complies with the Roscommon LAP.

7.2.2 The subject site is surrounded by various types and styles of residential development, with no predominant architectural style.

7.2.3 It is submitted that issues of overlooking / overshadowing were addressed during the design process and design statement. The siting of the dwellings on the southern / lower side of the site reduces the visual impact. The separation distances (23.9m to 45.1m) between the proposed and the existing dwellings are in excess of the minimum standard of 22m. House type D on site no. 4 has no habitable rooms overlooking the eastern boundary. The Board is requested to consider the relocation of House no. 4, 3m northwards, the lowering of the FFL of garage no. 4 to 50.7m and the garden to 50.5m as shown on drawing no. JNK-PL-02B. House type A is set back from the main road and will be accommodated within existing mature vegetation. Two storey houses were chosen for the remainder of the site for energy conservation. The FFL of the eastern end of the service road and House no. 4 are 0.5m and 0.1m lower than in PL20.229101.

7.2.4 A sewage pumping system could be installed on the subject site, with the risk of non-performance. The proposed system can be taken in charge on completion. Hard standing surface water will be discharged to a positive surface water drainage system. The proposed interceptor drain along the southern and eastern boundaries will prevent flow onto adjoining properties. Consequently the risk of flooding from the proposal is very small.

7.2.5 Drawing no. JNK-PL-02B(A) shows proposed internal and external boundary treatments. The maintenance of existing trees and hedges will result in little visibility of the proposed development.

### **7.3.0 Response of Appellants B&M Gillooly to submission of First Party**

7.3.1 None of the issues raised in the third party appeal have been addressed. Cross sections of the site showing the impact on the appellants property have not been submitted. Floor levels of existing dwellings around the site have not been shown on the revised proposal. The condition of An Bord Pleanála to omit the dwelling and replace with a single storey bungalow on site 4 in the previous permission should be attached to any future grant of permission. The overshadowing of the appellants dwellings by a two storey dwelling 2m above the appellants dwelling at a distance of only 23.9m has not been addressed. The argument of carbon footprint for proposing a two storey dwelling is not accepted. It is

submitted that a private pump sump at the rear of house no. 4 would pump to a manhole at the entrance to the site and then flow by gravity to the outfall on the N63. The pump would remain in the ownership of the site. The appellants request that the garage on site no. 4 be relocated has not been addressed. Photo from the rear of the appellants dwelling submitted with the response.

**7.4.0 Response of Appellant Helen Handley to submission of First Party**

7.4.1 Previous planning permissions on the site did not propose houses significantly larger than those in the area. No development on foot of the previous permission has taken place to date. All development in the area has been in keeping with the size and scale of existing development. The proposed development of two storey dwellings does not consider the predominance of single storey dwellings in the area.

7.4.2 The proposed dwellings should all be located on the northern side of the site and should be no higher than 300mm above ground level. Proposed house A is out of scale with the pattern of development in the area and breaks the established building line. The installation of individual sumps & pumps for each site should be considered. The proposed surface water system is as susceptible to failure as the sewage system.

7.4.3 The proposed boundary treatment details on drawing no. JNK-PL-02B(A) are not sufficient.

7.4.4 The appellant accepts that development will occur on the subject site but requests that it be done in a manner sympathetic to the existing residential dwellings to the south. The Board is requested to consider the negative impact of proposed house A, the overlooking from houses B,C and D and to refuse the proposed development as it currently exists.

**8.0.0 OBSERVATIONS**

8.0.1 None on file.

## **9.0.0 ASSESSMENT**

9.0.1 On reading of all documentation submitted with the appeal, I consider the issues to be:

- Principle of the proposed development
- Impact on amenity of adjoining properties.
- Design statement
- Proposed drainage of subject site
- Appropriate assessment

### **9.1.0 Principle of the proposed development**

9.1.1 Roscommon is a Tier 1 settlement in the settlement hierarchy of the county development plan. The subject site is zoned 'Existing Residential' in the Roscommon LAP, within which residential development is permitted in principle.

9.1.2 The principle of residential development on the subject sites has been established in the previous planning history. Subject to compliance with the development management standards of the development plan and the LAP, the principle of proposed development is acceptable

### **9.2.0 Impact on amenity of adjoining properties**

9.2.1 One of the concerns of the third party appellants is the impact of the differences in ground level between the subject site and their bungalow homes. The appellants state that this would be exacerbated by the construction of a large two storey dwelling.

9.2.2 As noted above, permission consequent on a grant of outline permission (PL20.229101 reg. ref 07/2134) was granted by the Board in 2008. The development proposed 5 no. houses, 2 no. facing the road (in the place of the currently proposed house type A) and three houses along the southern boundary. As noted by the third party appellants, condition no. 2 of the Boards decision required that the dwelling on site no. 5 (which correlates to site no. 4 of the subject proposal) be omitted and that permission could be sought for a single storey dwelling on that part of the site in the future. The Boards direction, in justifying this condition, noted that the outline permission (reg. ref 06/1870) had indicated that site no. 5 would accommodate a single storey dwelling.

9.1.2 The subject site slopes from a high point in the north-western corner (53.482m) to the lowest point in the south-eastern corner

(50.131m). As noted by the appellants no ground levels of the adjoining sites have been given on the submitted plans. Nor were any cross sections of the site submitted.

- 9.1.3 The applicant has indicated that the development is concentrated on the southern side of the site as the lower ground levels will reduce the visual impact of the proposal. The third party appellants Gillooly, whose dwelling lies to the immediate east of the subject site state that the FFL of their dwelling is 49.92m, approx.2m lower than the FFL of house D on site no. 4. House D is a two storey dwelling with an overall height of 8.7m. The revised proposal submitted to the board on 05.11.15 moves house D on site 4 approx. 3m northwards, increasing the separation distance between house D and the Gilloolys to 23.9m and 25.3m. Drawing no. JNK-PL-02B shows a series of boundary treatments between the two dwellings: a 1m high retaining wall with a concrete post & panel fence on top and a 1.8m high block wall. It is considered that the separation distance and proposed boundary treatments are insufficient to ameliorate the impacts of a dwelling approx. 10m higher than the existing bungalow. There are 6 no. windows proposed on the rear elevation of house D, which would cause overlooking of the Gillooly property and would significantly reduce the residential amenity of the rear garden and habitable rooms to the rear of the appellants dwelling. A degree of overlooking is to be expected in an urban area, however it is considered that the proposed house type D on site no. 4, would unduly and adversely affect the residential amenity of the bungalows to the south.
- 9.1.4 The installation of a private pump & sump to the rear of house D may facilitated the lowering of the house somewhat. However I am not satisfied that this would resolve or remove all of the adverse impacts of the proposed dwelling. The scale, mass and bulk of the dwelling coupled with the ground level differences is such that the perception of overlooking would remain, negatively impacting on the residential amenity of the existing dwelling.
- 9.1.5 Should the Board decide to grant permission, house type D on site no. 4 should be omitted. The option of applying for a single storey dwelling on site no. 4 could be added to the condition.
- 9.1.6 Proposed House type C and the garage on site no. 3 have a FFL of 52m and 51.7m respectively. The bungalow of the third party appellant Handley, to the immediate south, is stated to be approx. 50.5m (1.5m lower than the FFL of house type C). House type C

has an overall height of approx. 8.9m and is proposed to be 45m from the rear of the Handley dwelling. Drawing no. JNK-PL-02B shows a 1m high retaining wall with concrete post & panel fencing and the retention of existing vegetation along the boundary between the two sites. It is considered that these two elements in conjunction with the landscaping in the appellants property are sufficient to prevent overlooking of the appellants property.

## **9.2.0 Design Statement**

9.2.1 In response to the Planning Authority's request for further information, the design of house types B, C and D were revised to match that proposed for House A. While the design of the dwellings is unremarkable, the scale of the houses in comparison to the pattern of development in the wider area is notable. The dwellings range in size from 385sq.m. (house A), 290sq.m. (house B), 250sq.m. (house C) and 258sq.m. (house D), which is significantly larger than the mostly single storey dwellings surrounding the site. The site at 0.7ha is large enough to accommodate the dwellings, however a greater attempt to soften the visual impact of the development from the N63 Galway Road should be required. The applicant has indicated that a 0.6m high block wall shall form the roadside boundary and entrance to the site. In the interests of visual amenity, should the Board decide to grant permission, landscaping proposals for the western / roadside boundary should be requested.

## **9.3.0 Proposed drainage of subject site**

9.3.1 In response to a request to lower the FFL of the proposed dwellings, the applicant indicated that the proposed use of a gravity fed sewer – in place of a pumping station - on the subject site required the FFL levels of the dwellings to be at the proposed levels.

9.3.2 I note section 4.3.1 of the development plan which outlines the Council's policies on wastewater. Policy 4.33 states that permission for new pumping stations not already envisaged in LAPs will only be given in exceptional circumstances and that development shall be phased in such a way as to allow only areas to be developed which can connect by gravity to the public sewer. Policy 4.37 seeks to minimise the provisions of new pumping stations.

9.3.3 I note that no objection to the proposed drainage system was raised by the relevant departments of the Council. The proposed

system is considered acceptable and in keeping with the policies of the LAP.

**9.4.0 Appropriate Assessment**

9.4.1 Having regard to the nature and scale of the proposed development, the nature of the receiving environment, and or proximity to the nearest European site, no appropriate assessment issues arise and it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

**10.0.0 RECOMMENDATION**

10.0.1 I have read the submissions on file, visited the site, and have had due regard to the provisions of the Roscommon County Development Plan 2014 - 2020, Roscommon Local Area Plan 2014 -2020 and the planning history of the site. Having regard to the above, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with principles of the development plan, would not injure the amenities of the area and would be in accordance with the proper planning and sustainable development of the area. I recommend permission be GRANTED subject to the following conditions:

**11.0.0 REASONS AND CONSIDERATIONS**

11.0.1 Having regard to the residential zoning of the subject site, the planning history of the site and the policies and objectives of the County and local development plans, it is considered that the proposed development would not unduly injure the amenities of property in the vicinity, would be consistent with the policy of the planning authority regarding the development of the town centre and would accord with the proper planning and sustainable development of the area.

**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 submitted on the 11th day of August 2015 and by the further plans and particulars received by An Bord Pleanála on the 5th day of November, 2015, 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 proposed house on site number 4 shall be omitted. A proposal for a bungalow-style house on this site may be the subject of a future application for planning permission.

**Reason:** It is considered that the proposed two-storey house on site number 4 would result in an adverse impact on the residential amenity of the dwellings to the south-east by reason of overlooking.

3. Details of all proposed boundary treatments shall be agreed in writing with the planning authority prior to commencement of development, with particular emphasis on the eastern and western boundaries. In the case of boundary treatment along the eastern boundary of the site, the proposed treatment shall be in accordance with drawing number JNK-PL-02B submitted to An Bord Pleanála on the 5th day of November 2015 and, in particular, with the proposed boundary treatment on the eastern boundary which indicates the provision of a 1m high retaining wall with concrete post and panel fencing, 1.8m high block wall plastered both sides and capped. This boundary treatment shall take place whether or not an application is submitted for further development on site no. 4

**Reason:** In order to protect adjoining residential amenities.

4. 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 provide for the establishment of a hedgerow along the eastern boundary of the site. Any plants 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.

5. Prior to the commencement of development the developer shall consult with Iarnród Eireann to ensure that the all works are

undertaken in accordance with RSC Guideline RSC-G-010-A (Third Party Guidance on Railway Risk)

**Reason:** In the interest of Rail Safety

6. Water supply and drainage arrangements, including the 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 public health and to ensure a proper standard of development.

- 7 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 interests of visual and residential amenity.

- 8 Proposals for an estate/street name, house and apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

**Reason:** In the interests of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

- 9 The open spaces shall be developed for, and devoted to public use. They shall be kept free of any development and shall not be incorporated into house plots.

**Reason:** In order to ensure the development of the public open space areas, and their continued use for this purpose.

- 10 The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer.

**Reason:** In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

- 11 Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

- 12 Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interests of sustainable waste management.

- 13 The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

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

- 14 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 the

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.

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**Gillian Kane**  
**Planning Inspector**  
**15/01/16**