



An
Coimisiún
Pleanála

Inspector's Report ABP-320904-24

Development

Planning permission for landscaping and permission for retention of change of use of previously granted built elements for storage, repository and logistics uses, elevational changes to previously granted buildings and permission to retain new buildings/structures on a site area of 2.2 hectares.

Location

Athlone Road, Dolanstown,
Ballydangan, Co. Roscommon

Planning Authority

Roscommon County Council

Planning Authority Reg. Ref.

24/60313

Applicant(s)

Greene's Forge Ltd.

Type of Application

Planning permission and permission for retention.

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party v Decision

Appellant(s)

Greene's Forge Ltd.

Observer(s)

None

Date of Site Inspection

6th day of March 2025

Inspector

Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The subject site is located at Dolanstown, Ballydangan, County Roscommon, a rural area located approximately sixteen kilometres west of Athlone and approximately eleven kilometres east of Ballinasloe. The appeal site accesses directly onto the R446 (formerly the N6), and which runs parallel with the M6 Motorway, located further south and east of the subject site. To the north, east and west of the appeal site are agricultural lands. The site entrance is splayed and has a controlled access sliding gate directly onto the adjoining regional route. There is a dedicated turning land into the site from the east (Athlone) side.
- 1.2 The appeal site has a stated site area of 2.2 hectares and comprises four commercial buildings (Blocks A-D), with an internal access road and formal car parking area to the front of Blocks A, B and C which are either black topped or concreted and the areas to the rear (north and north-west) of the site where the external storage containers are located and in the vicinity of Block D comprise a hardcored surface.

2.0 Development

- 2.1 The proposal is seeking planning permission and permission for retention of the following:
- Planning permission for hard and soft landscaping
 - Permission for retention of the following:
 - Change of use of previously granted built elements for storage, repository and logistics uses
 - Elevational changes to previously permitted buildings and new buildings/structures on a site area of 2.2 hectares.
 - Retention permission for change of use of Block A (1,292 square metres) Unit 1 within Block A as a storage repository for the supply of goods and Unit 2 as a storage, distribution and training facility and associated yard area.

- Block B (839 square metres), a self-storage and repository facility and associated 53 no. external self-storage containers with an area of 779.1 square metres.
- Block C (159.99 square metres) a non-demolished structure under planning reference number 06/275 providing storage repository uses.
- Permission to retain Block D (450 square metres) for storage repository uses.
- Retention permission for a number of elevational changes to previously approved building (Block B)
- Permission to retain internal circulation areas, road and parking layout, all boundary treatments including the main entrance gate and front boundary wall, ancillary site services above and below ground.

2.2 The site is stated to be served by a connection to the public watermain and by an on-site wastewater treatment system. Surface water outfall is stated to comprise on-site soakpits.

3.0 Planning Authority Decision

3.1 Notification of a decision to refuse permission for the retention of the development was issued by the Planning Authority on the 30th day of August 2024 for one reason as follows:

- 1 Having regard to the nature and scale of the development and the uses which are proposed to be retained (as per the descriptions of development activity as set out within the planning documentation), the Planning Authority does not consider that the subject development as proposed to be retained constitutes either small scale or rural based indigenous activity as required under the provisions of Section 6.3 of the Roscommon County Development Plan 2022-2028., nor does it represent diversification in the indigenous rural based economic sector. The subject development represents a significant departure from the permitted economic origins of the development as an agricultural co-operative to provide facilities and uses which are not related to the rural area and would be more appropriately located on serviced, zoned lands. The proposed development is, therefore, contrary to Economic Policy Objectives

ED 6.9 and ED 6.10 and Core Strategy Policy Objective CS2.3 of the Roscommon County Development Plan 2022-2028-Volume 1 and is, accordingly, contrary to the proper planning and sustainable development of the area.

4.0 Planning History

The relevant planning history pertaining to the site is considered to include the following:

PA ref. No. 05/80-Permission granted for the demolition of an existing agricultural co-op and store and construction of a serviced co-op and store including the relocation of the existing access.

PA ref no. 06/275-Permission granted for demolition of existing agricultural related stores and construction of serviced agricultural stores to include garden store, feed store, tyre store and machinery store and associated parking.

PA ref. no 08/181-Permission granted for the construction of a hard surfaced area and permanent fencing for the storage of cars.

PA ref. no. 08/1415-Permission granted for alterations to plans permitted under 05/80 including internal layout changes, alterations to elevations and external finishes. Permission for development of first floor area for storage purposes.

PA ref. 15/149-Split decision. Granted permission for retention of erection of new security fencing along perimeter boundaries of site and refusal of permission for retention of previously erected security fencing and associated site works.

Planning Enforcement

UDR.2709-A warning letter issued in March 2022 and the Planning Authority state that enforcement proceedings are underway in relation to the following uses/works and development:

- Block A is not being used for agricultural purposes, contrary to condition number 3 of PA ref. no. 08/1415

- Block D to the rear of the site does not have the benefit of planning permission.
- Unauthorised external storage containers on site.
- Block B was not constructed within the permitted time frame.
- New entrance from the site onto the R446.

The Planning Authority stated that the applicants have addressed the issue of the unauthorised access to the site but that the remaining unauthorised structures and uses have not been regularised to date and the enforcement case remains open and active.

5.0 Policy and Context

5.1 Roscommon County Development Plan 2022-2028.

Chapter 2: Core Strategy:

Policy Objective CS2.3-Direct growth towards designated settlements, subject to the availability of infrastructure and services as far as practicable.

Section 2.9 Economic Development: The direction and underlying principles of this Core Strategy are consistent with the national and regional economic policy set out in the *NPF* and *RSES*, in that it advocates that future growth should take place on a sustainable platform that concentrates development in local and regional centres of growth where there is capacity to accommodate significant development, in a consolidated urban environment.

Chapter 6 Economic Development

Section 6.3-Role of Rural Roscommon- This Plan seeks to accommodate proposals for small scale enterprise in rural areas, including the suitable expansion of existing facilities, subject to relevant planning considerations, including demonstration that the nature of the activity is appropriate to the rural area and evidence that it cannot be accommodated on zoned land in the towns within the county.

Policy Objective ED 6.2- Promote the co-ordinated alignment of population and employment in designated growth towns, providing for natural increases and to

enable towns to become more economically self-sustaining, in line with the quality and capacity of public transport services and infrastructure available.

Policy Objective ED 6.9-Support the development of rural resourced based industries in rural areas, subject to compliance with appropriate planning and servicing requirements.

Policy Objective ED 6.10-Facilitate proposals for new small-scale rural enterprises or extensions to existing small-scale rural based, indigenous activity, subject to compliance with appropriate planning and servicing requirements.

Policy Objective ED 6.11-Facilitate new commercial uses for vacant or derelict buildings, including buildings in rural areas, subject to compliance with appropriate planning and servicing requirements.

5.2 Natural Heritage Designations

The River Shannon Callows SAC (site code 000216) is located approximately 4.2 kilometres east of the appeal site. The River Suck Callows SPA (site code 004097) is located approximately 8.1 kilometres west of the subject site. The Castlesampson Esker Special Area of Conservation (site code 001625) is located approximately 5.1 kilometres north of the subject site. The Ballynamona Bog and Corkip Lough Special Area of Conservation (site code 002339) are located approximately 8.5 kilometres north of the subject site. The Killeglan Grassland Special Area of Conservation (site code 002214) is located approximately nine kilometres north-west of the subject site. The Pilgrim's Road Esker Special area of Conservation (site code 001776) is located approximately 9.8 kilometres south-east of the subject site. Mongan Bog SAC (site code 000580) and Mongan Bog SPA (site code 004017) are located approximately 7.9 kilometres south-east of the subject site. The issue of appropriate Assessment is addressed in greater detail within Section 8 of this report below.

The Cranberry Lough pNHA (site code 001630) is located approximately 2.88 kilometres west of the subject site.

5.3 Environmental Impact Assessment-Preliminary Screening

Please see Appendix 1 at the end of this report. Having regard to the nature and scale of the development which seeks to retain changes of use within a number of structures on site and to retain a number of unauthorised structures and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the development.

5.4 WFD Screening: The nearest water body to the appeal site is the River Shannon which is located approximately 4.2 kilometres east of the subject site.

The development seeks permission for hard and soft landscaping proposals and permission for retention of repository and commercial uses within Blocks A and B and permission for retention of structures and repository uses within Blocks C and D and open storage containers within an overall site area of 2.2 hectares. The detailed development description is set out within Section 2.0 of my report above.

Surface water discharge is stated to be to soakpits.

I have assessed the planning documentation and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Having regard to the relatively minor scale and nature of the development sought to be retained.
- The separation distance between the appeal site and the nearest watercourses.
- The on-site surface water management proposals.

Conclusion

I conclude that on the basis of objective information, the development will not result in a risk of deterioration on any water body (groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

6.0 The Appeal

6.1 Grounds of first-party appeal

Principle of Development:

- The retention of the Ballydangan Enterprise Park is aligned with national, regional and local planning policy.
- The National Planning Framework (NPF) within NPO 21 provides for 'diversification of the rural economy into new sectors and services'.
- The NPF recognises the need to support small and medium sized enterprises in rural areas, including those not involved in traditional agricultural activities.
- The site is located outside of the 'Areas under urban influence' as set out within the Core Strategy within the Roscommon County Development Plan 2022-2028.
- The Regional Strategy for the Northern and Western region seeks to diversify and strengthen its rural areas as they transition from the more traditional activities towards a more broadly based mix of economic activities, sufficient to underpin long term self-sustaining local communities.
- The Roscommon County Development Plan 2022-28 provides a narrow focus for rural resource-based activities.
- Policy objective CS 2.3 seeks to direct growth towards designated settlements and Policy objective CS 2.18 seeks to ensure the countryside continues to play a role as a place to live, work and visit and that appropriate development is facilitated having careful regard to the carrying capacity and environmental sensitivity of the rural area.

- Policy objective ED 6.9 supports the development of rural resource-based industries and policy objective 6.10 seeks to facilitate proposals for new small scale or extensions to existing small scale, rural based, indigenous activity.

Response to PA's Refusal Reason

- The PA's interpretation of 'rural resource-based industries' does not take account of the broader spectrum of rural enterprise that are recognised at a higher level within national planning policy.
- The PA have focused their assessment on a small number of customer testimonials submitted as part of the planning documentation rather than assessing the basic principle of a repository land use being acceptable at this location.
- The refusal of planning permission by the PA is based on an overly narrow focus on 'rural resource-based activities' and 'rural based indigenous activity' which does not reflect the broader scope of rural economic diversification and enterprise.
- Self-storage plays an important role in meeting the needs of rural small and medium enterprises by offering a flexible, scalable and affordable alternative to traditional warehousing, which is often financially unviable for smaller enterprises.
- The PA's assertion that activities on site are not rural resource based is a misunderstanding of the nature of the subject development and the broader context of rural enterprise.
- Traditionally co-operatives were involved in storage and distribution activities, often importing goods from beyond the rural area to serve the local area. Such goods may not be generated from the local agricultural area but are brought in to benefit rural communities and economic activity.
- There are a wide variety of businesses that exist in the rural locality surrounding the subject site.
- Rural economies are reliant on services and businesses that may not be traditionally agricultural or rural resource based, and which may not be generated from the local rural area.

- There is as much a requirement for storage services in rural areas as there is in urban settlements, to meet the needs of rural households and rural enterprises.
- Roscommon County Council consider that the use of the land for which permission for retention is sought is not appropriate to this rural area.
- However, there are a number of commercial businesses located further along the R446 and many of these have no direct link to agriculture or other rural resource-based activities.
- Urban areas face increasing land use pressures, traffic congestion and emissions. It would not be logical nor sustainable to relocate to an urban location to exacerbate these issues.
- The subject lands are brownfield, do not require any construction works to remain in the current location. Moving to an alternative location would require construction works and result in adverse carbon impacts.
- The co-operative at Ballydangan was facing the threat of closure and vacancy and had to adapt by expanding its storage and distribution activities which the current proposal seeks to continue in a modernised form, which reflects a broadening in rural economic activity as acknowledged by current national planning policy.
- The subject site represents an act of diversification.
- The subject site provides important supporting and enabling services for other processes of diversification in the surrounding area.
- Policy objective ED 6.11 encourages the reuse of vacant or derelict buildings in rural areas for commercial purposes.
- The buildings on site were vacant when the applicant acquired the site in 2012. Prior to 2012, the site was vacant and in a poor condition.
- The applicants invested significantly in the site to bring the site to its current high-quality condition. Commercial rates are being paid to the Local Authority for all of the buildings on site.
- The subject site (Block A) is headquarters and showroom to Yaskawa Ireland Ltd a leading supplier of industrial robotic equipment of world class quality for automation solutions. From the subject site they administer sales, provide service support to their Irish customers and offer training in the use of their

software, for up to six days every month. The equipment they supply is closely aligned with the rural market and directly benefits the agri-sector. The uses on site are in compliance with Policy Objective RD5.1 of the RCDP 2022-28 which commits to implementing the recommendations of the CEDRA report, specifically recommendation number 8-on 'energising Ireland's rural economy'.

- The economic benefits of retaining the uses on site are significant to the local community.
- The removal of the subject uses from the local area would mean that the brownfield serviced site would become vacant again and contribute nothing to the economic development of this rural area.
- The Planning Authority raised no issues in relation to visual impact, design and siting, access, traffic safety and site services.
- Diversification is not restricted to traditional activities but can take advantage of new technologies and foreign direct investment.

Roads & Traffic:

- The strategic advantages of the site are clear, in proximity to high quality roads infrastructure ensuring that the development can efficiently serve the needs of storage services, which inherently rely on vehicular access.
- The local road infrastructure can easily accommodate the limited additional traffic generated by the proposal, as recognised by the PA with their planning report.

6.2 Planning Authority Response

None received.

7.0 Assessment

I consider that the key issues raised within the appeal are as follows:

- Principle of development.
- Traffic and Access.

- Other Issues.
- Appropriate Assessment.

7.1 Principle of Development:

- 7.1.1 The appeal site is located within a rural area as set out within the current Roscommon County Development Plan (RCDP) 2022-28. The proposals relate to the retention of repository/storage facilities within Block B, the retention of external storage containers on a hardcore base to the rear of Block C, the retention of Block C, a former agricultural structure which was to be demolished under planning reference 08/215 as a repository facility, the retention of Block D (an unauthorized structure) as a repository structure. Block A, which was permitted and previously operated as an agricultural co-operative facility is divided into two units, and the applicants are seeking to retain changes of use within this building, stated to be in the form of an industrial robotic equipment company and a regional distribution centre for a Cork based food company. The applicants also state that a facilities management company (based in Loughrea) use the site as a Midlands base for the storage of cleaning equipment. The site is also used by a car sales company based in Ballinasloe for the preparation of cars, including valeting prior to sales. The applicants state that the site is also used by a fire safety/prevention company as a base for the Midlands and Western region. Based on the information submitted, it is evident that there is a diverse range of uses being conducted within the 2.2-hectare site. The original permitted and established use within the site was as an agricultural co-operative.
- 7.1.2 Core Strategy Policy Objective CS 2.3 seeks to 'direct growth towards designated settlements, subject to the availability of infrastructure and services as far as practicable'. The designated settlements as set out within the Settlement Hierarchy (table 2.3 of the RCDP 2022-28) include Athlone as a regional growth centre, Roscommon Town as a key town and Boyle as a self-sustaining growth town. Dolanstown is not classified as a designated settlement and is classified as a rural area within Tier 7 of the Settlement hierarchy. Therefore, permitting non site-specific economic and enterprise proposals in rural areas would be contrary to the provisions

of policy objective CS 2.3 and contrary to the Settlement Strategy of the current Roscommon County Development Plan 2022-28.

7.1.3 Section 6.3 of the RCDP sets out the role of Rural Roscommon as being ‘to accommodate proposals for small scale enterprise in rural areas, including the suitable expansion of existing facilities, subject to relevant planning considerations, including demonstration that the nature of the activity is appropriate to the rural area and evidence that it cannot be accommodated on zoned land in the towns within the county’. The applicants have submitted a detailed planning statement (as submitted to the PA on the 8th day of July 2024) and a planning appeal statement providing a rationale including referencing national, regional and local planning policy in support of their retention of the commercial uses and buildings within the site. They have also referenced within their planning statement a number of examples of repository facilities such as those at Blyry Industrial Estate and Loughanaskin Industrial Estate, located within the settlement boundary of Athlone on zoned and serviced lands. They have also provided details of the tenants that currently operate within the Dolanstown facility. It is clear from the information submitted that these companies have their main bases in the urban environments in Cavan, Loughrea, Ballinasloe and Dunmanway amongst others. Therefore, they acknowledge that repository facilities are presently located on zoned serviced lands in Athlone. Based on the information submitted, the applicants have not demonstrated why the repository uses and other commercial uses on site at Dolanstown cannot be accommodated on zoned serviced lands within the designated settlements as required under the provisions of Section 6.3 within the current Roscommon County Development Plan. I reference specific policy objectives CS2.3 and 6.2 in this regard where economic growth is to be directed towards the designated urban settlements.

7.1.4 Section 6.3 of the RCDP sets out a number of policy objectives pertaining to economic development in the County. These include policy objective ED 6.2 which seeks to ‘Promote the co-ordinated alignment of population and employment in designated growth towns, providing for natural increases and to enable towns to become more economically self-sustaining, in line with the quality and capacity of public transport services and infrastructure available’. Policy objective ED 6.9 seeks to ‘Support the development of rural resourced based industries in rural areas,

subject to compliance with appropriate planning and servicing requirements, policy objective ED 6.10 seeks to 'Facilitate proposals for new small-scale rural enterprises or extensions to existing small-scale rural based, indigenous activity, subject to compliance with appropriate planning and servicing requirements and policy objective ED 6.11 seeks to 'Facilitate new commercial uses for vacant or derelict buildings, including buildings in rural areas, subject to compliance with appropriate planning and servicing requirements.

- 7.1.5 Therefore, it is clear in the first place the RCDP seeks to align its population and employment growth within the designated growth centres, so that the settlements become more economically sustainable and where public transport and infrastructural services are available. Ballydolan is not identified as a growth settlement within the plan, and neither is it identified as an area for employment or population growth. However, the RCDP provides for economic development in rural areas in certain circumstances where an applicant can demonstrate that the activities are 'rural resource based' and provide for new small-scale enterprises or extensions to existing small scale indigenous activities and 'new commercial uses for vacant or derelict buildings'.... subject to demonstrating that these uses 'cannot be accommodated on zoned land in the towns within the county'. I would not consider the current activities on site to be of 'small scale' as they are located on a generous plot of land comprising 2.2 hectares. On the day of my site inspection there were approximately 59 external storage containers (approximately 15 sq. m. each) as well as approximately 44 internal storage areas (approximately 9 sq. m each) within Block B in addition to the repository uses within buildings C and D. The total floor area of commercial uses within the site is stated to exceed 3,500 square metres and, therefore, the repository/commercial facilities on site could not be described as being of 'small scale'. Based on the information submitted, the applicants have failed to demonstrate that their repository and commercial uses on site have site-specific locational requirements specifically requiring them to locate in this rural area at Dolanstown and have not demonstrated that these commercial uses could not be located on zoned serviced lands in the designated settlements within the County as per the policy statement within Section 6.3 of the current RCDP 2022-28.

- 7.1.6 In terms of being 'rural resource based activities, the applicants set out that repository uses are sought to be retained within buildings B, C and D and within the open storage containers within the hard cored yard area west of Block A. The applicants have submitted testimonials (included as Appendix A at the rear of their planning statement) from a number of their repository and commercial customers outlining why they use the repository services on site and where their companies are based. Based on the information submitted, it is clear that these companies all have their bases within urban settlements including Athlone, Dunmanway, Loughrea, Ballinasloe and Cavan. The subject site is located approximately sixteen kilometres west of Athlone and approximately eleven kilometres east of Ballinasloe. The applicants state that they have both urban and rural customers using their repository services. However, Dolanstown is a rural area and is only partially serviced, in that there are no public foul nor surface water sewers in this area, the lands are not zoned for commercial nor industrial purposes, and neither are the lands identified within the current RCDP as an area for economic development or as a Business/Enterprise Park. Dolanstown is identified as a rural area within the RCDP, with a modest rural population and removed from any designated urban settlement boundaries, where there would be greater demand for repository/commercial services, based on the greater populations in the urban settlements. Therefore, I do not consider that the provision of repository services in this rural would accord with Policy Objective 6.9 of the RCDP and would be contrary to the proper planning and sustainable development of the area.
- 7.1.7 In terms of policy objective 6.10, which relates to new or existing small scale rural enterprises and indigenous activities. I note that the site area in this instance comprises 2.2 hectares, and that there are in excess of one hundred repository/storage units on site (internal and external) as well as the two commercial enterprises in Block A and additional repository facilities in Blocks C and D. Therefore, I would not consider that the development on site could be described as 'small scale' and would not comply with Policy objective 6.10 in the RCDP.
- 7.1.8 In terms of policy objective ED6.11 in terms of facilitating new commercial uses in vacant or derelict buildings, which is subject to appropriate planning and servicing requirements. The applicants set out that they acquired the site in 2012 when the

site was described as being 'in a poor condition and no business activities were being carried out at the site' However, subsequent to 2012, when the applicants purchased the site, it is apparent that Block C (stated by the PA to be unauthorized) was conditioned to be demolished under planning reference 06/275. This is a matter that is likely to have arisen during the conveyancing process conducted as part of any property acquisition. The erection of Block D (also stated by the PA to be unauthorised) to the rear of the site is stated to have occurred (in 2016) subsequent to the applicants acquiring the site. The Planning Authority (as set out within its warning letter, as referenced in Section 4 in this report above) state that Block B was also constructed outside of its planning time limits and, therefore, is also unauthorised. The applicants also introduced tenants within Units 1 and 2 within Block A in contravention of condition number 3 of planning reference 08/1415, in relation to the uses to be conducted which stated that 'the premises shall be used for the sale and storage of agricultural goods only' as per the details submitted to the Planning Authority.

- 7.1.9 Therefore, it is apparent that the existing commercial uses on site and three of the structures (namely Blocks B, C and D are unauthorized as are the open storage containers located on the hardcore area. Based on the information submitted, it is evident that there have been a number of breaches of planning conditions within a number of the historical planning permissions on site. The last part of policy objective ED6.11 states 'subject to compliance with appropriate planning requirements'. Based on the information submitted, the applicants have not carried out the works in accordance with appropriate planning requirements. The development on site is hazardous, comprises a number of unauthorized buildings and uses, from repository/storage of goods, to storage/valeting of vehicles, general unspecified repository uses in buildings C and D and industrial robotic component sales and support and food company uses in Block A. Based on the information submitted, I consider that the applicants have failed to demonstrate that the range of unauthorised uses have site specific locational requirements to the Dolanstown area and that they could not be located within zoned serviced sites/lands within the designated settlements within the County.

7.1.10 The applicants reference various national and regional planning policy in terms of their planning justification for these uses on site. They set out that rural areas provide for a diverse range of uses. A repository/storage facility use would be considered commercial in nature, The appellants make reference to the proposals representing a form of farm diversification. It is unclear from the planning documentation submitted how the proposal would represent an appropriate form of economic diversification in this rural area, removed from any designated settlement within the County. The Planning Authority expressed strong reservations regarding the suitability of the development in a rural location in terms of demonstrating compliance with the Rural Enterprise Policy within the Development Plan. The applicant makes reference to the existence of storage facilities on the perimeter of Athlone on zoned serviced lands and a storage facility approximately three hundred metres west of the subject site and others at Hazelbrook, Roscommon and Loughrea, County Galway, although no specific details of the Loughrea facility have been provided. In any event, each case must be considered on its individual planning merits. Based on the information submitted, the applicant has not provided details demonstrating that the proposals represent an appropriate form of economic development as required under Sections 2.9 and 6.3 of the current Roscommon Development Plan 2022-2028. The applicant has failed to demonstrate the site-specific locational requirements for the current proposals. I consider that the repository uses and other commercial uses on site could just as easily be located within an urban settlement boundary, such as in Athlone, where there are zoned serviced lands and suitable roads and piped water infrastructure available to provide for these commercial uses.

7.1.11 In conclusion, I consider that the applicants have not demonstrated compliance with the provisions of the current Roscommon County Development Plan 2022-2028 in relation to the development of rural economic activities. Based on the information submitted, the applicants are seeking to justify the retention of repository and commercial uses and three structures on site largely based on the repository uses, However, a repository use, is a commercial use and would be required to be compliant with the provisions of the Development Plan. The Planning authority deemed the development to be contrary to the provisions of Policy Objectives CS2.3 in relation to directing growth towards the designated settlements and economic

development policy objectives ED 6.9 and 6.10 in relation to supporting rural based enterprises and providing for small scale rural based indigenous activities subject to compliance with appropriate planning requirements. Based on the information submitted, I would concur with the conclusions of the Planning Authority and I consider that the non site-specific commercial uses would be contrary to the Settlement hierarchy and the economic development policy objectives within the Plan. Therefore, I consider that the proposal would be contrary to the proper planning and sustainable development of the area.

7.2 Traffic and Access

- 7.2.1 Access to the site is from the adjoining R446, which was formerly the N6 until the opening of the M6 Motorway between Athlone and Ballinasloe in 2009. The applicants submitted a Traffic Report (TR) prepared by their Consultant Engineers as part of their planning documentation. The TR provides a breakdown of traffic generated by each block and use within the site on a daily/weekly basis. The TR states that on a weekly basis the site generates three HGV movements, ten rigid truck movements, forty-five LGV/van movements and ninety-four weekly car movements. The site is accessed via an automated sliding access gate from the R446. A dedicated right turn lane to access the site from an easterly direction is in place. The TR sets out that the turning lane 'greatly improves traffic safety for those entering the site from the east'. The R446 has a laneway width of 3.8 metres on each side as well as 2.25-metre-wide hard shoulders along both sides of the road. Sightlines of 250 metres from a 3-metre set back are illustrated at the site entrance point.
- 7.2.2 The applicants have provided for thirty-three on-site car parking spaces located to the front of Block A and are clearly demarcated. The Roads Section within Roscommon County Council outlined no objections to the access/parking proposals subject to a number of conditions being adhered to.
- 7.2.3 In conclusion, I have no objections to the proposals from a traffic safety or parking perspective, given the applicants are using an established and permitted entrance. I am also satisfied that the adjoining roadway, the R446 has adequate capacity to

cater for the levels of traffic that are stated to be generated by the commercial uses on site.

7.3 Other Issues:

- 7.3.1 The site is stated to be served by an existing wastewater treatment facility. The applicants have submitted a generic wastewater treatment and pumping station service maintenance agreement. However, it is not specific to the appeal site. The applicants have stated that the system was installed to serve the permitted agricultural co-operative facility on site in 2008. Based on the information submitted, it is unclear if this system was being maintained in the intervening period between the agricultural co-operative use ceasing trading and the current uses commencing trading within the site. Wastewater treatment systems work best if operated and maintained regularly and when operated at or close to capacity. If these conditions are not met, difficulties can arise in terms of the operation and/or maintenance of the wastewater system.
- 7.3.2 The applicants have not demonstrated that the existing on site wastewater treatment system and percolation area is in full working order and has been appropriately maintained since its first became operational. The applicants would be required to satisfy the Coimisiún that the system is and has been maintained and operated in accordance with the Environmental Protection Agency Wastewater Treatment Manuals-Treatment Systems for Small communities, Business, leisure Centres and Hotels 1999.

8.0 Appropriate Assessment

- 8.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately 4.2 kilometres northwest of the River Shannon Callows Special Area of Conservation (SAC-site code 000216) and approximately 8.1 kilometres northeast of the River Suck Callows Special Protection area (site code 004097). The Castlesampson Esker SAC (site code 001625) is located approximately 5.1 kilometres north of the subject site. The Ballynamona Bog and Corkip Lough Special Area of conservation (site code 002339) are located approximately 8.5 kilometres

north of the subject site. The Killeglan Grassland Special Area of Conservation (site code 002214) is located approximately nine kilometres north-west of the subject site. The Pilgrim's Road Esker Special area of Conservation (site code 001776) is located approximately 9.8 kilometres south-east of the subject site. Mongan Bog SAC (site code 000580) and Mongan Bog SPA (site code 004017) are located approximately 7.9 kilometres south-east of the subject site. The development description was set out within Section 2 of the report above. The applicants did not submit an Appropriate Assessment (AA) Screening Report as part of their planning documentation. The PA conducted an Appropriate Assessment screening exercise as part of their assessment.

- 8.2 The nearest European sites to the appeal site are those set out within the paragraph above. There are no drainage ditches within the appeal site nor along the perimeter of the site. The nearest watercourse to the appeal site is the River Shannon, located approximately four kilometres east of the appeal site,
- 8.3 Eight European sites were identified within a ten-kilometre radius of the appeal site. However, I am satisfied that these sites can be screened out due to the absence of hydrological or ecological pathways from the appeal site to these European sites and the separation distance to these particular European sites.
- 8.4 The River Shannon Callows SAC is located approximately 4.2 kilometres hydrologically removed and east of the appeal site. I am satisfied that once the repository and commercial facilities within the site operate in accordance with best practice environmental standards, including noise and dust, and given that the site is connected to the public piped watermains services that no adverse impacts on water quality, or the qualifying interests or conservation objective of this particular European site or any other European site would arise.
- 8.5 The current proposals relate to permission for retention of a change of use within Blocks A and B, and the retention of Blocks B, C and D and external storage containers. Based on the information submitted, I am satisfied that the existing uses and activities on site are unlikely to give rise to run-off or emissions that would adversely impact the habitats or species associated with the European sites

referenced above in paragraph 8.1. I am satisfied that with the implementation of the standard control operation measures including those of surface water management, would not result in the repository facility or other commercial uses adversely impacting upon water quality. I consider that even in the unlikely event that the standard control measures should fail, an indirect hydrological link via groundwater represents a weak ecological connection, given the separation distance to the nearest European sites, being in excess of four kilometres from the subject site. There are no construction works proposed as part of the proposals. As such any pollutants from the site that should enter groundwater during the operational stage, via spillages onto the overlying hardcore, or via spillages into the surrounding drains, would be subject to dilution and dispersion within the groundwater body, rendering any significant impacts on water quality within the River Shannon Callows SAC, unlikely. This conclusion is supported within the Planning Authority's AA screening Report, which set out the following 'Having regard to the limited nature and scale of the proposed development, and the absence of any connectivity to and distance from any sensitive location, there is no real likelihood of significant effects on the conservation objectives of European sites arising from the development. The need for further Appropriate Assessment can be ruled out'.

8.6 Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- The modest scale of the development, which relates to permission for retention of change of use of a commercial building and retention of repository and commercial uses on site
- The separation distance from the nearest European site and the lack of hydrological or ecological connectivity to any Natura 2000 site.
- The AA screening exercise conducted by the Planning Authority which concluded that either alone or in combination with other plans or projects, there is no real likelihood of significant effects on the conservation objectives of European sites arising from the development.

8.7 I conclude that on the basis of objective information, the proposed development would not have a significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

9.0 **Recommendation**

I recommend that planning permission for retention of the commercial uses within Blocks A and B and permission to retain Blocks C and D be refused for the following reason:

10.0 **Reason**

It is the policy of the Planning Authority, as set out in the current Roscommon County Development Plan 2022-2028, to permit development proposals for enterprises in rural areas where the proposals are either small scale or rural based indigenous activities and that the uses have specific rural locational requirements that can only be accommodated in a rural location and that the uses could not be accommodated on zoned serviced lands within the towns as per the provisions of Section 6.3 and specific policy objectives ED 6.2 and CS 2.3 within the Plan. These policies are considered to be reasonable. It is considered that the proposals for which permission for retention is being sought would contravene these policy objectives within the Plan and represent a significant departure from the permitted economic origins of the development as an agricultural co-operative to providing repository facilities and other commercial uses, the absence of specific locational requirements which necessitate their location within this rural and unzoned location and which are not specifically related to this rural area and would be more appropriately located on serviced, zoned lands within the designated settlements. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that the report represents my professional planning assessment, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

Fergal Ó Bric
Planning Inspectorate

10th day of December 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	320904-24		
Proposed Development Summary	Planning permission for landscaping and permission for retention of change of use of previously granted built elements for storage, repository and logistics uses, elevational changes to previously granted buildings and permission to retain new buildings/structures on a site area of 2.2 hectares.		
Development Address	Dolanstown, Ballydangan, Co. Roscommon.		
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		
No	Tick or leave blank	The retention of change of use of a commercial building and retention of repository uses and commercial buildings do not fall within a class of development as per the P & D Regulations.	x
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank		
No	Tick/or leave blank		X
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	Proposals relate to the change of use of a commercial building and permission for retention of repository and commercial uses and permission for retention of commercial buildings	X

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	X
Yes		

Inspector: _____ **Date:** _____