



An
Coimisiún
Pleanála

Inspector's Report ABP-322707-25

Development	Demolition of dining area extension (previously granted under 2460241) and consutruction of new dining space with outdoor seating area together with all assocaited site works.
Location	Savoury Fare, Block B Daneswell Business Centre, Monksland Td, Athlone, Co. Roscommon.
Planning Authority	Roscommon County Council
Planning Authority Reg. Ref.	2560114
Applicant(s)	Savoury Fare Ltd
Type of Application	Permission
Planning Authority Decision	Refused
Type of Appeal	First Party Appeal
Appellant(s)	Savoury Fare LTD (Applicant)
Observer(s)	None
Date of Site Inspection	5 th September 2025

Inspector

Frank O'Donnell

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1.0 Site Location and Description

- 1.1. The subject appeal site is located within Monksland Business Centre and relates to an existing ground floor restaurant which forms part of a larger commercial block. The subject appeal site has a stated site area of 0.099 hectares (990 sqm) and includes the existing restaurant unit, rear (west) and side (south) extensions, rear and side circulation space and communal amenity space/ landscaping. The existing restaurant is stated to have an overall gross floor area of 155 sqm. There are a range of established surrounding commercial uses in the area.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
- Demolition of dining area extension (previously granted under 2460241). This dining area extension is positioned to the side/ south of the main building and comprises of a roofed/ covered dining area which is open on three sides. The extent of proposed demolition is stated to measure 19.3 sqm.
 - Construction of new dining space. This is proposed to be located on part of the footprint of the above dining area extension proposed to be demolished (19.3 sqm) and existing communal amenity space/ grassed area to the south. The proposed extension measures 9.6 metres by 12.6 metres by 4.4 metres in height and is estimated to have a proposed internal floor area of 111 sqm. The existing restaurant is stated to have a floor area of 155 sqm. Together with the proposed extension, the overall proposed floor area is estimated to measure c. 247 sqm.
 - Installation of outdoor seating area further to the south from the proposed extension. This area is estimated to measure c. 60 sqm and is proposed to accommodate 10 no. tables.
 - It is proposed to reconfigure the existing car parking arrangement to the east of the existing restaurant. This includes the removal of 3 no. existing car parking spaces to the immediate southeast of the main entrance, the reconfiguration of this area to accommodate an extended hardstanding area 2.7 metres from the edge of the proposed new extension (shown to

accommodate 3 no. 2 person tables) and the provision of 2 no. additional car parking spaces to the 14 no. existing car parking spaces located to the front (east) of the existing restaurant. This results in a net decrease in the number of existing car parking spaces to the front (east and southeast) of the existing restaurant from 17 no. spaces to 16 no. spaces.

- All associated site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Local Authority issued a Decision to REFUSE permission on 15th May 2025 for the following reason.

1. *Whilst Roscommon County Council planning policy seeks to support and facilitate economic development as detailed in Chapter 6 (Economic Development) of Volume I of the Roscommon County Development Plan 2022-2028, the proposed development is unacceptable due to site specific factors. The proposed development would result in the encroachment of both proposed indoor and outdoor elements of the development into an area identified and permitted as communal open space to serve the 'Technology Park' permitted under Planning Ref. No. PD/99/1456. Consequently, the proposed development would materially contravene Planning Ref. No. PD/99/1456. In addition, the proposed development would diminish the already limited communal open space provision in the built-up environment in Monksland, would set an undesirable precedent for the further erosion of communal open space and would be injurious to the general amenity of the area. The erosion of communal open space in a prominent area of the public realm would also militate against the achievement of Strategic Aim No. 3 of the Monksland/Bellanamullia Local Area Plan 2016-2022 (which remains a relevant consideration until superseded by a new Plan), with the aim being the creation of a high-quality commercial core within a well-developed public realm on 'District Centre' lands. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The **Local Authority Planner** considered that the proposed development would encroach onto an open space area which was provided for the overall development complex permitted under planning reg. ref. no. PD/99/1456. The Local Authority Planner further considered that to permit the proposed development would diminish the open space provision for an already built up environment and would materially contravene this permission and consequently would be injurious to the amenities of the area.

3.2.2. Other Technical Reports

- The **Athlone Municipal District Office** raise no objection to the proposed development subject to 4 no. standard conditions in relation to compliance with DMURS, the control of surface water, the responsibility of the development for repairs caused to the public road as a result of the construction of the development and control of spillages/ debris on the public road.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None

4.0 Planning History

4.1. Planning History on the Subject Appeal Site

- **99/1456:** Proposed Technology Park. Permission was GRANTED on 22nd March 2000 subject to 13 no. conditions.
- **00/1643:** Revised building elevations, roof details and external works of Technology Park accommodating 6,205 sqm of Retail/ Office/ Manufacturing

use. Permission was GRANTED on 5th February 2001 subject to 2 no. conditions.

- **04/1438:** Change of use from Office/ Retail to use as a café/restaurant together with, minor alterations to the façade, the erection of signage and the construction of an external decking area to be used as an extension to the café/ restaurant floorspace. Permission was GRANTED on 8th February 2005 subject to 5 no. conditions.
- **07/1528:** Change of use from office/ retail/ manufacturing unit previously granted under planning permission ref. no. 99/1456 and 00/1643 at ground floor, unit 3, Monksland, Athlone to use as a medical centre (218 sqm) with minor revisions to site layout including associated parking and ambulance set down area and including for minor façade changes to the medical centre and adjoining retail unit. Permission was GRANTED on 4th February 2013 subject to 9 no. conditions.
- **24/60241:** Retention and Permission. Retention of a dining area extension 19.3 sqm to the existing western elevation and a lean-to covered 20 sqm external seating area to southern elevation. Permission for the demolition of said above dining area 19.3m² and the construction of a new extension consisting of a kitchen and food preparation area 33m², together with new dining space 15m² with internal changes to the existing premises including the provision of accessible sanitary facilities, along with connections to services and all associated site works. A decision to GRANT Retention and to GRANT Permission was issued by the Local Authority on 26th August 2024 subject to 6 no. conditions.

4.2. Planning History of adjacent site to the immediate west

- **10/396:** Split Decision issued on 17th December 2010.

Permission was **GRANTED** on 17th December 2010 subject to 8 no. conditions for change of use and material alteration/fit out of existing manufacturing/retail/ office units 3 and 4 granted under previous planning permission ref. 99/1456 and 00/1643 to Primary Care Centre (PCC.) which involves provision of medical related facilities including incorporation of existing general practitioners (G.P) facilities on ground floor level granted

under previous planning permission ref: 07/1528. Internal fit out works to existing units 3 and 4 at ground floor level of 351m² and first floor level of 542m² including new passenger lift to common circulation areas and relocation of existing pharmacy unit together with all associated site works and facilities in accordance with the plans submitted with the application (only).

Permission **REFUSED** for

Alterations to existing car park and road layout with provision of a controlled access barrier at Units 3 & 4 on 17th December 2010 for the following 1 no. reason:

1. *The proposed parking arrangements would not be in accordance with previous permissions PD 99/145, PD00/1643 & PD07/1528 on site which provided for open plan parking and the construction of this barrier would affect the function and capacity of the existing car park.*

4.3. Comment on Planning History

4.3.1. Planning reg. ref. no. 99/1456 is the original parent permission.

4.3.2. Planning reg. ref. no. 00/1643 relates to design changes to Block type C, including the subject Block. The design changes are described as revised building elevations, roof details and external works and include the introduction of an additional fourth floor in the centre of the block to accommodate a new plant room. Condition no. 2 of the 2 no. conditions issued states:

- '2. *The development shall be carried out in strict compliance with Conditions No's 1 to 13 inclusive attached to Planning Permission Reference No. PD/99/1456 except where amended by the documents now submitted.'*

4.3.3. Planning reg. ref. no. 04/1438 specifically relates to the subject appeal site, establishes the current restaurant use and includes an external decking area extension to the rear (west) of the main café/ restaurant unit. The gross restaurant floorspace permitted under planning reg. ref. no. 04/1438 is stated to measure 117 sqm, excluding an external decking area of 50 sqm.

I note both the initial site layout plan submitted to the Local Authority on 13th September 2004 (Drawing Ref. No. 2181-2002) and the subsequent site layout drawing (Drawing Ref. No. 2181-2002, Rev A) stamped received by the Local Authority on 25th November 2004 show 12 no. car parking spaces to the east of the subject block.

- 4.3.4. Planning Reg. Ref. No. 07/1528 does not directly relate to the subject block but instead relates to part of the ground floor of the adjacent block to the west. The permitted site layout drawing, received by the Local Authority on 2nd November 2007 as part of the Response to Further Information (see Drawing no. 2181-2101, Rev. B), shows an existing landscaped area retained to the south the subject block and a total of 17 no. car parking spaces to the front (east/ southeast) of the said block.
- 4.3.5. This permitted site layout/ car parking arrangement was an amended from the initial proposal where an extensive area of public open space/ landscaping to the front of the site (in front/ south of adjacent block to the west) and including the approximate location of the extension proposed under the subject appeal was proposed to be dedicated as car parking.
- 4.3.6. As part of the Request for Further Information under planning file ref. no. 07/1528, see point no. 2, the Local Authority expressed its concern in relation to parking on open space wherein it is stated that '*...the Planning Authority may not be in favour of facilitating additional parking on a public open space and landscaped area immediately adjacent to the public road.*'
- 4.3.7. Condition no. 6 of planning reg. ref. no. 07/1528 reads as follows:
- '6. The vehicle parking areas indicated on the approved plans shall be laid out, surfaced and drained prior to the first use of the building as a medical centre hereby granted and shall thereafter be retained for those purposes, free from all obstruction.'*
- 4.3.8. I note there is a medical/ primary care centre use in place in the adjacent block to the west and that there were a total of 17 no. car parking spaces (including 1 no. mobility impaired space) in place to the immediate front (east and southeast) of the subject block.

- 4.3.9. Planning reg. ref. no. 10/396 relates to part of the ground and first floors of the block to the immediate west of the subject appeal site. I note the proposed car parking arrangement, which included a barrier system to the rear was Refused.
- 4.3.10. Planning reg. ref. no. 24/60241 authorises the retention of a 19 sqm lean to extension to the rear (west) elevation and a lean to covered seating area of 20 sqm to the southern elevation. Permission was also granted to i) demolish the aforementioned 19 sqm lean to rear (west) extension and to construct in its place a new kitchen/ food preparation area of 33 sqm and a new dining space of 15 sqm all at the rear (west) of the existing building. The permitted additional floorspace under planning reg. ref. no. 24/60241 measures 68 sqm in total.
- 4.3.11. Under the subject planning application (planning reg. ref. no. 2560114), the applicant seeks to demolish the previously permitted dining space (covered seating area) to the southern elevation (c. 20 sqm) and to construct a new extension in its place and, in doing so, to further extend the building to the south into the existing communal amenity space. The proposed flat roof extension to the south elevation measures 9.6 metres by 12.6 metres and has an approximate internal floor area of c.111 sqm. I estimate the overall combined floor area of the existing restaurant together with that permitted under planning reg. ref. no. 24/60241 and that proposed under the subject application equates to c. 293 sqm. I note the applicant also proposes to carry out internal modifications to the building.

5.0 Policy Context

5.1. Development Plan

- ***Roscommon County Development Plan, 2022 to 2028***

- 5.1.1. Chapter 2 of Volume 1 of the Roscommon County Development Plan, 2022 to 2028 relates to Core Strategy and Settlement Policy. Chapter 2, Section 2.7 relates to Settlement Strategy and states, in relation to Athlone that:

'In recognition of the requirement for a coordinated strategy to maximise the growth potential of Athlone, Regional Policy Objective (RPO) 3.7.1 in the RSES sets out the requirement for the preparation of a Joint Urban Area Plan (JUAP) for Athlone, to be prepared by Roscommon and Westmeath County

Councils, as the two constituent Local Authorities, in collaboration with the Northern and Western and the Eastern and Midlands Regional Assemblies.'

5.1.2. The following Core Strategy Policy Objective for Athlone is of relevance:

- **CS 2.9:** *Prepare a statutory Joint Urban Area Plan for Athlone with Westmeath County Council, in collaboration with NWRA and EMRA.*

5.1.3. Chapter 6 of Volume 1 of the Roscommon County Development Plan, 2022 to 2028 relates to Economic Development.

5.1.4. Chapter 12 of the same Volume relates to Development Management Standards.

- **Monksland/ Bellanamullia Local Area Plan, 2016 to 2022**

5.1.5. The subject appeal site and surrounding area is zoned 'District Centre' in the Monksland/ Bellanamullia Local Area Plan 2016 to 2022.

5.1.6. Chapter 6 of the LAP relates to Land Use Zoning. Section 6.1.1. relates to Land Use Zoning Objectives and Matrix and includes the following Land Use Zoning Objective for District Centres (DC):

- District Centres:
 - *Provide a range of retail and non-retail service functions, including social and community functions, at a level which will serve the population of the Plan area, but will not affect the viability and vitality of neighbouring Athlone town.*
 - *Purpose built group of shops.*
 - *Provide for the development of a mix of commercial/retail uses including a convenience shop(s) such as a supermarket or superstore, comparison shops, non-retail services, such as banks, building societies, restaurants, pharmacies, take away, video/DVD rental, public house, and dental/medical surgery.*
 - *Provide for local services such as medical centre, offices, workshops, crèche, petrol station, waste segregation facility (bring bank), launderette, where appropriate, to meet the needs of the community.*

- *Where appropriate, provide accommodation over retail/commercial units, grouped small starter/incubator workshops, craft or service units etc.*
- *Strong building design to provide focal points within mixed-use developments that will add legibility and clarity to the physical structure and layout of the development.*
- *The centre could be developed around a public/focal space, where appropriate.*
- *Provide sustainable transport linkages such as public transport, adequate cycle and walkways from the district centre to surrounding residential areas.*
- *Require the inclusion of appropriate open spaces in development in this zone.*

5.1.7. The following Specific Objective (SO2) relates to the area:

- Specific Objective SO2:
 - *Indicated on lands zoned for Recreation and Amenity (RA) and District Centre.*
 - *Provides for the development of a Framework Plan by RCC to be prepared in the first year following the making of this LAP, for all the lands in this area including the adjacent SO3 site, prior to the granting of permission on any of it.*
 - *The Framework Plan will provide details of the type of development and layout envisaged for the full site and the adjacent SO 3 site.*
 - *Provides for the provision of a publically accessible green space in the form of a public park, with facilities for all age groups, situated within the District Centre.*
 - *The provision of such a facility in this central area aims to unite the communities of Monksland and Bellanamullia and will add to a 'sense of place' and central focus for residents of the area. It is envisaged that the park be developed as part of the mixed use development with a mix*

of soft and hard landscaping to provide a high quality public realm sufficient to announce and make a positive contribution to the district centre environment.

- *Provides for a mix of retail/commercial and residential units on the District Centre portion of the S02 lands in the creation of an active frontage which will edge and define the public park with a mix of retail, commercial and residential units at ground floor level constituted of small floorplate, fine grained mixed use blocks of high quality design, providing passive surveillance and opportunities for public interactions within the district centre.*

5.1.8. As per the land use zoning matrix set out in Section 6.1.1 of the Local Area Plan, Restaurant is a use which is permitted in principle on lands zoned District Centre (DC).

5.1.9. Section 5.0 of the Local Area Plan relates to Vision and Development Strategy and includes the following Vision:

‘The Monksland/Bellanamullia (Athlone West) area will develop as an integral part of the Athlone Linked Gateway and act as a vital driver of social and economic development, with beneficial effects for the county. It is seen as vital for industry and manufacturing development opportunities, to aid the country's economic recovery and increase job opportunities in the county and will continue to be the prime industrial centre in the county. The area will continue to be an attractive, vibrant, consolidated and sustainable settlement with its population supporting economic and employment growth and taking advantage of a full range of co-ordinated physical, social, community and recreational infrastructure and services. People in the area will be living within a high quality built and natural environment and will experience an enhanced quality of life with equal opportunities for all.’

5.1.10. A total of 12 no. Strategic Aims are also presented in Section 5.0 and include the following:

- ‘3. Support the consolidation of commercial activity within the LAP area around a District Centre in which a high quality commercial core is established within a well developed public realm. The public realm should display appropriate*

and sustainable building forms, materials, heights and associated landscaping in order which aims to create a sense of place and focus for the Monksland/Bellanamullia (Athlone West) LAP area.'

- **Joint Local Area Plan for Athlone and Monksland**

5.1.11. A Joint Local Area Plan for Athlone and Monksland is currently at Pre-Draft Stage.

- **Roscommon County Retail Strategy**

5.1.12. Section 4.5 of the Roscommon County Retail Strategy relates to District Centres, wherein the following is stated:

'It is important to underline the role of district centres as set out in the Retail Planning Guidelines. The role of a district centre is to provide a range of retail and non-retail service functions (e.g. banks, post office, local offices, restaurants, public houses, community and cultural facilities) for the community at a level consistent with the function of that centre.

The Athlone Joint Retail Strategy 2019-2026, in conjunction with the Monksland/ Bellanamullia (Athlone West) Local Area Plan 2016-2022 sets out the District Centre requirements for the Monksland/ Bellanamullia (Athlone West) area and these requirements will continue to apply until the preparation of a Joint Urban Area Plan for Athlone.'

5.2. Natural Heritage Designations

5.2.1. The site is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites are as follows:

- River Shannon Callows SAC (Site Code 000216), c. 2.2 km to the southeast.
- Middle Shannon Callows SPA (Site Code 004096), c. 2.2 km to the southeast.
- Lough Ree SPA (Site Code 004064), c. 2.4 km to the northeast.
- Lough Ree SAC (Site Code 000440), c. 2.4 km to the northeast.

5.3. EIA Screening

- 5.3.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The main Grounds of Appeal can be summarised as follows:

- Planning History:
 - The pattern and scale of development in the area has changed over the past 25 years.
 - The use of some green space to facilitate the proposed development does not impact on existing amenities to any significant degree.
 - The conditions attached to the original permission (1999) did not stipulate that the areas of public open space were to remain forever undeveloped.
 - The proposal can be considered as an additional amenity as proposed to the loss of an existing amenity space. Less than 50% of the original permitted planning units under the 1999 permission have been constructed. There is therefore ample opportunity to develop amenity space elsewhere within the overall development.
 - The proposal is in accordance with the proper planning and sustainable development of the area.
- Recent Planning Developments and Integrated Development:
 - The Applicant refers to 2 no. planning cases, as follows:

- 23/401: The Local Authority has developed and recently opened (June 2025) an urban park to the North of the subject appeal site. This site of almost 2 acres offsets the small area of amenity space proposed to be developed under the subject application/ appeal.
- 18/127: This relates to a Local Authority development of an innovation hub (located c. 65 metres to the northeast). The Applicant states this will be employing 100 no. people. Together with the above-mentioned park, the Applicant considers these installations complement the proposed restaurant and vice-versa.
- Other Matters:
 - There is increasing demand in the area.
 - Local Area Plan is out of date.
 - There is a lack of a Joint Urban Area Plan for the Area.
 - The proposed development is modest in scale.
 - The area of amenity space lost is not significant in the context of the wider area and established uses.

6.2. Planning Authority Response

- None

6.3. Observations

- None

6.4. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and the reports of the planning authority and having inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider the main issues in this appeal are as follows:

- Zoning/ Planning Principle
- Reason for Refusal
- Other Matters
 - *New Park offsets loss of Amenity Space*

7.2. Zoning/ Planning Principle

- 7.2.1. A Joint Local Area Plan for Athlone is currently at Pre-Draft Stage. The subject appeal site and surrounding lands are zoned District Centre in the Monksland/ Bellanamullia (Athlone West) Local Area Plan 2016-2022 which remains a material consideration pending the adoption of the said Joint Local Area Plan.
- 7.2.2. The District Centre (DC) Zoning, as per Section 6.1.1 of the Local Area Plan (Land Use Zoning Objectives and Matrix), promotes a mix of commercial/ retail uses *'including a convenience shop(s) such as a supermarket or superstore, comparison shops, non-retail services, such as banks, building societies, restaurants, pharmacies, take away, video/DVD rental, public house, and dental/medical surgery.'* The same District Centre (DC) land use zoning objective *'require the inclusion of appropriate open spaces in development in this zone.'*
- 7.2.3. Strategic Objective 2 (SO2) relates to the overall lands zoned District Centre (DC) at this location. In relation to retail/ commercial and residential units on the District Centre portion of the SO2 lands an active frontage *'which will edge and define the public park'* is referenced. The Commission will note the indicative location for 'Recreation and Amenity' space within the District Centre, as per the Local Area Plan Land Use Zoning Map (Map no. 13), is shown to be located c. 250 metres further to the northwest from the subject appeal site and that a new public park has, more recently, been developed on lands to the north within c. 82 metres of the subject

appeal site which are zoned Business Enterprise Park/ Light Industry in the Local Area Plan and are distinct from the lands zoned District Centre which the subject lands form part. The Commission will also note that in the same Strategic Objective (SO2) and with reference to the public park/ active frontages and a mix of retail, commercial and residential units at ground floor level places an emphasis upon *‘small floorplate, fine grained mixed use blocks of high quality design, providing passive surveillance and opportunities for public interactions within the district centre.’*

- 7.2.4. The existing restaurant floorspace is stated to measure 155 sqm. I estimate the overall combined floor area of the existing restaurant together with that permitted under planning reg. ref. no. 24/60241 and that proposed under the subject application equates to c. 293 sqm. I note the remainder of the ground floor of the subject block comprises a Pharmacy.
- 7.2.5. Notwithstanding that a restaurant is indicated as a use which is ‘Permitted in Principle’ on lands zoned District Centre (DC) in the Local Area Plan, it is my opinion, as per the wording of Strategic Objective (SO2) in relation to the inclusion of appropriate open spaces in development of this zone (District Centre) that the scale and nature of the proposed extension which encroaches onto lands designed and used as communal amenity space for the overall development ‘technology park’ is such that it will serve to undermine the Strategic Objective as it will involve a substantial net decrease in the extent of existing amenity space at this prominent location at the main entrance to the technology park.
- 7.2.6. I finally note the Strategic Aim no. 3 of the Local Area Plan which as part of the consolidation of commercial activity within the Local Area Plan area around the District Centre focuses on the establishment of a high quality commercial core within a well developed public realm which should create a sense of place and focus for the Local Area Plan. The proposed development does not, in my view, adhere to this Strategic Aim.
- 7.2.7. In conclusion, it is my opinion that the proposed development conflicts with Strategic Objective (SO2) and Strategic Aim no. 3 and that the principle of the proposed development is therefore not acceptable.

7.3. Reason for Refusal

- 7.3.1. The 1 no. reason for refusal refers to the parent permission, planning reg. ref. no. PD/99/1456 and the encroachment of the proposed development (indoor and outdoor) into communal open space which serves the 'Technology Park.' In this regard I note the proposed development as per the submitted site layout plan, in addition to the proposed c. 111 sqm extension to the southern elevation, includes an external seating area of c. 60 sqm to the south which is shown to accommodate a total of 10 no. tables and that it is also proposed to provide an addition 3 no. 2 person tables to the side (east) of the proposed extension where it is proposed to extend the hardstanding area to a width of 2.7 metres. In my opinion, these said proposed external seating areas also represent a commercial use in addition to the existing restaurant and proposed restaurant extension. I also note the proposals seek to reroute the existing footpaths, to introduce a new pedestrian access/ entrance further to the southwest (outside the defined redline boundary) and to reconfigure existing car parking by omitting 3 no. existing car parking spaces located to the southeast of the main restaurant and providing 16 no. spaces in total (resulting in a net decrease of 1 no. car parking space at this location from 17 no. spaces to 16 no. spaces). It is noted however that the principle of removing the said 3 no. car parking spaces has been accepted and approved under planning reg. ref. no. 24/60241.
- 7.3.2. The Local Authority consider the proposed development and resultant encroachment of the above indoor and outdoor elements into an area permitted and identified as communal open space to serve 'technology park' would consequently Materially Contravene planning reg. ref. no. PD/99/1456.
- 7.3.3. I note the approved site layout plan attached to planning reg. ref. no. PD/99/1456, Drg. Ref. no. 426/01, which shows the area to the immediate south of the subject block dedicated as communal open space/ amenity area. The area south of the adjacent block to the west, which faces onto the Regional Road, is similarly shown to be free from development and forms part of the overall communal amenity space permitted under planning reg. ref. no. PD/99/1456. I note as per the approved drainage layout drawing titled 'sewerage layout' (drawing no. 426/08) attached to planning reg. ref. no. PD/99/1456, there is an underground circular sump (12 metres in diameter) shown in the subject amenity space area. I also note the 13 no.

conditions attached to planning reg. ref. no. PD/99/1456. Condition no. 1 is a general standard condition which states:

‘1. Subject to the conditions set out below, the development shall be carried out in accordance with the plans and documents submitted.

Reason: *In the interests of the proper planning and development of the area.’*

- 7.3.4. Aside from Condition no. 1 above which controls the permitted development to that set out in the plans and documents received, there is no condition attached to PD/99/1456 which further and specifically governs the use of the amenity areas or indeed that they should remain free from further development.
- 7.3.5. Based on the previous planning history since and including planning reg. ref. no. PD99/1456, the Local Authority has, in my opinion, been consistent in its approach to additional commercial development and encroachment onto the communal amenity areas at this general location. I note as per the decision issued under planning reg. ref. no. 07/1528, for example, that the initial proposals of the applicant were amended to omit a significant area of car parking proposed on the same communal amenity space area upon which the subject proposal is now proposed and that under that said permission the subject area was retained as communal amenity space. The approved site layout drawing under planning reg. ref. no. 07/1528 (see drawing no. 2181-2101, Rev. B) shows this area devoted to landscaping/ extensive planting/ trees and shrubs. I note that under the most recent permission, planning reg. ref. no. 24/60241, a small (19.3 sqm) open sided single storey roofed extension was permitted on the southern elevation. This said open sided single storey extension is positioned immediately adjacent to the existing building and north of the existing footpath which links the front car parking area at the front (east) of the subject block to the rear (west) of the site. In my opinion, this open sided extension, which is located inside and to the north of the existing footpath and immediately adjacent to the existing southern elevation, in addition to its modest scale and temporary appearance, is such that it does not represent or establish a significant encroachment of commercial space onto the dedicated communal amenity space.
- 7.3.6. While I accept the proposed development contravenes planning reg. ref. no. PD/99/1456 and, in particular, the approved site layout and arrangement of amenity

space (Condition no.1), I do not consider the proposals materially contravene this said permission as per the refusal reason issued by the Local Authority.

- 7.3.7. In my opinion, the proposed development, including the proposed additional internal and external commercial spaces, by reason of its proposed scale and location, on a prominent area of the Technology Park which was originally designed for communal amenity space under the parent permission, reg. ref. no. PD/99/1456 and which has been in said communal amenity space use for an extensive period of time, is such that it would reduce the extent of existing amenity space in the area and would serve to create an undesirable precedent for similar proposals into the future leading to further erosion of limited communal amenity space. I am therefore satisfied that the proposed development, if permitted, would be contrary to the proper planning and sustainable development of the area.

7.4. Other Matters

- *New Park offsets loss of Amenity Space*

- 7.4.1. The Applicant submits that the loss of Amenity Space associated with the proposed development is not significant and that this loss is offset by the new 2 acre Public Park which has been recently constructed within c. 82 metres to the north. Although the Public Park provides a dedicated area of communal public open space for the area, I do not accept that this, by default, serves to offset the loss of a considerable extent of existing communal amenity space on the subject appeal site. As noted further above, the District Centre (DC) zoning of the land requires, inter alia to '*...the inclusion of appropriate open spaces in development in this zone*' and Strategic Aim no. 3 seeks '*...a high quality commercial core is established within a well developed public realm*' and to '*...create a sense of place and focus for the Monksland/Bellanamullia (Athlone West) LAP area.*'
- 7.4.2. The Applicants argument that the loss of a significant amount of existing communal amenity space at this prominent location is offset by the recently constructed nearby public park is not, in my opinion, justified in this instance. The retention of the existing communal amenity space in its current format, without further commercial encroachment is, in my opinion, in accordance with the proper planning and sustainable development of the area.

8.0 AA Screening

8.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located within a built-up urban area and is 2.2 km from the nearest European Site. The proposed development comprises minor demolition works and the construction of a new dining space with outdoor seating area together with all associated site works.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The relatively modest scale of the proposed development and lack of mechanisms that could significantly affect a European Site.
- The location/ distance from the nearest European Site and the lack of any connections to same.

I conclude, on the basis of objective information, that the proposed development would not have a likely 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 (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

9.1. The subject appeal site is located at Block B Daneswell Business Centre, Monksland Td, Athlone, County Roscommon, approximately 637 metres to the north of the Cross (Roscommon)_30.

9.2. The proposed development comprises:

- Demolition of dining area extension
- Construction of new dining space with outdoor seating area
- All associated site works

9.3. No water deterioration concerns were raised in the planning appeal.

9.4. I have assessed the proposed residential development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies 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.

9.5. The reason for this conclusion is as follows:

- The relatively small-scale nature of the proposed development.
- The location of the subject appeal site, distance to the nearest water body and lack of direct hydrological connections.

9.6. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, 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.

10.0 Recommendation

10.1. I recommend that permission be REFUSED for the following reasons.

11.0 Reasons and Considerations

1. Having regard to the nature and extent of the proposed development which includes both indoor and outdoor commercial space in an area of the overall Technology Park which had been permitted as communal open space under planning Reg. Ref. no. PD/99/1456 and which has been in continuous use as communal open space since the site was originally developed, would represent haphazard uncoordinated development which would serve to erode the established communal open space at a prominent location, would serve to diminish the limited communal space within the general area and Technology Park, would set an undesirable precedent for similar proposals into the future and would be injurious to the general amenity of the area. The proposed development would conflict with Strategic Aim no. 3 of the Monksland/ Bellanamullia Local Area Plan 2016 to 2022 where the aim is to create a District Centre where a high quality commercial core is established within a well developed public realm which together with sustainable building forms should create a sense of place and focus for the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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

Frank O'Donnell
Planning Inspector

12th September 2025

Form 1 - EIA Pre-Screening

Case Reference	322707-25
Proposed Development Summary	Demolition of dining area extension (previously granted under 2460241) and construction of new dining space with outdoor seating area together with all associated site works.
Development Address	Savoury Fare, Block B Daneswell Business Centre, Monksland Td, Athlone, County Roscommon.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10 b) (iv)</p> <p>Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p> <p>(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</p>

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-322707-25
Proposed Development Summary	Demolition of dining area extension (previously granted under 2460241) and construction of new dining space with outdoor seating area together with all associated site works.
Development Address	Savoury Fare, Block B Daneswell Business Centre, Monksland Td, Athlone, County Roscommon.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The subject appeal site measures 0.099 hectares. The proposed development comprises the demolition of a small open sided dining room extension and the construction of a new (c. 111 sqm) extension, outdoor seating and all associated site works.</p> <p>The site is a brownfield, infill site and is adjacent to established commercial development.</p> <p>It is anticipated that the proposed development will not result in any significant use of natural resources, will not result in any significant production of waste, will not give rise to significant pollution or nuisance impacts, will not give rise to any significant risk of accident/ disaster or impacts upon human health.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The development is a brownfield site situated in an urban area. There are no Protected Structures on or within the general proximity of the subject site. The site is not located within or adjacent to sensitive sites or European Sites including any Natura 2000 sites. The site is not within an area of archaeological significance.</p>
Types and characteristics of potential impacts	

(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the relatively small scale nature of the proposed development, its location removed from sensitive habitats/features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)