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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Roscommon County Council**

**Planning Register Reference Number: PD/19/307**

**APPEAL** by P.J. and Bridie Watson care of John Madden and Associates of Blackhill Street, Mullingar, County Westmeath against the decision made on the 1<sup>st</sup> day of November, 2019 by Roscommon County Council to grant subject to conditions a permission to Mark Shine and Phillipa Walsh of Clonark, Cornafulla, Athlone, County Roscommon.

**Proposed Development:** Construction of a single storey dwellinghouse with septic tank, percolation area and associated works, at Crancam, Drum, Athlone, County Roscommon.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

1. Having regard to -
  - (i) the location of the site within an "Area Under Strong Urban Influence" as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and
  - (ii) National Policy Objective 19 of the National Planning Framework (February 2018), which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstratable economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements,

it is considered that the applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National

Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within 'Strong Rural Areas under Significant Urban Influence' as set out in the current development plan for the area, where emphasis is placed on the importance of designing with the landscape and of siting of development to minimise visual intrusion. Having regard to the open and elevated terrain in a backland setting, together with the site configuration with an extensive driveway and siting of the house relative to the neighbouring dwellings, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would seriously injure the residential amenities of the adjacent dwelling, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment, would constitute piecemeal and disorderly development and set an undesirable precedent for other development located in the vicinity, and would conflict with the agricultural use of land. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that, taken in conjunction with existing development in the vicinity, the proposed development would result in an excessive concentration of development served by independent wastewater treatment systems/septic tanks in the area. Furthermore, having regard to the soil conditions, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated or disposed of on-site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.

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**Maria FitzGerald**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**