

# An Bord Pleanála



## Inspector's Report

**Appeal Reference No:** PI.04.246209

**Development:** Two storey dwelling and associated site works, Clogheenduan, Ballinhassig Co. Cork

### Planning Application

**Planning Authority:** Cork County Council

**Planning Authority Reg. Ref.:** 15/6007

**Applicant:** John O'Neill & Ann Marie Donovan O'Neill

**Planning Authority Decision:** Grant subject to conditions

### Planning Appeal

**Appellant(s):** Tom Carthew

**Type of Appeal:** Third Party v Permission

**Observers:** None

**Date of Site Inspection:** 24/05/2016

**Inspector:** A. Considine

## **1.0 SITE LOCATION AND DESCRIPTION**

- 1.1 The subject site is located in Clogheenduan, Ballinahassig Co. Cork, approximately 6km to the south-west of Ballinahassig and 4km to the north-east of Inishannon. The context of the subject site is very rural in nature and the area is not serviced with public water or waste water mains.
- 1.2 The subject site lies to the east of the public road, and is accessed via a small lane type of road, and off a minor local road which is ultimately a cul-de-sac. This 'lane' provides access to two existing houses, including the applicants current home, a farmyard and cemetery, and is a public road. The boundary of the site to the north west does not extend to the public road side boundary which at this location includes Rag Bridge. The subject site lies to the rear of two existing houses and the existing boundaries are generally delineated by fencing and hedge planting.
- 1.3 The subject site is generally regular in shape with a significant slope running down in a south to north direction towards a stream which forms the north/north eastern boundary of the proposed development site. The site has a stated area of 0.74ha. The context of the subject site is presented in the appendix to this report which includes, maps and a number of photographs taken on the day of my site inspection.

## **2.0 PROPOSED DEVELOPMENT**

- 2.1 Permission is sought for the construction of a dwelling house on the subject site. The house proposed comprises a two storey dwelling with a stated floor area of 261.84m<sup>2</sup>. The house comprises a large open plan kitchen/dining/sitting room in a single storey block with a southern aspect at ground floor level. In addition, the ground floor will also include a pantry and utility, bedroom, bathroom, physio room and a garage. The first floor level will provide for a master suite, 2 further bedrooms and a bathroom.

- 2.2 The house will rise to a stated height of approximately 8.4m and will be finished with a smooth plaster finish with natural stone and slate roof. In addition, it is proposed that the house will be serviced by a private well and a private on site wastewater treatment system.

### 3.0 PLANNING HISTORY

**PA ref 04/4605** – permission granted to the applicants for alterations, extension and conversion of outbuilding to a dwelling in November 2004.

**PA ref 11/5709** – permission granted to the applicants in November 2004 to revise the site boundaries to the dwelling granted under 04/4605.

**PA ref 11/5433** – permission granted to the applicants in September 2004 for retention of domestic garage with attic storage.

**ABP ref PL04.244163 (PA ref 14/04734):** Permission was sought for the construction of a dwelling on the site by the current application. The application was refused by Cork County Council. The development was refused on appeal to ABP for the following stated reasons:

1. The appeal site is located in a rural area under strong urban influence as identified in the current Cork County Development Plan wherein it the policy of the Council to restrict housing development to certain limited categories of applicants including persons who are considered to have exceptional health circumstances. Based on the information submitted with the application and taking into consideration the nature and extent of the existing property in the ownership of the applicants, the Board is not satisfied that the applicants have demonstrated a need to construct a new dwelling at this location and that the applicant's needs cannot be met by alterations to the existing accommodation. The proposed development would, therefore, contravene materially the provisions of the development plan with regard to the provision of sustainable rural housing and would militate against the

preservation of the rural environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the soil conditions and the proximity of the stream to the northern site boundary, the Board is not satisfied that the proposed development, taken in conjunction with existing development in the vicinity, would not result in an excessive concentration of development served by individual effluent treatment systems in the area. The proposed development, would, therefore, be prejudicial to public health.
3. Having regard to the location of the proposed dwelling, its relationship to the existing dwellings to the south, and the mass and scale of the proposed development, it is considered that the proposed development would be out of character with the pattern of development in the area and would militate against the preservation of the rural amenities of the area. The proposed development, would therefore, seriously injure the residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

**PA ref 16/4504:** Permission sought by Mr. J Murphy for slatted shed on farmyard site to the south of the subject proposed development site. Currently on further information with PA.

#### **4.0 PLANNING AUTHORITY DECISION**

##### **4.1 Planning and technical reports**

- 4.1.1 The Planning Officers report notes that the proposal is a repeat application with some modifications. The report considered the proposed development in terms of the policy requirements of the 2014 Cork County Development Plan as well as the site plan and house design, engineering and other issues. The Planning Officer notes the exceptional circumstances of the applicants which are provided for in Policy Objective RCI 4-8 and notes that the Occupational Therapist Home Access Report, together with medical

reports etc, justifies or merits setting aside the housing eligibility criteria in Policy Objective RCI 4-2. The Planning Officer also submits that he is satisfied that the family needs cannot be met by alterations to the existing accommodation.

4.1.2 Following an assessment of the proposed development, the report concludes that the current proposed house has been substantially reduced in floor space, scale and massing and is much more in keeping with the standard or familiar style of houses that exist in the rural area. The proposal now provides for a conventional sewage system which addresses the major difficulties arising from the previous proposal. The report concludes that permission should be refused for the following reason:

1. Having regard to the soil conditions and the proximity of the stream to the northern site boundary, the Board is not satisfied that the proposed development, taken in conjunction with existing development in the vicinity, would not result in an excessive concentration of development served by individual effluent treatment systems in the area. The proposed development would, therefore, be prejudicial to public health.

4.1.3 There is a report from the Area Engineer on file which submits that while new percolation results have been achieved, the former reasons for refusal have not been addressed, including excessive concentration of development and serious injury of residential amenities of the area. The issue of excessive concentration pays no heed to percolation results, rather the area is judged to be sensitive to a proliferation of WWTPs and further discharges to ground are not appropriate. Details of where the original trial holes were dug are not given and photographs of the trial holes in both applications are very poor. The Area Engineer also noted unease with the logic that the selling of one of your homes puts you in need of another one. It is recommended that permission be refused primarily for reasons given in ABPs previous decision. Finally, the report notes that the road serving the site is a public road but that a gate has been erected to restrict public access.

4.1.4 There is 1 objection to the proposed development noted on the PA file where the issues raised are summarised as follows:

- The development would be out of character with the heritage of the existing house and its surrounds.
- A grant of permission would set a precedent for similar type developments.
- The fragile environment of the rural area, river and wells would be at risk of contamination by any sewerage treatment system.
- The road is incapable of accommodating further traffic.

4.1.5 Irish Water have advised no objection to the proposed development.

4.1.6 The Board will note that an extension of time was granted with regard to the application. On the 26<sup>th</sup> January, 2016, the first party submitted an environmental assessment of the proposed waste water treatment system seeking to address concerns raised in the Planning Authority report.

4.1.7 A final Planning Officers report dated the 1<sup>st</sup> February, 2016, is on file with a comment that 'if planning permission is granted, I attach a schedule of planning conditions'. There are no further technical reports noted.

## **4.2 Planning Authority Decision**

The Planning Authority decided to grant planning permission for the proposed development, subject to 10 no. conditions including as follows:

Condition 2: contribution

Condition 3: occupation restriction

## **5.0 GROUNDS OF APPEAL**

Mr. Tom Carthew has submitted a third party appeal against the decision of Cork County Council to grant planning permission for the proposed construction of a dwelling house on the subject site. The grounds of appeal are summarised as follows:

- Planning permission has been refused less than two years for a similar development on the site.
- In the interim, the applicants have sold their home.
- The change from a reed bed sewage treatment system to a percolation system is probably safe most of the time but is still an environmental risk and a threat to water quality.
- Medical circumstances cannot override planning considerations.
- Issues raised in relation to the dealing with submissions to Cork County Council and the decision issuing within 5 days of receipt of information.
- It is considered that the development is commercial property development.
- The appellant does not agree with the first party consultants description of the ABP inspectors view that the development 'would not fit appropriately into the landscape' as a subjective assessment.
- The development would be a further scatter gun uncontrolled approach to housing on greenfield sites 10 minutes from Cork City.

It is advised that the appellant is opposed to the proposed development.

## **6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL**

### **6.1 Planning Authority response**

The Planning Authority has not responded to this third party appeal.

### **6.2 First party response**

6.2.1 The First Party, through their agent, has submitted a response to the third party appeal against the decision of the PA to grant planning permission. The response is summarised as follows:

- The wording in ABPs decision suggests that the Board would be willing to review the case if it could be shown that the applicants housing needs could not be met by alternations to existing accommodation.
- The decision of the Board implied that the proposed system, rather than the site, was considered to be inherently unsuitable for any septic tank system.
- The previous dwelling was sold because it could not be converted at reasonable cost and the proceeds of the sale were needed to pay for exceptional medical expenses. It is now a matter of fact that the applicants housing need can only be met by a new build.
- Condition 3 of the PAs decision confirms that the PA accepted the bone fides of the applicants housing need and did not share the cynical attitude of the appellant.
- The ABP inspector did not call into question the bone fides of the applicant. The two specific concerns raised by the inspector have now been addressed and there are no longer any planning considerations which would prevent the applicants housing needs being met on the site in accordance with Policy Objective RCI 4-8.
- The changes to the proposal must be considered significant as they directly address the previous refusal reasons of the PA and ABP.
- In relation to the issue of precedent, it is submitted that a precedent could only be used by applicants who also have exceptional health circumstances.

The submission concludes that the appeal has not acknowledged the applicants medical circumstances. It is requested that the Board grant permission for the proposed development as the applicants eligibility under Policy Objective RCI 4-8 has been established beyond any doubt and the planning considerations raised previously have been addressed.

### **6.3 Observations on grounds of appeal**

There are no observations noted on this appeal.



## **7.0 POLICY CONTEXT**

### **County Development Plan, 2014**

7.1 The subject site is located within the Greater Cork Ring Strategic Planning Area, in an area of Co. Cork which has been identified as being a Rural Area under Strong Urban Influence, and having a High Value Landscape.

7.2 In terms of the Rural Area under Strong Urban Influence designation afforded to the subject site, the following policy objectives are considered relevant:

- Objective RCI 4-2: Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1):

The rural areas of the Greater Cork Area (outside Metropolitan Cork) and the Town Greenbelt areas are under significant urban pressure for rural housing. Therefore, applicants must satisfy the Planning Authority that their proposal constitutes a genuine rural generated housing need based on their social and / or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of a number of identified categories including:

**d)** Persons who have spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation.

- Objective RCI 4-8: Exceptional Health Circumstances:

This policy objective seeks to facilitate the housing needs of persons who are considered to have exceptional health circumstances that require them to live in a particular environment or close to family support in the rural area. The application for a rural dwelling must be supported by relevant documentation from a registered medical practitioner and a qualified representative of an organisation which represents or supports persons with a medical condition or a disability.

- In addition, the subject site is located within the Greater Cork Ring Strategic Planning Area. In terms of settlement strategy, the CDP at CS 3-2 deals with the 'Network of Settlements: Lower Order Settlements' and identifies that Other Location settlements are to be identified in the Local Area Plans. The CDP provides that it is the strategic aim to 'recognise other locations, as areas which may not form a significant part of the settlement network, but do perform important functions with regard to tourism, heritage, recreation and other uses'.
- The Plan identifies the area, in terms of Landscape Character Type, as being a Broad Fertile Lowland Valley, Type 6a. This landscape is identified as having a high landscape value and sensitivity with a County level importance. County Development Plan Objective GI 6-1: Landscape, is considered relevant in this instance and it is the stated policy of the Council:
  - a) Protect the visual and scenic amenities of County Cork's built and natural environment.
  - b) Landscape issues will be an important factor in all landuse proposals, ensuring that a proactive view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.
  - c) Ensure that new development meets high standards of siting and design.
  - d) Protect skylines and ridgelines from development.
  - e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.
- Section 4.6 of the Plan deals with the general planning considerations for rural housing.

## **8.0 ASSESSMENT**

8.1 Having considered all of the information submitted with the planning application, together with the appeal documentation and responses, and having undertaken a site visit, I consider it appropriate to assess the proposed development application under the following headings:

1. The principle of the development & planning history
2. Site suitability
3. Visual & Residential Amenity Issues
4. Appropriate Assessment

### **Principle of development**

8.2 The subject site is located within the townland of Clogheenduan, Ballinhassig Co. Cork and in an area identified as a rural area under strong urban influence for housing in the County Development Plan, 2014. The Plan, together with the Sustainable Rural Housing Guidelines, provide clear guidance that there is a presumption against the development of one off houses except where the proposal constitutes a genuine rural generated housing need based on social and / or economic links to the particular rural area. The applicant is required to accord with one of five categories of rural housing need in accordance with Policy Objective RCI 4-2. In addition to Objective RCI 4-2, Policy Objective RCI 4-8 is also considered relevant in terms of the current proposal which relates to exceptional health circumstances.

8.3 The applicants have advised that they have lived in the area for more than the requisite seven years and are therefore can be considered as local rural persons. The applicants have sold their principle residence and are currently living in a converted barn development, which they also own, immediately to the south of the current proposed development site. The issue of compliance with Cork County Councils settlement location policy was raised in the Boards previous assessment of the proposed development, PL04.244163 refers. The applicants own a house in the rural area and in principle, it might reasonably be considered that their housing

need has been met. There was some assessment of the fact that the applicants did not 'build' a new house and therefore, according to Cork County Councils Area Planner, complied with the requirements of RCI 4-2 as a literal interpretation of the said policy objective. The Board disagreed. I would also disagree and suggest that the objective clearly provides for building of a 'first' home. The subject proposed development would not comply with this objective as the applicants have owned two homes, currently one, in the local rural area.

- 8.4 Further to the above, Objective RCI 4-8 is considered relevant. The applicants are seeking to comply with development plan objectives for rural housing on the exceptional health circumstances of their son. The Board will also note that reference is also made to a second member of the family who has a debilitating condition, and it is submitted that the current house, the converted barn, is not suitable for the medical requirements of the family members. County Development Plan Objective RCI 4-8 deals with Exceptional Health Circumstances, and states as follows:

Facilitate the housing needs of persons who are considered to have exceptional health circumstances that require them to live in a particular environment or close to family support in the rural area. The application for a rural dwelling must be supported by relevant documentation from a registered medical practitioner and a qualified representative of an organisation which represents or supports persons with a medical condition or a disability.

This objective applies to all rural housing policy area types.

In addition to the above, the Sustainable Rural Housing Guidelines provide that 'planning authorities should recognise that exceptional health circumstances – supported by relevant documentation from a registered medical practitioner and a disability organisation – may require a person to live in a particular environment or close to family support. In such cases, and in the absence of any strong environmental, access or traffic reasons for refusal, a planning authority

should consider granting permission, subject (where appropriate) to conditions regarding occupancy.'

8.5 Having regard to the planning history associated with the subject site and based on the limited information submitted as part of the current application, I accept the bona fides of the case and consider that they accord in principles of objective RCI 4-8. The Board will note, that submissions on the Boards file omit certain information deemed 'private matters not suitable for public consideration'. In terms of the history, the facts remain that the proposed development, if permitted, will result in a third house being permitted within the restricted area. The applicant has submitted that the existing Barn is not suitable for their needs and cannot be converted to cater for these needs. It is further advised that the property was built as a rental property to raise capital on an ongoing basis for medical needs. It is further noted that 'the sale of the property is the only way to afford to build the proposed house'.

8.6 In this regard, I am not clear what the future status of the barn is / will be. I also note that the site area of the converted barn has been significantly reduced by way of a grant of planning permission to alter the site boundaries and to reduce the site area from 0.85 acres (0.344ha) to 0.1ha under PA reg ref 11/05709. I do accept that the shape of the site of the barn is somewhat restricted, and that a new build would be the easiest option, but I do question whether a full consideration of the potential for the redevelopment of the barn site has been undertaken. Given the context of the location of the proposed development site, within an area designated as being under strong urban influence, together with the existence of the existing houses on the original landholding, together with the identification of the landscape as having a high landscape value and sensitivity with a County level importance, and the previous consideration of the Board in this regard, I share the concerns raised in the Boards previous assessment of the proposed development. I also wonder if adequate consideration has been afforded to the potential for re-development of the existing house. In the absence of medical considerations, I would consider that a grant of planning permission should not be considered appropriate and

while I accept the medical needs of the family, the proposal before the Board raises a wider issue in terms of rural housing policy. I do not consider that the family potentially making themselves homeless through the selling of their existing houses on the landholding is an appropriate reason to consider compliance with rural housing policies.

8.7 Under the previous application / appeal, the Board determined that:

Based on the information submitted with the application and taking into consideration the nature and extent of the existing property in the ownership of the applicants, the Board is not satisfied that the applicants have demonstrated a need to construct a new dwelling at this location and that the applicant's needs cannot be met by alterations to the existing accommodation. The proposed development would, therefore, contravene materially the provisions of the development plan with regard to the provision of sustainable rural housing and would militate against the preservation of the rural environment.

Given that the original family home was sold, the potential for alterations to same is no longer an option. In terms of the current home, no real consideration has been given to potential alterations. Given the landholding available, and notwithstanding the permitted reduced site area afforded to the Barn house, this is regrettable. In particular, and having regard to the location of the site together with the development plan and Rural Housing Guideline requirements, there is an onus to have regard to the protection of the existing landscape and rural amenities of the area. The Board will note comments to this effect made by the Councils Area Engineer in his reports.

### **Site Suitability**

#### Water Services:

8.8 In terms of site suitability, the Board will note that it is intended to install a private proprietary waste water treatment system to service the house. It is also noted that the house is to be serviced by a

private well for its water supply. Having considered the information provided on the planning authority file with regard to the proposed development, together with the planning history associated with the subject site, it is clear that consideration of the sites suitability with regard to the treatment and disposal of waste water has been extensively and comprehensively considered. In this regard, the applicant submitted a completed site suitability assessment regarding the suitability of the proposed site in terms of the treatment and disposal of wastewater generated on the site. The Board will note the concerns raised by the Planning Authority's Area Engineer in relation to the proposed development on site suitability grounds in relation to waste water treatment and disposal. In addition, the Board itself refused permission for a previous proposal on the grounds of site suitability, proximity to the stream and an excessive concentration of individual effluent treatment systems in the area and concluded that the development, if permitted, would be prejudicial to public health.

- 8.9 The site characterisation assessment, submitted as part of the planning application, notes that no bedrock was identified in the trial pit, which was dug to 2.3m bgl. The assessment identifies that the site is located in an area where there is no Groundwater Protection Scheme but categorises the site as being a locally important aquifer (LI) with moderate vulnerability. A Groundwater Protection Reserve of R1 is indicated. The soil type is described as 'AminDW – Acid Brown Earths / Brown Podzolics' and the bedrock type is 'NSA – Namurian Sandstone'. \*T tests carried out on the site, at a level of 0.5m bgl, yielded a value of 58.99<sup>1</sup>, while no \*P tests were carried out at the site. The report concludes recommending a packaged treatment system with a capacity PE of 6.00<sup>2</sup> and a polishing filter

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<sup>1</sup> The previous \*T value recorded was c85. The location of the previous trial holes were not identified, but have been included in the Environmental Assessment submitted to Cork County Council on 26<sup>th</sup> January, 2016 to the east of the current location. The Board will also note that the trial holes on the current proposal are located a distance of 30m from the proposed location of the proposed treatment system.

<sup>2</sup> Should the Board be minded to consider a grant of planning permission in this instance, and having regard to the size of the house proposed, I would consider that the packaged system should be designed to support a capacity PE of 8 which would require a polishing filter / distribution area of 58.99m<sup>2</sup>.

area of 44.24m<sup>2</sup>. The system will discharge to groundwater with a hydraulic loading rate of 20.34 l/m<sup>2</sup>/d. While the 2009 EPA Manual deals with hydraulic loading issues, it is notable that there is no guidance on such issues in relation to tertiary treatment systems. The proposed system, however, seeks to accord with the clarification requirements of the EPA Manual.

- 8.10 Overall, and while I acknowledge the submission on file with regard to the treatment and disposal of waste water arising from the site, I consider that there remain a number of issues associated with same, including the layout of the site in accordance with the trial hole locations, and indeed, the issue previously raised by the Board with regard to the concentration of private systems in the area. Site conditions and the proximity of the stream cannot be altered and I have concerns regarding the actual locations on the existing systems serving the existing houses, as the locations seem to vary on the various plans / maps associated with the applicants original landholding. While I acknowledge the observations of the applicant in this regard, the excessive concentration of private effluent treatment systems in this area would have potential to result in a public health hazard.

Roads & Access:

- 8.11 Access to the proposed development site is over public roads and I am satisfied that a grant of permission in this instance, would not result in a traffic hazard.

**Visual & Residential Amenity Issues**

- 8.12 In terms of the proposed design of the house, I have no real objection in principle. However, given the high value landscape in which the site lies, together with the proximity to the existing houses, I am concerned that the proposed design does not reflect the environment into which it is proposed to sit. I acknowledge that amendments have been made to the overall scale and mass of the house previously refused by the Board, but I do not consider that the amendments have addressed the concerns raised in terms of its relationship to the existing houses, or how if permitted, it would



affect the rural character of the area. I do acknowledge the level differences identified on the site layout plan, as well as the landscaping and planting which has occurred in the area, but I remain concerned that the general amenities of this rural landscape would be impacted upon if permitted as proposed and the house, would represent a significant visual intrusion in the landscape, particularly when viewed from the north.

**Appropriate Assessment:**

- 8.13 The subject site is located at a distance of +15km from the nearest European site, being Cork Harbour SPA, Site Code 004030, located to the north east of the subject site. Cork Harbour SPA is so designated for migratory and wetland bird species. The conservation objectives for the site seek to maintain or restore the favourable conservation status of habitats and species of community interests so as to contribute to the overall maintenance of favourable conservation status of those habitats and species at national level.
- 8.14 The subject development site itself can be considered a greenfield site within a rural area and has a watercourse as its northern boundary. Having considered the nature of the proposed development, together with the planning history and given the scale of same together with the level of information provided in support of the application, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 004030, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

## 9.0 CONCLUSIONS AND RECOMMENDATION

### Conclusion:

- 9.1 Having had regard to the proposed development, together with the information presented by both the applicants and appellant, as well as the planning history associated with the subject site, and notwithstanding the bone fides of the case, I am not satisfied that the information provided can facilitate the Board in determining that the proposed development fully accords with the requirements of the settlement location policies of the Cork County Development Plan. In addition, I consider that the development would be out of character with the rural environment and would seriously injure the existing amenities of the area by reason of scale and mass. Finally, I consider that the applicant has not addressed the concerns raised in the previous decision of An Bord Pleanála with regard to the effluent treatment system and in particular, the concentration of systems in the area arising, in an area where the percolation qualities are questionable and the proximity of a stream.

### Recommendation:

- 9.2 It is considered that the proposed development should be **refused** for the reasons and considerations hereunder.

## REASONS AND CONSIDERATIONS

1. The appeal site is located in a rural area under strong urban influence as identified in the current Cork County Development Plan wherein it the policy of the Council to restrict housing development to certain limited categories of applicants including persons who are considered to have exceptional health circumstances. Based on the information submitted with the application and taking into consideration the nature and extent of the existing property in the ownership of the applicants, notwithstanding the sale of the previous home, the Board is not satisfied that the applicants have demonstrated a need to construct a new dwelling at this location and that the applicant's needs cannot be met by alterations to the existing accommodation. The proposed development would, therefore, contravene materially the provisions of the development plan

with regard to the provision of sustainable rural housing and would militate against the preservation of the rural environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the soil conditions and the proximity of the stream to the northern site boundary, the Board is not satisfied that the proposed development, taken in conjunction with existing development in the vicinity, would not result in an excessive concentration of development served by individual effluent treatment systems in the area. The proposed development, would, therefore, be prejudicial to public health.
3. Having regard to the location of the proposed dwelling, its relationship to the existing dwellings to the south, and the mass and scale of the proposed development, it is considered that the proposed development would be out of character with the pattern of development in the area and would militate against the preservation of the rural amenities of the area. The proposed development, would therefore, seriously injure the residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

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A. Considine  
**Planning Inspector**  
**26/05/2016**