



An  
Bord  
Pleanála

## Inspector's Report PL20.249180

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<b>Development</b>	New house, garage, and proprietary wastewater treatment system
<b>Location</b>	Barrybeg, Athlone, Co. Roscommon
<b>Planning Authority</b>	Roscommon County Council
<b>Planning Authority Reg. Ref.</b>	PD17/122
<b>Applicant(s)</b>	Siobhan Rogers
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Breda and Noel Holohan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	1 <sup>st</sup> November 2017
<b>Inspector</b>	Una O'Neill

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## 1.0 Site Location and Description

- 1.1. The subject site is located approx. 4km northwest of Athlone town centre, in the townland of Barrybeg. The site is accessed via a rural public road off the N61. This rural road forms a C shape, connecting back into the N61 at another point. There are a number of one-off rural dwellings along this rural road, particularly along the southern most access point from the N61, where the first 600m is quite built up/suburban in character. The road then becomes narrower with a more varied alignment. The subject site is on a less built up section of this rural road. A cul-de-sac of approx. 9 bungalows, which has a direct access from the N61 and does not connect into this rural road, is located approx. 80m south of the subject site and is visible from the appeal site.
- 1.2. The site, which has a stated area of 0.286ha, is currently under grass and is bounded to the north by an agricultural shed and yard, and to the south by a post and wire fence boundary with intermittent planting with neighbouring dwelling. The roadside boundary comprises a hedgerow and the eastern boundary is currently undefined and open to the remainder of the field. The site is elevated at the roadside edge with a ground level of 49 indicated, and a ground level of 45 indicated at the eastern end of the site.

## 2.0 Proposed Development

- 2.1. The proposed development comprises a new dwelling, 20m wide, with an overall depth of 11.42m deep, and height of 7.2m. The dwelling is single and a half storey with a pitched roof and a central gable projection, to the front elevation and two dormer insertions in the rear elevation. The proposed floor area is stated to be 304.16sqm. The dwelling is positioned approx. 22m from the roadside boundary. The garage is positioned to the northern boundary of the site, to the side and rear of the dwelling and is 5m wide x 8m deep, with an overall height of 4.58m.
- 2.2. A proprietary waste water treatment system with soil polishing filter and percolation area is proposed. Surface water disposal is by means of a soakaway. Water supply is from a new connection to the mains system.

## 3.0 **Planning Authority Decision**

### 3.1. **Decision**

Permission GRANTED, subject to 13 conditions, including the following:

- C2: Occupancy
- C4: Sightlines
- C8: Wastewater treatment system and polishing filter
- C10: Landscaping
- C11: Development Contribution

### 3.2. **Planning Authority Reports**

#### 3.2.1. **Planning Report**

The Planning Officer's report generally reflects the decision of the Planning Authority. It is noted that Further Information was requested in relation to the following:

- Substantiate local housing need
- Contextual elevation indicating the proposed dwelling relative to the dwelling to the south
- Landscaping to obviate potential for overlooking from ground floor windows

Following receipt of further information, permission was granted.

#### 3.2.2. **Other Technical Reports**

Environment Section – No objection subject to conditions.

### 3.3. **Prescribed Bodies**

None.

### 3.4. **Third Party Observations**

One objection was received from Breda and Noel Holohan. The issues raised are covered in the grounds of appeal.

## 4.0 **Planning History**

**99/998:** Outline permission GRANTED for construction of 2 dwellings and septic tanks.

**04656:** Permission GRANTED to Ultan Mannion for house and septic tank, as granted under PD/99/998.

**04/1548:** Permission GRANTED to omit condition 2(i) (relating to width of site and position of dwelling).

### Neighbouring Site to South:

**03/316:** Permission GRANTED, which was subject of the outline permission 99/998. FFL of 99.1 indicated.

**081164:** Permission GRANTED to relocate site entrance.

**041813:** Permission GRANTED to construct a garage at the southern boundary of the site.

## 5.0 **Policy Context**

### 5.1. **Sustainable Rural Housing, Guidelines for Planning Authorities (2005)**

- The subject site is located within an area designated as being 'Rural Areas under Strong Urban Influence' within these Guidelines.
- Section 3.3.3 deals with 'Siting and Design'.
- The Guidelines recommend against the creation of ribbon development for various reasons including road safety, future demands for the provision of public infrastructure and visual impacts.

### 5.2. **Roscommon County Development Plan 2014-2020**

- 5.2.1. The site is within a Rural Area Under Strong Urban Influence and within an area designated as Category A Urban Periphery (table 5.4).
- 5.2.2. In this context it is considered that these areas be reserved for individual housing development which meets the rural generated housing need that may arise from time to time, within the Urban Periphery for those referred to in categories (a) and (b) in Table 5.3.
- 5.2.3. Table 5.3, Rural-Generated Housing Need: This is defined as demand for housing in rural areas generated by:
- a. People who have lived in a rural area of County Roscommon for a large part of their lives or who have rural roots in terms of their parents being of rural origin. These would include farmers or close relatives of farmers who can substantiate that they are also engaged in agriculture or otherwise dependant on the immediate rural area (rather than a nearby town or village) for employment, and/or anyone taking over the ownership and running of a farm. It would also include people who have no family lands but who wish to build their first home within the rural community in which they have spent a large and continuous part of their lives...
- 5.2.4. Policy 5.32 seeks to “strictly control development in the urban periphery by restricting development that would contribute to the erosion of the urban fabric and viability of the settlements listed in Table 5.4, Category A, of this Plan. Prospective applicants seeking new housing development in areas around the Urban Periphery shall be required to meet the suitability criteria as set out in Table 5.4, Category A, of this Plan.”
- 5.2.5. Policy 5.35: Ribbon development and urban sprawl will be discouraged. The Planning Authority will assess whether a given proposal will exacerbate such development, having regard to the following:
- the type of rural area and circumstances of the applicant;
  - the degree to which the proposal might be considered infill development;
  - the degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would join together as a result of the development; and

– local circumstances, including the planning history of the area and development pressures.

#### 5.2.6. Chapter 9: Development Management Guidelines and Standards:

- In selecting a location for proposed development in rural areas, (including housing), regard should be had to the topography and vegetation cover so as to integrate the proposal with the existing landscape. The good use of natural features, such as enclosed fields with hedgerows or stone walls or the rolling landscape, can help to integrate a new building into the open countryside.
- Wherever possible, buildings should be built into sloping land rather than sited on platforms sitting on the side of a hill...
- In terms of landscaping, trees and shrubs appropriate to the Irish landscape should be used...
- Visibility splays for Local Roads will be determined on a site-specific basis subject to traffic safety. In general, only the minimum interference with existing roadside boundaries and hedges shall be permitted. Visibility splays to be stipulated at 90 metres unless a safety audit is submitted to justify a reduced sight distance (y value).

5.2.7. Landscape Character Assessment Area 8: Lower Lough Ree and Athlone Environs, which is of Very High Value reflecting the presence of the Shannon river corridor.

### 5.3. **Natural Heritage Designations**

Lough Ree SAC (site code 000440) and Lough Ree SPA (site code 004064) is located approx. 1km to the east of the subject site.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The appellants, Breda and Noel Holohan, live to the south of the appeal site and their submission is summarised as follows:

- Concern in relation to impact of the proposed house on the dwelling to the south by way of overlooking and overbearing. Proposed dwelling should be refused.
- Scale of the proposed house, location of windows, the finished floor level and ridge level proposed exceed that of the house to the south.
- Finished floor level, following receipt of further information, has been reduced. However finished floor level is 1.75m above that of the property to the south and is higher than that previously permitted on this site, which was 1.16m above the property to the south.
- Scale of dwelling with its large footprint (20m width and 11m depth) would result in a squat bulky form of building. This dwelling is much larger than others along this road. Design does not comply with section 9.5 of the development plan. The proposal does not reflect its setting nor the scale, height and character of existing buildings in the vicinity. The proposal because of its elevated position, scale and massing, would be an incongruous insertion in the landscape.
- The proposal constitutes ribbon development, as per the Sustainable Rural Housing Guidelines, where ribbon development is defined as being more than 5 houses in 250m of road frontage. There are already 7 dwellings in 250m along this road. Ribbon development can give rise to issues of road safety, future demands for public infrastructure as well as visual impacts. Proposal should be refused on basis of ribbon development.
- No regard has been given to the number of wastewater treatment systems in the vicinity of the subject site and potential cumulative effects on the groundwater, particularly having regard to the location above a regionally important aquifer and the sandy nature of the soils.
- Lough Ree SPA is 800m east of the proposed development site and an appropriate screening process was not undertaken. There is a potential risk to the SPA from groundwater contamination given the proliferation of septic tanks in the area.



- The site is located in a landscape characterised as of ‘Very High Value’ in the Landscape Character Assessment of County Roscommon. A visual impact assessment was not submitted with the application.
- The list of tree, shrub and plant species listed in the landscaping scheme are not native species, as per section 9.5 of the development plan.
- Removal of hedgerow for visibility splay is contrary to section 9.5.3 of the development plan which seeks to preserve, maintain and augment hedgerows and trees where possible.
- The visibility splay achieved is contrary to section 9.38, whereby reduced splays will only be accepted where a safety audit is submitted to justify a reduced sight distance. Permission should be refused on traffic safety grounds.
- Appellants acknowledge the applicant is the daughter of the landowner, has grown up in the area and complies with the development plan policy with respect to rural housing to construct a dwelling in the locality subject to site suitability.
- Planning application should not have been validated as it did not contain a contiguous elevation, as per Article 23(1)d of the Planning and Development Regulations 2001 as amended.

## 6.2. Applicant Response

The applicant’s response to the third party appeal is summarised hereunder:

- The applicant complies with the rural housing policy and the site chosen is the more appropriate on the landholding.
- The proposed design has a gable width of 9.94m (11m when gable projection included). The neighbouring property has a gable depth of 10m, which increases to 12m when gable projection of house is included.
- Scale of dwelling is appropriate when taking account of surrounding stock and existing building stock.

- Neighbours house is due south of the site and will not be impacted upon in terms of shade or shadow.
- A further reduction of ground level by 265mm is proposed as a further mitigation measure. An increase in distance between gables of 22.28m is also proposed.
- The development is not considered ribbon development. There is a large residential cluster in this area of which the site forms part.
- There is a break in the line of dwellings. It is considered that this dwelling would be one of three along a 250m stretch of road. Ribbon development was not raised as a concern by Roscommon County Council.
- Proposed dwelling will be integrated into the site, as per the Roscommon Rural Design Guidelines.
- Changes in level is common along this road. The dwelling to the south has a level change to the dwelling to the south of it. Changes in levels creates an interesting and vibrant context to the built environment.
- The landscape proposal comprises native species. The southern hedgerow is to be augmented.
- The wastewater treatment system is in compliance with EPA guidance.
- Appropriate assessment is not required.

### 6.3. **Planning Authority Response**

None.

### 6.4. **Observations**

None.

### 6.5. **Further Responses**

The appellant has responded as follows to the first party response:

- Appropriate assessment screening was not carried out by the planning authority.
- The proposal from an examination of aerial photography represents ribbon development as defined by the Sustainable Rural Housing – Guidelines for Planning Authorities (April 2005).
- The scale of the proposed dwelling cannot be compared to a traditional cottage. The large dwelling proposed on an elevated site will have an undue negative impact on the visual amenities of the area which is characterised as having a 'Very High Value'. Proposal contravenes section 7.37 of the development plan.
- The amendments made by applicant in their submission, which reduces the overall of the dwelling by 607mm and the floorspace to 292sqm (304sqm initially) and increase of distance between properties to 22.3m (following FI, this was 20.65m) are welcomed however the finished floor level (FFL) still exceeds that permitted under PD04-656, which had a FFL of 1.16m above the appellants property. The previously permitted property has a ridge height just under 6m and a floor space of 152sqm. The dwelling now has a ridge height of 6.8m and a floor area of 292sq. The proposed dwelling should be refused given its overbearing scale.
- The applicant did not address the issues of Lough Ree and potential risk to it from untreated wastewater. The author has not provided sufficient proof that the quality of the waters of Lough Ree will not deteriorate as a consequence of the proposed development.
- In the event that the Board does decide to grant permission, it is requested that the FFL of the house be further reduced by 485mm and that the garage be relocated to the southern side of the site and positioned in such a way as to block views of the neighbouring house. The FFL of the garage should be no more than 500mm above the neighbour's house and garage and there should be no windows on the southern elevation. A suggested location for the garage is shown on a plan with this submission.

## 7.0 Assessment

7.1. The primary issues for assessment include;

- Rural Housing Policy
- Ribbon Development and Visual Amenity
- Wastewater Treatment System
- Residential Amenity
- Site Access and Landscaping
- Appropriate Assessment

### **Rural Housing Policy**

7.1.1. The proposed development is located within an area under strong urban influence and the urban periphery of Athlone as set out within Section 5.11 of the Development Plan. Only rural generated housing need will be accommodated in this area, whereby documentary evidence of compliance with table 5.3, Rural-Generated Housing Need will be required. This is defined as demand for housing in rural areas generated by:

- a. People who have lived in a rural area of County Roscommon for a large part of their lives or who have rural roots in terms of their parents being of rural origin. These would include farmers or close relatives of farmers who can substantiate that they are also engaged in agriculture or otherwise dependant on the immediate rural area (rather than a nearby town or village) for employment, and/or anyone taking over the ownership and running of a farm. It would also include people who have no family lands but who wish to build their first home within the rural community in which they have spent a large and continuous part of their lives.

7.2. The planning application was accompanied by a supplementary planning application form addressing local need and following a request for further information from the planning authority in this regard, the applicant submitted a site location map detailing the location of the family home and other family members and submitted land registry maps and folio numbers for the family's landholding. The applicant's father Ultan Mannion owns the land which is part of the family farm and which was

previously owned by the applicant's grandfather. Documentation from local schools has been supplied. The applicant currently lives in the UK and has no other home in Ireland. Her daughter is enrolled in the local school for September 2018 and documentation to that effect has been submitted. The applicant and her partner intend to help out on the family farm and help with her elderly parents. There is insufficient information before me to determine whether both applicants have a genuine housing need and if this need is rural generated as opposed to being urban generated. No indication as to places of employment in Ireland (if known) are given by the applicants and no information has been submitted in relation to Mark Rogers, who is stated to be an applicant on the supplementary planning application form. I am overall not satisfied that the applicants' comply with national policy to facilitate rural generated housing need only in this area.

### **Ribbon Development and Visual Amenity**

- 7.3. The proposed dwelling is located approx. 4km northwest of Athlone, along a rural road off the N61. This area is characterised by a number of rural dwellings both on this road, other local rural roads and onto the N61 itself. There are approx. 37 dwellings along the length of this rural road where the appeal site is situated, with 10 additional dwellings on a cul-de-sac in close proximity.
- 7.4. The appellant raises concerns in relation to the contribution this development makes to ribbon development. The proposal does not reflect its setting nor the scale, height and character of existing buildings in the vicinity. The proposal because of its elevated position, scale and massing, would be an incongruous insertion in the landscape. It is noted that the site is located in a landscape characterised as of 'Very High Value' in the Landscape Character Assessment of County Roscommon and a visual impact assessment was not submitted with the application.
- 7.5. The applicant states that the development is not considered ribbon development. There is a large residential cluster in this area of which the site forms part. There is a break in the line of dwellings. This dwelling would be one of three along a 250m stretch of road and not 7 and indicated by appellant. Ribbon development was not raised as a concern by Roscommon County Council and the scale of the dwelling is appropriate when taking account of surrounding stock and existing building stock. With regard to design, the proposed dwelling will be integrated into the site, as per

the Roscommon Rural Design Guidelines, the depth of the dwelling is less than that of the neighbouring dwelling and the proposal is appropriate when you look at building stock in the area which is not of the standard proposed. It is stated that changes in level are common along this road.

- 7.6. Policy 5.35 of the Development Plan states that ribbon development and urban sprawl will be discouraged. It is stated that ribbon development is a high density of almost continuous road frontage type development and is undesirable because it can create too many accesses onto existing traffic routes affecting traffic safety, it can create servicing problems e.g. water supply, drainage, footpaths and street lighting, and it can intrude on public views and our enjoyment of the countryside. Urban sprawl is defined as development which has spread outwards from towns and villages along its approach roads whether in ribbon form or not. This creates the same problems as ribbon development, but often has a far greater visual impact. In the main, ribbon development and urban sprawl will be discouraged.
- 7.7. The Rural Planning Guidelines gives the example of five or more houses existing on any one side of a given 250m frontage on the edge of town as being ribbon development. If one excludes one of the houses, which backs onto this rural road and is part of a cul-de-sac with a separate access to this road, and measures from where the footprint of the house is proposed to a point 250m south, then the development would become the 5<sup>th</sup> house, however there are a number of dwellings developed beyond this point, and while the dwellings are slightly more spread out than the example of 250m and 5 dwellings, it is clear that the development will contribute to ribbon development and urban sprawl and will therefore contribute to unsustainable development at this location, contrary to Development Plan Policy 5.35.
- 7.8. The dwelling is sited at the highest point of the site, with the adjoining rural road rising up to the site entrance. The ground level at the road is stated to be 49 and the applicant proposes to cut into their site with the finished floor level of the dwelling indicated to be 47.8. While I consider that the design and scale of the dwelling (overall height of 6.79m) is not incongruous in terms of what exists in the area and is appropriate, I have concerns in relation to the topography of the site and the level of cut required to get the dwelling to sit within the landscape. The development plan states that buildings should be built into sloping land rather than sited on platforms

sitting on the side of a hill. Overall I consider the proposed development, given the topography and level of cut and fill required, will be an incongruous addition to the rural landscape at this location.

### **Wastewater Treatment**

- 7.9. The applicant proposes a packaged wastewater treatment system and sand polishing filter. The accompanying site suitability assessment indicates the site is over a Regionally Important Karstified Aquifer (Rk), with vulnerability classified as High. The soil type comprises clay and sand. There is a council ground water scheme 1km from the site. The EPA Code of Practice (CoP) indicates that the site falls within the R2(1) response category where an on-site system is acceptable subject to minimum thickness of 2m unsaturated soil/subsoil beneath the invert of the percolation trench of a septic tank system.
- 7.10. The T-test was undertaken, in accordance with the CoP Annex C. The trial hole investigation did not encounter bedrock or ground water to a depth of 3m, however the trial hole collapsed on the day of the dig at a depth of 2.4m having encountered gravelly sand. The T value is stated to be 2. T values below 3 indicate retention time in the subsoil is too fast to provide satisfactory treatment and the site is unsuitable for a secondary treated on-site domestic wastewater systems. A P test was undertaken, with the value stated to be 7.33. P test values of between 3 and 75 indicate the site is suitable for a secondary treatment system with polishing filter at ground surface or overground. The applicant proposes secondary treatment and polishing filter at ground level.
- 7.11. The proposal complies with separation distances to key features and scale of percolation area required.
- 7.12. The applicant in their response to the third party appeal, submitted information in relation to a recently published study 'The impact of on-site wastewater from high density cluster developments on groundwater quality', Journal of Contaminant Hydrology 2015. The aim of the study, in cognisance of ribbon and clustered developments in rural Ireland was to quantify the impact of nutrient and microbial pollution on groundwater downstream of several clusters of development in different hydrogeological settings. Further to the findings of the study, which is summarised within the first party response, it is stated that the study offers that a 0.17ha site size

would be adequate for low, medium and high vulnerability sites. The site area of the application site is 0.286ha and is considered a high vulnerability site. As well as complying with the EPA code of practice, this study is also applicable. Should the Board require that even more treatment is provided above that proposed by way of the soil polishing filter, the applicant suggests that a proprietary tertiary filter system could be used in place of the soil polishing filter.

- 7.13. While the site characterisation submitted indicates the wastewater treatment system proposed can adequately deal with wastewater from the site, I note the composition of the soil in this area and the high number of dwellings within the immediate area. There are approx. 46 dwellings within a 15ha area, located within a radius of approx. 450m of the site, which appears to be in an area unserved in terms of a public wastewater system. There are a number of drainage channels as viewed on aerial photographs which lead to the River Shannon and Lough Ree SAC/SPA. Notwithstanding the study submitted by the applicant, I am not satisfied on the basis of the information presented before me, in particular the soil type and proliferation of wastewater treatments systems, that the development would not be prejudicial to public health.

### **Appropriate Assessment**

- 7.14. The appellant considers that the issue of Appropriate Assessment was not adequately addressed by the Planning Authority, given the distance from the site to Lough Ree SPA (800m east of the site). It is stated that there is a potential risk to the SPA from groundwater contamination given the proliferation of septic tanks in the area and the study submitted by the applicant does not acknowledge the potential risk to Lough Ree.
- 7.15. I note that Lough Ree SAC and SPA lies approx. 1km east of the site. The features of interest of Lough Ree SAC are: natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation; semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (\*important orchid sites); degraded raised bogs still capable of natural regeneration; alkaline fens; limestone pavements; old sessile oak woods with Ilex and Blechnum in the British Isles; bog woodland; and the species Otter. The features of interest of Lough Ree SPA are: Little Grebe, Whooper Swan, Wigeon, Teal, Mallard, Shoveler, Tufted Duck, Common Scoter,



Goldeneye, Coot, Golden Plover, Lapwing, Common Tern, and the habit which supports them Wetland and Waterbirds.

- 7.16. It appears from aerial photos that drainage channels in the area flow toward the SAC/SPA and the groundwater appears to be linked to the SAC/SPA. Given the high vulnerability of the site and soil type associated with the site, in addition to the number of wastewater treatment systems in the area, I have concerns in relation to the potential likely and significant impact on the SPA/SAC.
- 7.17. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Lough Ree SAC and SPA, or any other European site, in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.'

### **Residential Amenity**

- 7.18. The appellant has raised concerns in relation to the scale of the dwelling, finished floor level of the dwelling relative to their property to the south, and overall impacts in terms of overlooking and overbearing.
- 7.19. The first party response proposes further mitigation to the design and associated revised plans, received by ABP on 2<sup>nd</sup> October 2017. A further reduction of ground level by 265mm is proposed and the dwelling is repositioned toward the northern side of the site, to increase the distance between gables of the neighbouring dwellings from 20.85m to 22.28m. The third party in response considers that this is insufficient to mitigate the impact and requests that if Board are minded to grant permission that the finished floor level of the dwelling be reduced by a further 485mm and that the garage be relocated to the southern side of the site and positioned in such a way as to block views of the neighbouring house.
- 7.20. I note the revised drawings submitted by the applicant on 2<sup>nd</sup> October 2017 and it is these revised drawings which I am assessing. The proposed dwelling is located along a road which rises from the south of the site to a high point where the site is located. The roadside ground level is indicated to be 49mOD and the applicant proposes to cut into their site with the finished floor level of the dwelling indicated to be 47.8. The dwelling is proposed to have a finished floor level of 47.845, which is

stated to be 1.5m above the finished floor level of the neighbouring property. The proposed dwelling is stated to be a distance of 15.48m from the southern boundary with the neighbouring property and stated to be an overall distance of 22.28m from the dwelling to the south.

- 7.21. Given the alignment of the dwellings relative to each other, the significant distances between the dwellings, and the finished floor level proposed, I do not consider the proposed dwelling to be overbearing or to result in significant overlooking of the neighbouring property. I consider the appellant's suggestion to move the garage to the southern side of the site, to be unwarranted and would result in the site not being used appropriately in terms of its orientation, with the garage potentially blocking the south facing aspect of the dwelling/site.

### **Site Access and Landscaping**

- 7.22. The appellant has raised concerns in relation to the removal of hedgerow for visibility splay, which is contrary to section 9.5.3 of the development plan which seeks to preserve, maintain and augment hedgerows and trees where possible. The visibility splay achieved is contrary to section 9.38, whereby reduced splays will only be accepted where a safety audit is submitted to justify a reduced sight distance. Permission should be refused on traffic safety grounds. It is also stated that the list of tree, shrub and plant species listed in the landscaping scheme are not native species.
- 7.23. I note the Roscommon County Development Plan 2014-2020 states Visibility splays for Local Roads will be determined on a site-specific basis subject to traffic safety. Visibility splays to be stipulated at 90 metres unless a safety audit is submitted to justify a reduced sight distance (y value). The Planner's Report states sight line availability of 60m to the south and 70m to the north, which are achievable without the loss of hedgerow or planting and are deemed acceptable. No safety audit was submitted with the application, therefore I am of the view that the proposed development could result in traffic safety issues given the lack of background information submitted to justify the reduced sight lines proposed.
- 7.24. The Roscommon County Development Plan 2014-2020 states that it is a priority to preserve, maintain and augment hedgerows and trees where possible. It is also stated that where hedgerows or stone walls are removed to facilitate a new

development (or upgrade an existing development) the replacement boundary treatment should endeavour to replicate the removed or disturbed boundary. I note the hedgerow does not require removal in its entirety as currently proposed.

- 7.25. I am satisfied that the landscaping scheme and concern over the level of native species proposed could be addressed by way of condition.

### **Other Matters**

- 7.26. With regard to the issue of validation, I note that a contiguous elevation as per the Planning and Development Regulations 2001 (as amended) is required only where deemed appropriate. I am satisfied that the application was validated in accordance with the regulations.

## **8.0 Recommendation**

- 8.1. It is recommended that permission for the proposed development be refused for the reasons and considerations set out hereunder.

## **9.0 Reasons and Considerations**

1. Having regard to the location of the proposed development in a Rural Area Under Strong Urban Influence and within an area designated as Urban Periphery, where there is a high density of almost continuous road frontage type development, the proposed development would be contrary to the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 which recommends against the creation of ribbon development and policy 5.35 of the Roscommon Development Plan 2014-2020 which states that ribbon development and urban sprawl will be discouraged. The proposed development would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site within "Area Under Strong Urban Influence" as identified in Sustainable Rural Housing Guidelines for Planning

Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with the current Roscommon County Development Plan 2014-2020, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the topography of the site, the location of the dwelling on a high point of a hill, and the level of cut and fill proposed to the site, the proposed development would form a discordant and obtrusive feature on the landscape at this location. The proposed development would therefore seriously injure the rural character and visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape 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.
4. 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 wastewater treatment systems in the area and would be prejudicial to public health. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Lough Ree SAC and SPA, or any other European site, in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.

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Una O'Neill  
Senior Planning Inspector

29<sup>th</sup> November 2017