



An
Bord
Pleanála

Inspector's Report PL04.249321

Development

Demolition of an existing shed and construction of a dormer style one and a half storey dwelling with single storey extensions. The development includes installation of two new wastewater treatment systems (for both new dwelling and adjoining site), bored well and all associated works.

Location

Stoneview, Blarney, Co. Cork.

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

17/5746

Applicant(s)

Eileen Murnane & Anthony Crowley

Type of Application

Permission

Planning Authority Decision

Refusal

Type of Appeal

First Party v. Decision

Observer(s)

None.

Date of Site Inspection

30th January, 2018

Inspector

Robert Speer

1.0 Site Location and Description

- 1.1. The proposed development site is located in the rural townland of Curraghnalaght, Co. Cork, in an area known as Stoneview, approximately 2.1km north of Blarney town centre, to the northeast of the N20 (Cork-Limerick) National Road and the Cork-Mallow railway line. Whilst the surrounding landscape is primarily one of undulating rural countryside, there is a considerable concentration of one-off residential development located along the roadways in the wider area, with particular reference to those lands to the southeast and northwest, with notable instances of linear / 'ribbon'-type development giving a somewhat 'suburban' appearance to certain stretches of roadway. In this respect it should be noted that the existing cottage to the immediate east of the application site forms part of a series of 3 No. contiguous single storey dwelling houses developed along the roadside whilst there is a further incidence of 6 No. (primarily single storey) dwelling houses having been constructed further west along the same (northern) side of the roadway.
- 1.2. The site itself has a stated site area of 0.17 hectares, is irregularly shaped, and essentially comprises the side and rear garden areas of the neighbouring single storey cottage to the immediate east. It is bounded by mature hedgerow / ditches to the north, east and west with the roadside boundary to the south defined by a combination of hedging and a low stone wall, although the western site boundary also includes a notable tree stand. The site topography is characterised by a gradual fall north / north-westwards away from the public road.

2.0 Proposed Development

- 2.1. The proposed development involves the demolition of a domestic shed and the subsequent subdivision of an existing housing plot occupied by a single storey cottage in order to accommodate the construction of a new split-level, dormer-style, primarily one and a half storey dwelling house with a stated floor area 187.8m² and a ridge height of 7.85m. The overall design of the proposed dwelling house represents a blend of both contemporary and vernacular architecture and is based on an irregular footprint with the main construction aligned perpendicularly to the public road and set back behind the building line of the neighbouring cottage. External finishes will include a painted sand / cement render to the main house, selected

timber / grey brick or similar to the front entrance porch, selected zinc / grey powder coated alu-cladding or similar to the first floor dormer window, and blue black roof slates.

- 2.2. The proposal also includes for the installation of two new wastewater treatment systems (for both the proposed and existing dwelling houses), the provision of a replacement bored well to serve the existing cottage, and all associated ancillary works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On 31st August, 2017 the Planning Authority issued a notification of a decision to refuse permission for the proposed development for the following 3 No. reasons:

- Permission is sought for a detached dwelling, on a restricted site which is the private open space of a dwelling to the east. Having regard to the pattern of development in the area, the detached nature of the proposed development on a restricted site, that the house to the east would be left without a useful rear amenity space, it is considered that the proposed development would constitute overdevelopment of this site, would result in an excessive density of development, be seriously injurious to the amenities and would depreciate the value of property in the area, and would set an undesirable precedent for similar disorderly residential development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
- The proposed development when taken in conjunction with existing development in the vicinity, would constitute an excessive density of development in a rural area and, would lead to the creation of expectation of permission on adjoining lands, in a rural area where there are no sewerage facilities and the intensification of such a pattern would eventually lead to demands for the uneconomic extension of public facilities to the area. The development would add to an undesirable level of linear development along this short stretch of road, would constitute ribbon development and

contravene County Development Plan Policy RCI 6-3. The proposed development would therefore not be in accordance with the Sustainable Rural Housing Guidelines published by the Department of the Environment, Heritage and Local Government and would be contrary to the proper planning and sustainable development of the area.

- The proposed development would set a precedent for further such dwelling development and further such subdivision of residential sites in this rural area that is characterized by an existing high density of development. The proposed additional dwelling would constitute an excessive density of development in this unserviced rural area and further exacerbate / establish an unfavourable and unsustainable pattern of ribbon development when taken in conjunction with existing and permitted development in the immediate area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

States that the co-applicant (Mr. Anthony Crowley) generally satisfies the eligibility requirements as regards the construction of a dwelling house at this location within the Metropolitan Cork Greenbelt, however, it is subsequently noted that there is a considerable concentration of one-off housing development within the immediate site surrounds. The report proceeds to state that the subject proposal would contribute to the considerable density of existing development along this short stretch of rural road and would likely lead to the exacerbation of an undesirable pattern of ribbon development. Further concerns are expressed as regards the concentration of individual wastewater treatment systems / septic tanks in the area where the housing is seemingly served by private wells. In terms of the site layout, the submitted proposal is considered to give rise to a 'suburban' form which would be out of character with the surrounding pattern of development whilst inadequate private open space has been provided to serve both the proposed dwelling house and the existing cottage. The actual design of the proposed dwelling house is considered to be acceptable, although concerns have been raised by the Area Engineer as regards the adequacy of the sightlines available from the proposed entrance arrangement.

The report thus concludes by recommending a refusal of permission as set out in the decision of the Planning Authority.

3.2.2. Other Technical Reports:

Liaison Officer: No comments.

Area Engineer: Recommends that further information be sought in respect of proposals for the achievement of adequate sightlines from the proposed entrance arrangement.

3.3. **Prescribed Bodies**

Cork National Roads Office: No objection.

3.4. **Third Party Observations**

None.

4.0 **Planning History**

4.1. On Site:

None.

4.2. On Adjacent Sites:

PA Ref. No. 10/6115. Was granted on 31st December, 2010 permitting Brian O'Connell permission for a dwelling, new entrance, wastewater treatment plant and associated site works at Ardamadane, Blarney, Co. Cork.

5.0 **Policy Context**

5.1. **National and Regional Policy:**

- 5.1.1. The 'Sustainable Rural Housing, Guidelines for Planning Authorities, 2005' promote the development of appropriate rural housing for various categories of individual as a means of ensuring the sustainable development of rural areas and communities. Notably, the proposed development site is located in an 'Area under Strong Urban Influence' as indicatively identified by the Guidelines. Furthermore, in accordance with the provisions of the Guidelines, the Cork County Development Plan, 2014 includes a detailed identification of the various rural area types specific to the county

at a local scale and 'Figure 4.1: Rural Housing Policy Area Types' of the Plan confirms that the site is located within the 'Metropolitan Cork Greenbelt'.

5.2. Development Plan

5.2.1. Cork County Development Plan, 2014:

Chapter 2: Core Strategy:

Section 2.3: *The Network of Settlements*

Chapter 4: Rural, Coastal and Islands:

RCI 1-1: Rural Communities:

Strengthen rural communities and counteract declining trends within the settlement policy framework provided for by the Regional Planning Guidelines and Core Strategy, while ensuring that key assets in rural areas are protected to support quality of life and rural economic vitality.

RCI 2-1: Urban Generated Housing:

Discourage urban-generated housing in rural areas, which should normally take place in the larger urban centres or the towns, villages and other settlements identified in the Settlement Network.

RCI 2-2: Rural Generated Housing:

Sustain and renew established rural communities, by facilitating those with a rural generated housing need to live within their rural community.

Section 4.3: *Identifying Rural Area Types:*

Section 4.3.5: *Metropolitan Cork Greenbelt:*

This rural area under strong urban influence forms part of the Cork Gateway and is within close commuting distance of Cork City and Environs. There is evidence of considerable pressure from the development of (urban generated) housing in the open countryside and pressures on infrastructure such as the local road network and higher levels of environmental and landscape sensitivity.

Section 4.4: *Categories of Rural Generated Housing Need:*

Section 4.4.2: This plan recognises the positive benefits for rural areas to sustain and strengthen the vibrancy of rural communities by allowing qualifying applicants to build a first home for their permanent occupation in a 'local rural area' to which they have strong economic or social links as defined in the following objectives RCI 4-1 to RCI 4-5. The meaning of 'local rural area' is generally defined by reference to the townland, parish or catchment of the local rural school to which the applicant has a strong social and / or economic link.

RCI 4-1: Metropolitan Cork Greenbelt:

Objective RCI 41 should be read in conjunction with Chapter 13, Section 13.8 relating to 'Prominent and Strategic Metropolitan Cork Greenbelt Areas' including Objective GI 81 and Figure 13.3.

The Metropolitan Cork Greenbelt is the area under strongest urban pressure for rural housing. Therefore, applicants shall satisfy the Planning Authority that their proposal constitutes an exceptional 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 the following categories of housing need:

- a) Farmers, including their sons and daughters who wish to build a first home for their permanent occupation on the family farm.
- b) Persons taking over the ownership and running of a farm on a fulltime basis, who wish to build a first home on the farm for their permanent occupation, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.
- c) Other persons working fulltime in farming, forestry, inland waterway or marine related occupations, for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.

- d) Landowners including their sons and daughters who wish to build a first home for their permanent occupation on the landholding associated with their principal family residence for a minimum of seven years prior to the date of the planning application.

In circumstances, where a family land holding is unsuitable for the construction of a house, consideration may be given to a nearby landholding where this would not conflict with Objective GI 81 and other policies and objectives in the plan.

The total number of houses within the Metropolitan Greenbelt, for which planning permission has been granted since this plan came into operation on a family farm or any single landholding within the rural area, will not normally exceed two.

Section 4.5: *Greenbelts:*

RCI 5-1: Metropolitan Cork Greenbelt:

Maintain the Metropolitan Cork Greenbelt (as shown on Figure 4.1 in this Plan) which encompasses the City and its suburbs together with the satellite towns, villages and countryside of Metropolitan Cork.

RCI 5-2: Purpose of Greenbelt:

- a) Maintain a Green Belt for Metropolitan Cork with the purposes of retaining the open and rural character of lands between and adjacent to urban areas, maintaining the clear distinction between urban areas and the countryside, to prevent urban sprawl and the coalescence of built up areas, to focus attention on lands within settlements which are zoned for development and provide for appropriate land uses that protect the physical and visual amenity of the area.
- b) Recognise that in order to strengthen existing rural communities provision can be made within the objectives of this plan to meet exceptional individual housing needs within areas where controls on rural housing apply.

RCI 5-3: Land Uses within Metropolitan Greenbelt:

Preserve the character of the Metropolitan Greenbelt as established in this Plan and to reserve generally for use as agriculture, open space, recreation uses and protection / enhancement of biodiversity of those lands that lie within it.

RCI 5-4: Sustainability of Exceptions to Greenbelt Policies:

Recognise that by reason of the number of people currently living within Greenbelt areas, the granting of regular exceptions to overall policy is likely to give rise over the years to incremental erosion of much of the Greenbelt.

Section 4.6: General Planning Considerations:

RCI 6-1: Design and Landscaping of New Dwelling Houses in Rural Areas:

- a) Encourage new dwelling house design that respects the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.
- b) Promote sustainable approaches to dwelling house design by encouraging proposals to be energy efficient in their design, layout and siting.
- c) Require the appropriate landscaping and screen planting of proposed developments by using predominantly indigenous/local species and groupings.

RCI 6-2: Servicing Individual Houses in Rural Areas:

Ensure that proposals for development incorporating septic tanks or proprietary treatment systems comply with the EPA Code of Practice: Wastewater Treatment and Disposal Systems serving Single Houses (p.e. < 10) or any requirements as may be amended by future national legislation, guidance, or Codes of Practice.

RCI 6-3: Ribbon Development:

Presumption against development which would contribute to or exacerbate ribbon development.

RCI 6-4: Occupancy Conditions:

In order to take a positive approach to facilitating the housing needs of the rural community, where permission has been granted for a rural housing proposal, an occupancy condition shall normally be imposed under Section 47 of the Planning & Development Act 2000.

Chapter 13: Green Infrastructure and Environment:

Section 13.5: Landscape

Section 13.6: Landscape Character Assessment of County Cork

GI 6-1: Landscape:

- 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 land use 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.

GI 6-2: Draft Landscape Strategy:

Ensure that the management of development throughout the County will have regard for the value of the landscape, its character, distinctiveness and sensitivity as recognised in the Cork County Draft Landscape Strategy and its recommendations, in order to minimize the visual and environmental impact of development, particularly in areas designated as High Value Landscapes where higher development standards (layout, design, landscaping, materials used) will be required.

5.2.2. **Blarney Macroom Municipal District Local Area Plan, 2017:**

Section 1: *Introduction*

Section 1.10: *Green Belts around Towns:*

GB 1-1: Discourage strongly new individual housing from being located within the greenbelts around the main towns in each Municipal District (except within established villages and village nuclei). This restriction is relaxed in principle for individuals who can demonstrate a genuine rural generated housing need based on their social and/or economic links to a particular local rural area in accordance with Cork County Development Plan (2014) objective RCI 4-2, or in the circumstances referred to in objectives RCI 5-6 and RCI 5-7, which also apply to Greenbelts around the Main Towns.

Section 2: *Local Area Strategy*

Section 3: *Main Towns: Blarney*

5.3. **Natural Heritage Designations**

5.3.1. The following Natura 2000 sites are located in the vicinity of the proposed development site:

- The Cork Harbour Special Protection Area (Site Code: 004030), approximately 11.6km to the southeast.
- The Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170), approximately 12.8km to northeast.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- There are no set standards with regard to the provision of private open space serving developments in rural areas within either the 'Sustainable Rural Housing, Guidelines for Planning Authorities' or the Cork County Council Rural Housing Design Guide.

- The private open space provision for both the existing and proposed dwelling houses is considered to be adequate, useable and considerably in excess of the standards specified in the '*Residential Density Guidelines for Planning Authorities, 2009*'. In this regard it is further submitted that the existing dwelling house to the east of the subject site will continue to benefit from a useful rear amenity space and that the proposed design will not restrict the usability of that site.
- There are no standards specified in the 'Sustainable Rural Housing, Guidelines for Planning Authorities', the Cork County Development Plan, 2014, the Blarney Macroom Municipal District Local Area Plan, 2017 or the Cork County Council Rural Housing Design Guide with regard to the size of rural housing sites.
- The subject proposal complies with the relevant standards in relation to wastewater treatment, water supply, traffic safety, sightlines and open space whilst no concerns have been raised as regards the scale, bulk or height of the proposed house design. Accordingly, it is submitted that the Planning Authority's reason for refusal on the basis of overdevelopment is unfounded.
- Whilst certain standards were previously applied in respect of rural housing sites in order to fulfil wastewater treatment requirements, these are no longer valid given advances in the types of treatment technologies employed. Therefore, there is no longer a requirement for rural sites to be of an excessive scale and thus the proposal does not constitute an overdevelopment of the subject site.
- The proposed development complies with the relevant standards set out in the Development Plan and, therefore, it is submitted that if the subject design can be satisfactorily accommodated on site then there is no reason why the existing property cannot be subdivided.
- The overall density of the subject proposal is not excessive as the plots of both the proposed and existing dwelling houses will measure 0.11 hectares and thus will be of a scale and proportion comparable to properties located further east.

- The subdivision of the subject property represents a more sustainable option than the development of another 'greenfield' site within the metropolitan greenbelt which would likely require the provision of a new access onto the local road network.
- The proposed dwelling house is set into the contours of the site and is in keeping with the scale, form and height of the surrounding pattern of development.
- The existing mature landscaping along the western site boundary will serve to screen the proposed dwelling house and will also ensure the provision of a secure amenity area. It is also intended to retain the existing stone wall / ditch which conceals the site entrance.
- The report of the case planner dated 30th August, 2017 states that *'Even though the proposed ridge height is higher than the existing dwelling on site it is considered that the overall proposal in terms of design is acceptable on site'*.
- The applicants have intrinsic links to the area and a local rural housing need and, therefore, they satisfy the eligibility requirements of the County Development Plan.
- The applicants are presently residing in rented accommodation and are unable to find alternative accommodation due to a shortfall in housing in the area.
- Whilst there are substantial land banks zoned for development within the surrounding area, including the Stoneview Masterplan and the Monard SDZ, there is no prospect of any housing being developed on these lands in the short-to-medium term as planning permission is dependent on the upgrading of the N20 National Road and / or the delivery of other services / infrastructure.
- The subject proposal could be considered to involve the development of an infill site. In this respect it is submitted that the land in question is already in residential use and, therefore, the development will not require any further encroachment into the greenbelt.

- The proposed dwelling house will not be visually obtrusive.
- The accompanying 'Ribbon Development Study' establishes that the subject proposal does not constitute ribbon development.
- The proposed development is broadly in line with the 'Sustainable Rural Housing, Guidelines for Planning Authorities' which seek to promote a clustered format of development (as distinct from ribbon development).
- From a review of the planning history of the surrounding area, ribbon development does not appear to have been used as a reason for the refusal of planning permission.
- In response to the concerns raised by the Local Authority Area Engineer in their assessment of the subject proposal with regard to the adequacy of the sightlines available from the proposed entrance arrangement, the grounds of appeal have been accompanied by a letter from the neighbouring landowner giving their consent to the removal / maintenance of the roadside vegetation to the west of the application site.
- The existing boundary treatment along the roadside boundary of the neighbouring property to the immediate west is low-level and some further trimming of the existing trees and hedgerows along the shared site boundary will achieve sightlines of 80m to the west from the site entrance (as detailed in the revised sightline layout drawing attached as 'Appendix 'B' to the grounds of appeal).
- The site layout and shared access arrangement provides for adequate on-site turning space for cars.
- The wastewater treatment systems proposed for both the new and existing dwelling houses have been designed in accordance with the requirements of the '*EPA Code of Practice: Wastewater Treatment and Disposal Systems serving Single Houses*' and also satisfy the relevant separation distances from neighbouring properties.

6.2. Planning Authority Response

None.

6.3. Observations

None.

6.4. Further Responses

None.

7.0 Assessment

7.1. From my reading of the file, inspection of the site and assessment of the relevant local, regional and national policies, I conclude that the key issues raised by the appeal are:

- Rural housing policy / the principle of the proposed development
- Overall design and layout / visual impact
- Traffic implications
- Wastewater treatment and disposal
- Appropriate assessment

These are assessed as follows:

7.2. **Rural Housing Policy / The Principle of the Proposed Development:**

7.2.1. The proposed development site is located in an 'Area under Strong Urban Influence' as indicatively identified by the 'Sustainable Rural Housing, Guidelines for Planning Authorities, 2005'. These Guidelines state that such areas will exhibit characteristics such as their proximity to the immediate environs or the close commuting catchments of large cities and towns (e.g. Cork City) and will generally be under considerable pressure for the development of housing due to their proximity to these urban centres or the major transport corridors accessing same. Notably, within these areas the National Spatial Strategy states that the provision of new housing should generally be confined to persons with roots in or links to these areas whilst the Guidelines also acknowledge that the housing requirements of persons with roots or links in rural areas are to be facilitated and that planning policies should be tailored to local circumstances.

7.2.2. In addition to the foregoing, it is of further relevance to note that the Cork County Development Plan, 2014 includes a detailed identification of the various rural area types specific to the county at a local scale and that '*Figure 4.1: Rural Housing Policy Area Types*' of the Plan serves to confirm that the subject site is located within the '*Metropolitan Cork Green Belt*' which is defined as the hinterland of Cork City and that area of the county under the greatest urban pressure for rural housing. In this respect I would refer the Board to Section 4.5.6 of the Plan which states that given the exceptional housing demands and urban pressures exerted within this area, the retention of the Metropolitan Greenbelt into the future represents a serious planning challenge and that any incremental erosion of these lands over time will need to be carefully monitored. Accordingly, within this area the Planning Authority has adopted a restrictive approach as regards the eligibility of prospective applicants for rural housing and in this respect Objective RCI 4-1 of the County Development Plan states that applicants must satisfy the Planning Authority that they have an exceptional rural-generated housing need based on their social and / or economic links to a particular local rural area and, in this regard, demonstrate compliance with one of the following categories of housing need:

- a) Farmers, including their sons and daughters who wish to build a first home for their permanent occupation on the family farm.
- b) Persons taking over the ownership and running of a farm on a fulltime basis, who wish to build a first home on the farm for their permanent occupation, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.
- c) Other persons working fulltime in farming, forestry, inland waterway or marine related occupations, for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.
- d) Landowners including their sons and daughters who wish to build a first home for their permanent occupation on the landholding associated with their principal family residence for a minimum of seven years prior to the date of the planning application.

- 7.2.3. Having reviewed the rationale for the establishment of the Cork Metropolitan Greenbelt as set out in Section 4.5 of the Development Plan, and in light of the purpose of same as detailed in Objective RCI 5-2, I would accept that any further housing permitted within same should be restricted to named persons with an 'exceptional' rural-generated housing need and thus it is necessary to critically analyse the subject application in the context of compliance with Objective RCI 4-1 of the County Development Plan in addition to the provisions of the 'Sustainable Rural Housing, Guidelines for Planning Authorities, 2005'.
- 7.2.4. From a review of the available information, it would appear that the co-applicant (Mr. Anthony Crowley) is originally from the locality and that he has immediate family ties to the site in question. In this respect I would advise the Board that he is acquiring the subject site from his father and that it appears he previously resided in the adjacent cottage from 1983-2001 and within a neighbouring dwelling house to the east prior to same. In further support of the foregoing, the 'Supplementary Planning Application Form SF1' which has accompanied the subject application serves to confirm that neither of the co-applicants has ever previously owned a residential property or been the beneficiary of any grant of permission for a dwelling house in a rural area. In addition, it has also been submitted that it is the applicants' desire to reside adjacent to Mr. Crowley's parents in order to provide them with assistance given their long-term health issues whilst the applicants' daughter has been enrolled in the local (Whitechurch) national school.
- 7.2.5. Accordingly, on the basis of the foregoing, and noting that the proposal involves the construction of the applicants' 'first home' which is intended for their own occupation as a principle and permanent place of residence, it would appear that the applicants have intrinsic links to this particular rural area and thus would satisfy the eligibility criteria set out in the 'Sustainable Rural Housing, Guidelines for Planning Authorities' in addition to Objective RCI 4-1 of the County Development Plan.
- 7.2.6. However, notwithstanding the applicants' (Mr. Crowley's) connections to this rural area and their compliance with the applicable housing need criteria, it is apparent that the Planning Authority has considerable concerns with regard to the overall level of one-off rural housing development in this particular area given the site location with the identified Metropolitan Cork Greenbelt. In this respect I would reiterate that there is a considerable concentration of one-off residential development located

along the roadways in the wider area with notable instances of linear / 'ribbon'-type development to both the southeast and northwest of the application site. More specifically, it should be noted that the existing cottage to the immediate east of the application site forms part of a series of 3 No. dwelling houses which have been developed on contiguous sites along the (northern) roadside and thus the subject proposal would represent the fourth such dwelling house. Similarly, a total of 6 No. dwelling houses have been constructed along the northern side of an approximately 180m stretch of roadway to the northwest and whilst I would concede that there may be some gaps within this series of housing which could serve to undermine the suggestion that they have been constructed on immediately contiguous sites and thus do not comprise 'ribbon' development (as per the definition contained in Appendix 4 of the 'Sustainable Rural Housing, Guidelines for Planning Authorities), I am inclined to suggest that the plot division evident from OSi mapping would seem to support the conclusion that these houses were in fact originally developed on relatively large contiguous sites. In addition to the foregoing, it is of relevance to note that a further 6 No. dwelling houses have been constructed on contiguous sites along the southern side of the roadway immediately opposite the aforementioned housing.

- 7.2.7. Whilst the 'Ribbon Development Study' appended to the grounds of appeal has attempted to assert that the proposed dwelling house will not result in the creation of a series of five or more dwelling houses on contiguous sites along any one side of a 250m stretch of roadway, I am inclined to suggest that this is effectively reliant on the site occupied by that dwelling house permitted under PA Ref. No. 10/6115 to the northwest not extending as far as the subject site. Whilst no details of PA Ref. No. 10/6115 have been forwarded to the Board for consideration as part of the subject appeal, I note that the report of the case planner has expressly referenced that planning application as occupying the adjacent lands to the west of the proposed development site. Accordingly, whilst I would accept that the house permitted under PA Ref. No. 10/6115 is located at some distance from the subject site, its curtilage would appear to extend as far as the shared site boundary and thus the proposed development would result in the creation of an unacceptable pattern of linear / ribbon development. In any event, notwithstanding the example definition of ribbon development contained in the 'Sustainable Rural Housing, Guidelines for Planning

Authorities', having regard to the significant prevalence of almost continuous linear roadside development within the immediate site surrounds, it is my opinion that the subject proposal would serve to unacceptably consolidate and contribute to the build-up of undesirable ribbon development in this rural area outside of lands zoned for residential development and that any further continuation of the existing pattern of development would be detrimental to the visual amenity and rural character of the surrounding landscape. Moreover, when taken in conjunction with existing development in the vicinity, the proposed development would give rise to an excessive density of development in a rural area lacking certain public services and community facilities.

7.3. **Overall Design and Layout / Visual Impact:**

- 7.3.1. In terms of assessing the visual impact of the proposed development it is of relevance in the first instance to note that the wider landscape type within which the subject site is located has been classified as '*Broad Fertile Lowland Valleys*' as per the landscape character mapping set out in the County Development Plan, 2014. Furthermore, it should be noted that the site is not located within any '*High Value*' landscape nor will it be visible from any Scenic Route identified in the Development Plan.
- 7.3.2. In a local context, the surrounding landscape is primarily one of undulating rural countryside, however, there is a considerable concentration of one-off residential development located along the roadways in the wider area, with particular reference to those lands to the southeast and northwest of the site. The site itself is situated along a minor local roadway where it occupies an infill position within an existing series of roadside housing, however, it is generally well screened from view with the neighbouring dwelling house to the immediate east and the mature tree stand / hedgerow along the western site boundary serving to limit visibility from approach roads.
- 7.3.3. With regard to the specific design and layout of the proposed dwelling house, I would advise the Board that whilst the prevailing pattern of development in the immediate site surrounds is characterised by single storey dwelling houses, there are several instances of dormer-style dwellings in the area, including the adjacent property to the immediate northwest. In this regard, having regard to the site context, including the

constrained nature of the site, the available screening, and the proposal to utilise a split-level design given the site topography, I am amenable to the proposed dormer construction. Furthermore, whilst I would accept that the overall design and layout of the proposed dwelling house is perhaps somewhat out of character with the prevailing pattern of development in the area, I am satisfied that the submitted blend of contemporary and vernacular architecture, in addition to the proposal to align the main construction perpendicularly to the public road in a position set back behind the building line, will not unduly detract from the visual amenity of the area.

- 7.3.4. With regard to the specific concerns raised by the Planning Authority in relation to the possible overdevelopment of the application site, having reviewed the available information, and following a site inspection, in my opinion, both the proposed dwelling house and the existing cottage will be provided with sufficient private open space with their responsive curtilages so as to ensure an adequate level of residential amenity and the enjoyment of each property.
- 7.3.5. However, notwithstanding the foregoing, whilst I am amenable to the overall design of the subject proposal, I would nevertheless have serious reservations as regards the wider visual impact and the erosion of the rural character of the surrounding area attributable to the continued development of one-off piecemeal housing. In this regard I would reiterate that there is a considerable concentration of one-off residential development located along the roadways in the wider area with those instances of new housing having been developed over the years giving a somewhat 'suburban' appearance to parts of the landscape. Accordingly, whilst the visual impact of the proposed development could be held to be somewhat limited given the site context and the prevalence of existing housing in the area, I am inclined to suggest that any further continuation of the existing pattern of development could be held to be detrimental to the visual amenity and rural character of the surrounding landscape.

7.4. **Traffic Implications:**

- 7.4.1. The proposed dwelling house will be accessed via the existing entrance arrangement serving the adjacent cottage and in this regard it is of relevance to note that the development proposal includes for the provision of a dedicated on-site turning area in addition to car parking within the curtilage of each residence.

7.4.2. However, having conducted a site inspection, I would concur with the concerns expressed by the Local Authority Area Engineer as regards the inadequacy of the sightlines available to the west on exiting the site given the alignment of the roadway at this location and the obstruction of visibility arising from the planting / hedging along the roadside boundary of the adjacent property. In this respect I would refer the Board to Appendix 'B' of the grounds of appeal wherein the applicants have sought to address the foregoing concerns by submitting a letter of consent from the neighbouring landowner which agrees to the removal / maintenance of the roadside boundary ditch / vegetation within the adjacent property to the west of the site entrance in order to improve the available sight distance. Accordingly, on the basis that the applicants have obtained the necessary consent to amend / maintain the adjacent roadside boundary, and in light of the sightlines detailed in the amended site plan included in Appendix 'B' of the grounds of appeal, it would appear that the sight distance from the existing entrance arrangement can be satisfactorily improved.

7.5. **Wastewater Treatment and Disposal:**

7.5.1. It is proposed to replace the existing septic tank system serving the neighbouring cottage with a new wastewater treatment system which will discharge to a raised soil polishing filter whilst the proposed new dwelling house will be served by a further (separate) wastewater treatment system discharging to ground by way of a raised sand polishing filter. In this respect whilst it has been asserted that the subject site is suitable for the installation of the wastewater treatment systems proposed, I would have serious reservations as regards the potential for groundwater contamination given the increasing proliferation of individual wastewater treatment systems in the immediate area, particularly as residential properties in this area would appear to be served by bored wells.

7.6. **Appropriate Assessment:**

7.6.1. From a review of the available mapping, and the data maps from the website of the National Parks and Wildlife Service, it is apparent that the proposed development site is not located within any Natura 2000 designation and is approximately 11.6km northwest of the nearest such site (i.e. Cork Harbour Special Protection Area, Site Code: 004030). In this respect it is of relevance to note that it is the policy of the planning authority, as set out in Objective No. HE 2-1: '*Sites Designated for Nature*

Conservation' of Chapter 13 of the Cork County Development Plan, 2014, to protect all natural heritage sites, both designated or proposed for designation, in accordance with National and European legislation. In effect, it is apparent from the foregoing provisions that any development likely to have a serious adverse effect on a Natura 2000 site will not normally be permitted and that any development proposal in the vicinity of, or affecting in any way, the designated site should be accompanied by such sufficient information as to show how the proposal will impact on the designated site. Therefore, a proposed development may only be authorised after it has been established that the development will not have a negative impact on the fauna, flora or habitat being protected through an Appropriate Assessment pursuant to Article 6 of the Habitats Directive.

- 7.6.2. Having reviewed the available information, and following consideration of the 'source-pathway-receptor' model, it is my opinion that in light of the nature and scale of the development proposed, the nature of the receiving environment, and the separation distance between the lands in question and the nearest European sites, no appropriate assessment issues arise and the proposed development would not be likely to have any significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

- 8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be refused for the proposed development for the reasons and considerations set out below:

9.0 Reasons and Considerations

1. Having regard to the pattern of development in the immediate vicinity and the location of the proposed site in a rural area under strong urban pressure, which is characterised by a significant number of individual houses, it is considered that the proposed development would contribute to the encroachment of random rural development in the area, would encourage and exacerbate the developing pattern of ribbon development contrary to the provisions of the 'Sustainable Rural Housing, Guidelines for Planning

Authorities' issued by the Department of the Environment, Heritage and Local Government in April, 2005, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, represent haphazard and unplanned residential development in a rural area under pressure for urban development and would be contrary to the proper planning and sustainable development of the area.

Robert Speer
Planning Inspector

7th February, 2018