



An
Bord
Pleanála

Inspector's Report ABP-301373-18

Development	Erect a 2-storey house with a single storey garage and WWTS
Location	Corcaskea, Clontibret, Co. Monaghan
Planning Authority	Monaghan County Council
Planning Authority Reg. Ref.	18/13
Applicant(s)	John Branigan
Type of Application	Outline Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant	John Brannigan
Observer(s)	None
Date of Site Inspection	15 th September 2018
Inspector	Karla Mc Bride

1.0 Site Location and Description

- 1.1. The appeal site is located c.3km to the N of Clontibret Village in County Monaghan. The surrounding area is rural in character and there are several detached houses located along the local road network. The site is bound to the N, S and E by agricultural fields and to the W by the local road with fields beyond. There are several detached houses to the NW of the site which are located on both sides of the local road.
- 1.2. The site occupies part of an irregularly shaped field on the E side of the local road. The site slopes down from W to E and from N to S, the site boundaries are defined by mature trees and hedgerows and there is a drainage ditch along the NE site boundary. There is a stream located along the E boundary of the site and the SE boundary of the field. There is an existing farm entrance located along the roadside boundary and the demolished remains of a structure are located to the E of this entrance in the centre of the site.
- 1.3. Photographs and maps in Appendix 1 describe the site and environs in more detail.

2.0 Proposed Development

- 2.1. Outline permission is being sought to erect a 2-storey detached house and single storey garage on the 0.73ha site comprising:
 - The entire structure would be c.30m wide and c.10m deep
 - Vehicular access off the local road in SW section.
 - Wastewater treatment system in NE section.
 - All associated site works

Accompanying documents:

- Site Suitability Assessment report.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse planning permission for the proposed development for 2 reasons related to:

1. Constitute ribbon development, 5th house along a given 250m road frontage & materially conflict with policy RDP17.
2. Cumulative impact on visual amenity & the rural environment, it would erode the character of the landscape setting & materially conflict with policy RDP15.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer recommended that planning permission be refused.

3.2.2. Other Technical Reports

Environmental Health Officer: no objections subject to standard conditions.

Prescribed Bodies

No submissions.

3.3. Third Party Observations

No submissions.

4.0 Planning History

Reg. Ref. 07/492: Outline permission granted for a 2-storey detached dwelling house with single storey garage, WWTS, landscaping and associated site works, subject to 7 standard conditions. Condition no.4a required the permanent retention of most of the roadside trees and hedgerows.

5.0 Policy Context

5.1. Sustainable Rural Housing – Guidelines for PAs 2005

The site is located within an Area that is under Strong Urban Influence.

Appendix 4 recommends against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts.....Areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250m of road frontage.

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on the:

- Type of rural area and circumstances of the applicant,
- Degree to which the proposal might be considered infill development, and
- Degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the works.

5.2. Monaghan County Development Plan 2013 to 2019

Rural housing policies:

Section 15.4.3 states that the cumulative impact of a number of buildings on both the visual amenity of the countryside & the rural environment can be significant, parts of the county have already experienced a significant erosion of rural character as a result of intensive development, the PA shall continue to resist intensive development in un-serviced areas where it would cause a detrimental change to the character of a rural landscape, and the threshold of the number of buildings that can be accommodated without a detrimental impact on rural character will depend on:

- Number of buildings in the area & how they visually relate to each other,
- The number of extant planning permissions,
- The sensitivity of the landscape, and
- The nature, scale & design of the proposal.

Policy RDP 15 seeks to resist the intensive development of dwellings in un-serviced areas where they would detrimentally alter the rural character of the area.

Ribbon Development Policies:

Section 15.5 states that ribbon development will be resisted, primarily on grounds of visual amenity, reinforced on occasions by road safety reasons.... Where a proposed development would create or extend ribbon development, planning permission will be refused.... The Guidelines define ribbon development as five or more houses on any one side of a given 250m of road frontage.

Policy RDP 17 seeks to resist works that would create/extend ribbon development

Policy RDP 18 seeks to apply a relaxation of ribbon development policy on regional and local roads where permission is sought on the grounds of local housing need.

Policy RDP 19 seeks to permit a house on the site of a derelict building for family members where four or more houses plus a derelict dwelling exist.

Policy RDP 20 states that infilling of gaps between houses will not normally be permitted.

5.3. Natural Heritage Designations

None within 15km.

6.0 The Appeal

6.1. Grounds of First Party Appeal

Policy RDP 17 & Ribbon development:

- The Guidelines examples ribbon development where 5 or more houses exist on any one side of a given 250m road frontage.
- The PA has defined ribbon development as the 5th house along a given 250m road frontage & not on any one side.
- Section 15.5 of the Development Plan reflects the Guidelines.
- The proposal would be the 4th house on the one side of the 250m frontage starting with the appeal site and running NW.
- Given that this would be the 4th & not the 5th house along a given 250m frontage it does not contravene Policy RDP 17 and it would not create or extend ribbon development.

Policy RDP 15 & impact on rural character:

- Proposal would not create an intensive development of houses an un-serviced rural area & it would not detrimentally alter the character of the area.
- Having regard to the existing & permitted houses in the area, an additional house would not erode the rural character of the landscape.
- No material conflict with Policy RDP 15.

6.2. Planning Authority Response

No further comment.

6.3. Observers & Prescribed Bodies

No submissions received.

7.0 Assessment

The main issues arising in this case relate to the following:

- Principle of development
- Visual & residential amenity
- Vehicular access
- Environmental services
- Other issues

7.1. Principle of development

The proposed house, for which outline planning permission is being sought, would be located within a rural area that is covered by the Monaghan County Development Plan 2013 to 2019 and it would be subject to the provisions of the Sustainable Rural Housing Guidelines 2005.

In relation to the Sustainable Rural Housing Guidelines, the site is located within an Area that is under Strong Urban Influence. Appendix 4 recommends against the creation of ribbon development which usually occurs on the edge of towns and which is characterised by a high density of almost continuous road frontage development, for example where 5 or more houses exist on any one side of a given 250m of road frontage. It provides guidance as to whether a given proposal will exacerbate such ribbon development or could be considered, depending on the type of rural area, the applicant's circumstances, whether it is infill development or the degree to which existing ribbon development would be extended or coalesced.

In relation to the Development Plan, Policy RDP 15 seeks to resist the intensive development of dwellings in un-serviced rural areas where they would detrimentally alter the rural character of the area. Section 15.4.3 states that the threshold of the number of buildings that can be accommodated without a detrimental impact on rural character will depend on the number of buildings, how they visually relate to each other, the sensitivity of the landscape, and the scale and design of the house.

Section 15.5 states that ribbon development will be resisted mainly on grounds of visual amenity where a proposed development would create or extend ribbon development, and Policy RDP 17 seeks to resist works that would create/extend ribbon development. Section 15.5 also states that the 2005 Guidelines define ribbon development as five or more houses on any one side of a given 250m of road frontage, however it is noted that the Guidelines refer to this an example of ribbon development and not a definition.

The Planning Authority decided to refuse planning permission for 2 reasons related a material conflict with Policies RDP 15 and 17. The Appellant submits that the proposed house would not have an adverse impact on the character of the rural area and that it would not constitute ribbon development as it would be the 4th and not the 5th house along the 250m road frontage. The concerns raised by the Appellant to relation to the road frontage are noted as is the incorporation of this example of ribbon development from the 2005 Guidelines in to the Development Plan. However, the Guidelines clearly state that this an example and it is not a definition. Furthermore, both the Guidelines and the Development Plan provide further guidance for the consideration of houses in rural areas in relation to services, visual and landscape impacts, and ribbon development, as summarised above.

The proposed house would be located within an attractive rural area which is c.3km to the N of Clontibret Village and c.10km to the S of Monaghan town. The proposed house would be located along a local road which rises from SE to NW. There are numerous existing and permitted detached houses located on either side of the hill and along both sides of this road over a distance of c.1km. These existing houses are not located on the edge of a town or village, there is no evidence of an original settlement in the area and there are few public facilities such as a shop, church, school, hall, footpaths or public lighting. There is also no visual consistency in relation to house size, scale, height, design, boundary treatment or set back from the roadside boundary. The proposed house, which would occupy a low-lying position to the SE, would extend the built-up area further along the local rural road.

Having regard to the foregoing, I am satisfied that the proposed development would constitute and contribute to undesirable ribbon development within an un-serviced rural area, and that it would have an adverse cumulative visual impact on the surrounding countryside in combination with the existing houses in the area. The proposed development would be incompatible with national and local planning policy for the setting and location of houses in rural areas and it would also constitute an inappropriate and unsustainable use of agricultural lands.

Although outline planning permission was originally granted for a house on part of the subject site under Reg. Ref.07/492, it is noted that this previous proposal was considered under the County Monaghan Development Plan, 2007 to 2013.

7.2. Visual and residential amenity

The proposed development would be located within an attractive rural area that is characterised by a drumlin landscape with a traditional field pattern defined by mature trees and hedgerows.

The proposed 2-storey detached house with single storey garage would be c.30m wide and c.10m deep. It would be located in the W section of the site with a c.15m setback from the roadside boundary and a substantial separation from the site boundaries to the N, S and E. Given that this is an application for Outline Permission the detailed design and layout would be agreed at a later stage.

Having regard to the substantial separation distances to the nearest houses to the N and NW, the proposed development would not have an adverse impact on the amenities of any neighbouring properties in the vicinity as a result of overshadowing, overlooking, loss of privacy or overbearance.

7.3. Vehicular access

The proposed vehicular access would be via a new entrance in the SE section of the roadside boundary and the sightlines would be adequate in either direction. Given that this is an application for Outline Permission, the detailed design and layout of the entrance would be agreed at a later stage. However the applicant should be required to retain a substantial proportion of the existing trees and hedgerows.

7.4. Environmental services

The proposed development would have a population equivalent of 7, it would be connected to the public water supply and wastewater would be treated by an on-site treatment system located in the NE section of the site.

The application was accompanied by a Site Suitability Assessment report which described the site and the trial holes, and a range of percolation T and P tests were undertaken which concluded that the site was not suitable for a septic tank system and that a secondary wastewater treatment system with polishing filter is required with ultimate discharge to groundwater. The Environmental Health Officer had no objection to the proposed arrangements subject to conditions requiring the treatment system to be located within a minimum of 10m of the house or within 3m of the adjoining boundary, and that no part of the polishing shall radiate within 12m of the house, 10m of any watercourse or roadway or 3m of any boundary.

Notwithstanding this, the Site Suitability Assessment report contained a number of errors. Section 3.1 described the site as occupying a hillside location, falling away to the N whilst the site falls away to the SE. It described the existing land use as a garden whilst it is an agricultural field. It stated that there were no watercourses within 250m whilst there is a small stream c.80m to the SE. It described the drainage ditches along the N, W and E boundaries although this was not apparent along the W and N boundaries. The site map also described the site as having a smaller area than the planning application drawings. Given that this is an application for Outline Permission, the applicant should be requested to submit a revised Site Suitability Assessment report at a later stage. This could be addressed by way of a condition.

7.5. Other issues

Appropriate Assessment: Having regard to the outline nature of the nature of the planning application the need for AA screening is not required.

Environmental Impact Assessment: Having regard to the outline nature of the planning application the need for EIA screening is not required.

Flood risk: The proposed development would be located downslope of the existing houses and it would not give rise to a flood risk in the surrounding area.

8.0 Recommendation

Arising from my assessment of this appeal case I recommend that outline planning permission should be refused for the proposed development for the reasons and considerations set down below.

9.0 Reasons and Considerations

1. Having regard to the provisions of the Sustainable Rural Housing - Guidelines for Planning Authorities 2005 and to the County Monaghan Development Plan 2015 to 2021 which seek to protect rural landscapes and control ribbon development, the proposed development, when taken in conjunction with existing and permitted development in the vicinity of the site, would consolidate and contribute to the build-up of ribbon development in an open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would be contrary to Policy RDP 15 and Policy RDP 17 of the current Development Plan and it would, therefore, be contrary to the proper planning and sustainable development of the area.

Karla Mc Bride
Planning Inspector

18th September 2018