



An
Bord
Pleanála

Inspector's Report ABP 302951-18

Development	Construction of a two-storey split level house incorporating a granny flat, domestic garage, effluent treatment system and associated site development works.
Location	Larass Td, Strandhill Co Sligo.
Planning Authority	Sligo Co Council.
Planning Authority Reg. Ref.	18339.
Applicant(s)	Carmel Feeney & Aine Mc Manus.
Type of Application	Permission.
Planning Authority Decision	To Refuse Permission.
Type of Appeal	First Party
Appellant(s)	Carmel Feeney & Aine Mc Manus
Observer(s)	None.
Date of Site Inspection	February 20 th , 2019.
Inspector	Breda Gannon.

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1.0 Site Location and Description

- 1.1. The site is located in Larass Td, Strandhill. Co Sligo. It occupies an elevated position on a ridge to the east of the village. The site is accessed via the L3503 local road, which extends southwards off the R292 and links the village with Knocknahur and Ballysadare to the south east. It provides access to St Anne's Church of Ireland and adjoining Rectory adjacent to the junction and to numerous residential properties.
- 1.2. The site is located on the east side of the local road and is currently vacant. Ground levels rise steeply from the local road towards the rear of the site and from north to south within the site. The site is adjoined to the south by a two-storey residence and the common boundary is defined by a wooden fence. The front, rear and northern site boundaries are defined by hedgerows. Lands to the immediate north and east are currently undeveloped. There are panoramic views from within the site towards Sligo Bay and Knocknaree.
- 1.3. The area is rural in character and has experienced pressure for one-off housing. In the immediate vicinity of the site there are 2 no. houses immediately to the south and 1 no. house on the opposite side of the road to the south west.

2.0 Proposed Development

- 2.1. The proposal is to construct a two-storey split level house (257.5 sq. m) on the site, which has a stated area of 0.36 ha. The house would incorporate a granny flat (69.9 sq. m) and a detached domestic garage and car port (107.9 sq. m). The house would be located on the southern side of the site and set back from the public road. The garage would be located to the rear of the house in the south east corner. Vehicular access to the site would be via a long circuitous route, approaching the house from the rear (east).
- 2.2. The development would be cut into the hillside and would have a split-level design. The ridge level would be below that of the adjoining house to the south. The external finishes would include smooth render finish with locally sourced stone cladding on selected elevations and standing seam zinc roofs.

2.3. Foul effluent from the house would be treated in an tertiary treatment plant located on the lower section of the site (north).

3.0 Planning Authority Decision

3.1. Introduction

3.1.1. The planning authority decided to refuse permission for the development for 3 no. reasons relating to non-compliance with rural housing policy, non-compliance with siting and design criteria/impacts on visual amenities and traffic hazard.

3.2. Planning Authority Reports

3.2.1. The Planning Officer's report dated 12/10/18 noted the following:

- The proposed development is contrary to Policy P-GBSA-HOU-1 of the current Sligo County Development Plan regarding rural housing in green belt areas.
- It is considered that the scale of the house is excessive and would interfere with protected views in this location.
- Taken in conjunction with existing development in this location it is considered that the proposed development would result in an excessive density of development along a designated scenic route and would detract from the visual amenities of the area. The development would not be in accordance with the siting and design criteria for new development in rural areas as set out in Policy P-RHOU-2 and Section 13.4 of the current development plan.

3.2.2. Other Technical Reports

- The **Area Engineer's** report of 13/9/18 noted that a safe entrance onto the public road with sufficient safe sightlines is not achievable at this location.
- The **Environment Section** in their report of 7/9/18 raised no objection to the proposal subject to conditions.

3.3. Prescribed Bodies

- **Irish Water** in their report of 12/9/18 raised no objection to the proposal, noting that pumping would be required to maintain adequate supply and pressure.

3.4. Third Party Submissions

3.4.1. One objection was received by the planning authority which raised the following issues:

- Non-compliance with policies for housing within green belts.
- No planning application was submitted to expand applicants dwelling house at Lecarrow to accommodate the now proposed generation home, prior to its sale. The dwelling was on 0.65 acres of flat land and was built prior to the existing housing policy in green belt and sensitive areas (Map attached)
- The applicants have other residential/commercial properties within the village aside from the Cois Re apartments. Residing in any of these would meet the requirement to be based in the locality to undertake rural based forestry activities in compliance with Policy P-GBSA-1.
- The development will form an intrusive feature in the landscape and break the skyline. The adjacent property was built over 30 years ago and prior to current development plan policies. The development is located along a designated scenic route.
- Traffic considerations as the proposed entrance is located adjacent to a series of dangerous bends and restricted visibility.
- Development and its surrounds will create a large environmental and ecological footprint.
- Located within very close proximity to 3 no. heritage sites.

4.0 Planning History

4.1. Appeal site

- **Reg Ref No.18/231:** Permission sought for the construction of a house and effluent treatment system. Application withdrawn.

5.0 Policy and Context

5.1. Development Plan

5.1.1. The operative development plan is the **Sligo County Development Plan 2017-2023**. Volume 1 contains general planning policies and objectives. Residential development in rural areas is considered under Section 5.3 and Section 13.4 of the Plan. Volume 2 of the Plan contains a series of Mini-Plans for 32 settlements throughout the county, including Strandhill (Chapter 32). In the County settlement hierarchy, Strandhill is designated as a Gateway Satellite and is acknowledged as a settlement with special functions i.e. tourism. The site is located outside the village development limit and within the green belt as identified in the plan.

5.1.2. The policies/objectives outlined in the county development plan apply to all areas covered by the mini-plans. Relevant policies include;

- **Policy P-GBSA-HOU-1** relates to housing policy in green belts and sensitive area (Scenic Routes, Sensitive Rural Landscapes, Visually Vulnerable Areas.
- **Policy P-RHOU-1** – Encourage those who wish to build in rural areas to apply traditional principles in the siting and design of new houses, while facilitating high-quality modern design solutions.
- **Policy P-RHOU-2** - Require new house proposal in rural areas to comply with the guidance set out in Section 13.4 Residential development in rural areas (development management standards).
- Appendix E contains the list of designated scenic routes in the county.

5.2. Environmental Impact Assessment – Preliminary Screening

5.2.1. Having regard to the nature and scale of the proposed development and the nature of the receiving environment, there is no real likelihood of significant effects on the

environment arising from the proposed development. The need for EIA can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal address the three reasons for refusal cited by the planning authority and are summarised as follows:

Reason No 1

- Acknowledge that the development is located within the green belt and along a designated scenic route as set out in the Strandhill Mini Plan 2017-2023.
- Do not agree that the proposed development is not in compliance with its policies. An extract of Policy P-GBSA-HOU-1 is enclosed with the relevant section (Section B) that applies to the applicant highlighted (Appendix 2).
- Both applicants have connections with the area. A letter is enclosed from applicant's employer outlining the requirement for her to reside in this location (Appendix 3). Aine Mc Manus grew up in Strandhill and has an active role in the management and daily running of family run tourism business within the village. Due to the demanding nature of the business, it is imperative that she is based within Strandhill.
- Content of letter from Eamonn & Liz Comerford is inaccurate.

Reason No 2

- Extensive consideration was given to the surrounding topography and context in creating an appropriate design that harmonises with the rural landscape.
- The attached photomontages indicate that the site can absorb the house, does not break the skyline and reads well with the traditional pattern of development.
- The site is only visible from the R292 leaving Strandhill and heading west towards Sligo. It is not visible from the approach road at the site location. The

house is in keeping with the overall scale and character of the surrounding houses on the hillside.

Reason No 3

- The vision lines of 70m are entirely compliant (Appendix 6) as the surveyed traffic indicated that vehicles travelling on the road were travelling at a speed of less than 50km/h.
- The removal of the hedgerow to create the vision lines and entrance would greatly improve the poor sightlines to neighbouring property.

6.1.2. The planning history relating to the site is noted. It is concluded that the proposed design is appropriate to the subject site and is of high quality. It is considered that the form, scale and character of the development will sit comfortably within its host environment.

6.2. Planning Authority Response

6.2.1. The proposed development is considered to be contrary to Policy P-GBSA-HOU-1 of the current Sligo Development Plan for the following reasons:

- The applicant is purchasing the site which does not appear to be associated with the principal family residence which is located in the vicinity (Lecarrow – exact location unspecified) but was sold in 2017.
- The forestry professions engaged in by the applicants does not require employees to live in a rural area. Daily travel to any part of the county/region may be required. The applicants have not demonstrated a genuine need to live in this area.
- This is not a first home for Carmel Feeney.

6.2.2. The proposed development is located within the green belt of the Standhill Mini Plan 2017-2023 and along a scenic route as designated in the Sligo Co. Development Plan 2017-2023. It is the policy of the planning authority to manage development in such areas and to restrict the provision of one-off rural housing in accordance with the criteria set out in Policy P-GBSA-HOU-1. The proposed development is not considered to comply with this policy.

- 6.2.3. In accordance with Appendix E of the Sligo Co. Development Plan, the views to be preserved at this location are views towards Sligo bay and Knocknarea. It is considered that the scale of the house is excessive and would interfere with protected views in this location.
- 6.2.4. Having regard to the two existing houses to the south, it is considered that the proposed development would result in a composite inappropriate visual impact which would be unacceptable in this location. It is considered that taken in conjunction with existing development, the proposed development would result in an excessive density of development along a designated scenic route and would detract from the visual amenities of the area.
- 6.2.5. The development would not be in accordance with the siting and design criteria for new development in rural areas as set out in Policy P-RHOU-2 and Section 13.4 of the plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

7.0 Assessment

7.1. Introduction

- 7.1.1. The main issues that arise for determination by the Board in respect to this appeal relate to the following;

- Principle of the development
- Impact on the scenic amenities of the area
- Traffic safety
- Appropriate Assessment

7.2. Principle of the development

- 7.2.1. One of the primary issues for consideration by the Board in relation to this appeal is whether the principle of the development is acceptable, having regard to the rural housing policies of the development plan. The site is located within the green belt of the Strandhill LAP. Under the policies of the Sligo County Development Plan (Policy

P-GBSA-HOU-1), housing in green belts will be facilitated for two categories of applicants where a housing need has been established. These include

- a. 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;
- b. persons whose primary employment is in a rural based activity with a demonstrated genuine need to live in the locality of that employment base, for example, those working in agriculture, aquaculture, forestry, horticulture or other natural resource based employment.

7.2.2. The applicants are prospective purchasers of the site. They are not the landowners in this case and accordingly do not fall for consideration under category A under Policy P-GBSA-HOU-1.

7.2.3. The applicants contend that they are eligible for consideration as Category B applicants based on their employment in the local forestry industry. One of the applicants is stated to be employed as consultant with Western Foresry Co-op, while her daughter's partner is a tree surgeon. Whilst it is argued that the nature of their employment requires them to be based in this locality, I share the view of the planning authority that this type of employment does not tie the applicants to this particular location. It is my view that the applicants' housing needs could equally be accommodated in the village, where I note (Strandhill Mini-Plan) that there are 35 vacant buildings (not including apartments) in the village and planning permission in place for 150 residential units.

7.2.4. The green belt has been established to consolidate the settlement of Strandhill, to ensure that it remains visually distinct from the surrounding countryside and to reserve the area principally for agricultural use. In the absence of a demonstrated housing need to reside in this area, in accordance with the provisions of the Plan, there is no justification to permit an additional house in this location, which would further erode the green belt and detract from its rural character. I recommend that permission be refused on that basis.

7.3. Impact on the scenic amenities of the area

- 7.3.1. The site is located in an area designated Normal Rural Landscape. These are areas which are considered to have the capacity to absorb a wide range of new development. However, it is recognised in the development plan that these landscapes can form the context for exceptional landscape features such as distinctive mountains or coastal areas and that other development plan provisions such as designated scenic routes must be considered in the assessment of individual proposals.
- 7.3.2. The local road (L-3503) adjoining the site is a designated scenic route and views towards Sligo Bay to the north and Knocknarea to the south are protected. These views are impacted to varying degrees by existing developments in the locality. Views towards Knocknarea in the vicinity of the site are impacted by existing developments to the south and west. Views towards Sligo Bay are curtailed by existing trees/hedgerows.
- 7.3.3. The house will be positioned further back from the road line and with a ridge level that is lower than the existing house, I do not consider that the potential for significant additional impacts on views towards Sligo bay or Knocknarea would arise. However, the removal of the existing hedgerows along the northern boundary of the site would open up views from the local road.
- 7.3.4. The main impact of the development will be in views eastwards from the R292 at the outskirts of the village. I note that it is an objective of the Strandhill Mini-Plan to protect views of Knocknarea from the R292 at Larass between St Anne's Church and Sligo Rugby Club. From the R292 the proposal will be viewed in the distance. It will not break the skyline and its impact would not be as severe as some of the existing dwelling houses located on higher ground. Notwithstanding this it will be viewed as an additional built form on the hillside, which will further erode the rural character of the area and be at variance with the objectives of the Strandhill Mini - Plan, which states that the green belt shall remain principally in low-intensity agricultural use.
- 7.3.5. I concur with the views expressed by the planning authority that taken in conjunction with existing development, the proposed development would result in an excessive

density of development in a rural area and along a designated scenic route, which would detract from the visual amenities of the area.

7.4. Traffic safety

7.4.1. The site is accessed from a substandard local road, which has posted speed limit of 80km/h in the vicinity of the site. From my observations at the time of inspection, the road is quite heavily trafficked providing a short cut to the east side of the village from Ballysadare and Knocknahur.

7.4.2. The proposal is to provide vehicular access to the site along the site frontage, which is formed by a high embankment. From my observations on the site, I do not accept that it would be possible to provide safe and adequate access from the location shown. There are bends on both sides of the proposed access which limits visibility in both directions. Whilst it is contended by the First Party that the correct speed limit on this road should be 50km/h and that sightlines are adequate, I draw the attention of the Board to the comments of the Area Engineer in this regard. I recommend that permission be refused on the grounds of traffic safety.

7.5. Appropriate Assessment Screening

7.5.1. There are a number of European sites associated with Sligo and Ballysadare Bay. These include;

- Ballysadare Bay SAC (Site Code 000622)
- Cummeen Strand/Drumcliff Bay SAC (Site Code 000627)
- Cummeen Strand SPA (Site Code 004035)
- Ballysadare Bay SPA (Site Code 004129).

7.5.2. Having regard to the separation distance between the site and the Natura 2000 sites, there is no potential for direct impacts on any of the designated site. The only potential for indirect effects that could arise would be from the wastewater treatment system to be provided on the site. The site suitability assessment submitted in support of the application indicates that the site is suitable for the disposal of wastewater, which coupled with the separation distance to the coastline, creates no potential for indirect effects.

- 7.5.3. Having regard to the location of the development, the nature of the development and the separation distance from Natura 2000 sites, I consider that the proposed development either alone, or, in combination with other plans or projects, would not be likely to have significant effects on a European site, in view of the sites' conservation objectives and that, therefore, a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement is not required.

8.0 Conclusion

- 8.1. The proposed development is not acceptable in principle in this location. The site is located within the designated green belt associated with Strandhill and the applicants have not demonstrated a genuine housing need to reside in this area in accordance with Policy P-GBSA-HOU-1 of the development plan.
- 8.2. Taken in conjunction with existing development in the vicinity the proposed development would result in an excessive density of development in this rural area, which is designated as a green belt and along a scenic route which would detract from the visual amenities of the area.
- 8.3. The proposed development would endanger public safety by reason of traffic hazard due to the increase in traffic movements that would be generated onto the adjoining substandard local road.

9.0 Recommendation

- 9.1. Having considered the contents of the planning application, the decision of the planning authority, the provisions of the development plan, the grounds of appeal and the responses thereto, my inspection of the site and my assessment of the planning issues, I recommend that permission be refused for the development for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. The site of the proposed development lies with the green belt designated in the Strandhill Mini Plan, where in accordance with the Policy P-GBSA-HOU-1 of the county development plan rural one-off housing is restricted to

applicants who have a demonstrated housing need. On the basis of the submissions made in connection with the application and the appeal, the Board is not satisfied that the proposed development falls within the criteria established by the development plan for such development. The proposed development would constitute inappropriate housing development in an area lacking certain public services and community facilities, would militate against the preservation of the green belt and lead to demands for the uneconomic provision of further services and community facilities and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would endanger public safety by reason of traffic hazard due to the additional traffic movements that would be generated by the development onto the adjoining local road which is substandard in width and alignment and where sight visibility from the proposed site access is seriously restricted in both directions.

Breda Gannon
Senior Planning Inspector

4th March 2019