



An
Bord
Pleanála

Inspector's Report ABP 302982-18

Development	Construct single-storey house with septic tank and percolation area and maintain existing stone wall and existing entrance.
Location	Breeoge Td., Ransboro. Co Sligo.
Planning Authority	Sligo Co Council.
Planning Authority Reg. Ref.	18347.
Applicant(s)	Keith Cullen & Jennifer Gregg.
Type of Application	Permission.
Planning Authority Decision	To Refuse Permission.
Type of Appeal	First Party.
Appellant(s)	Keith Cullen & Jennifer Gregg.
Observer(s)	None.
Date of Site Inspection	February 20 th , 2019.
Inspector	Breda Gannon.

1.0 Site Location and Description

- 1.1. The site is located south east of Strandhill in Co. Sligo. It is accessed from a local road that extends off the R292 connecting Strandhill with the N4 to the east. The rectangular shaped site comprises undulating agricultural land, with ground levels falling towards the centre of the site. The front boundary is formed by a dry stone wall and the side boundaries are formed by hedgerows. The rear boundary is undefined. There is a dwelling house constructed on the adjoining site to the north, which is recessed significantly to the rear. There is also a dwelling on the opposite side of the road to the north and a number of single houses to the south.
- 1.2. The area is one of rural countryside, with evidence of pressure for one-off housing in the form of ribbon development along the local road network. The nearest settlement lies to the north at Ransboro, which contains a church, national school, playing field and a limited number of residential properties.

2.0 Proposed Development

- 2.1. The proposal is to construct a single storey dwelling on the site, which has a stated area of 1.18Ha. The house would have a simple rectangular plan with a projecting rear section and a small porch to the front. The external finishes would consist of a nap plaster render, with a slate roof covering. The house would have an overall ridge height of 5.5m.
- 2.2. The house (207m²) would be constructed in the lowest section of the site and would be set back from the public road by a distance of 89.5m. The finished floor level would be 27.05m OD relative to the local road which rises from approximately 29.35 OD at the proposed vehicular entrance.
- 2.3. Vehicular access would be via an existing field entrance located at the southern end of the site frontage. It is proposed to retain the existing stone wall as the front boundary. Foul effluent from the house would be discharged to a septic tank and pumped to a percolation located to the rear of the site.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for the development for 2 no. reasons relating to the following:

1. Unsubstantiated rural generated housing need.
2. The development would result in an excessive density of houses in this location and would require the removal of the entire length of the existing stone roadside boundary which would detract from the rural character and the visual amenities of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **Planning officer's** report of 18/10/18 notes the significant pressure for development in this location. The significant number of refusals highlights the attempts of the planning authority to carefully manage the extent of development in the area and to protect the visual amenities of the area.

The application was assessed under the rural housing policies of the development plan and it was concluded that the applicant had not established sufficient links or long established ties with the area.

The site is located along a narrow county road with attractive stone walls along the roadside, including the front of the subject site. In order to achieve adequate sightlines at the entrance, it would be necessary to remove the entire roadside wall. In this regard the provisions of Policy P-ARCH-5 are noted which relates to the protection of structures like stonewalls, which are not included in the Record of Protected Structures.

The main visual impact associated with the proposed dwelling is that it would result in an excessive concentration of dwellings in this location which would seriously detract from the visual amenities of the area. This would be further exacerbated by the removal of the entire length of roadside boundary wall.

3.2.2. Other Technical Reports

3.2.3. The **Environment Section** and the **Area Engineer** in their respective reports of 21/9/18 and 2/10/18 raised no objection to the development subject to conditions.

3.3. Prescribed Bodies

Irish Water in their report of 9/10/18 raised no objection to the development.

4.0 Planning History

4.1. Appeal Site

4.1.1. **Reg Ref No. PL 17/261** – Permission refused for a dormer style dwelling house on the appeal site for similar reasons to those cited in the planning authority's decision on the current proposal.

4.2. Surrounding Sites

4.2.1. The Planning Officer's report notes that there is a significant history of planning applications along this stretch of road in the past 15 years.

Reg Ref No PL 11/404 - Permission granted for a dwelling house on the adjoining site to the north.

Reg Ref No PL 08/723 – Permission granted for a dwelling house to the south.

Reg Ref No PL 04/472 – Permission granted for a dwelling house to the south.

It is also noted that there have been numerous planning applications for a house on a site c.300m to the south, which has been consistently refused by both Sligo Co. Council and An Bord Pleanala. The most recent Board decision was to refuse permission for a house on the basis of unsubstantiated rural-generated housing need and on the grounds that it had not been demonstrated that the site was suitable to accommodate a waste water treatment system (ABP-302046-18 refers).

Reference is also made in the submissions to PL 21.242034 which refers to a site to the south which was refused planning permission by the Board on the grounds of unsubstantiated housing need.

5.0 Policy & Context

5.1. National Planning Framework

- 5.1.1. The **National Planning Framework** which was published in 2018 is a strategic plan to guide development and investment out to 2040. It is envisaged that the population of the country will increase by up to 1 million by that date and the strategy seeks to plan for the demands that growth will place on the environment and the social and economic fabric of the country.
- 5.1.2. With regard to protecting Ireland's rural fabric it is recognised that *'there is a continuing need for housing provision for people to live and work in the countryside. Careful planning is required to manage demand in the most accessible countryside around cities and towns, focusing on the elements required to support the sustainable growth of rural economies and rural communities'*. It is also recognised that *'it is important to differentiate, on the one hand, between rural areas located within the commuter catchment of cities and larger towns and centres of employment and, on the other hand, rural areas located outside these catchments'*.
- 5.1.3. **National Policy Objective 19** states; In rural areas under urban influence facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.2. Development Plan

- 5.2.1. The operative development plan is the **Sligo County Development Plan 2017-2023**. Residential development in rural areas is considered under Section 5.3 and Section 13.4 of the Plan.

The site is located within an area designated *'Rural areas under strong urban influence'*. In such areas it is the policy of the Council to accommodate applicants with a rural generated housing need subject to normal planning considerations (**Policy P-RAUI-HOU-1**).

Other relevant policies include the following in relation to rural housing siting and design:

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.

P-RHOU-2 - Requires new house proposals in rural areas to comply with the guidance set out in Section 13.4 - Residential development in rural areas (development management standards).

5.3. Environmental Impact Assessment - Preliminary Examination

- 5.3.1. 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 may be summarised as follows:

Procedural matters

- Significant procedural inaccuracies in the assessment of the proposal.
- Planning authority's negative attitude to the proposal throughout the development plan process.
- Applicants have not been given a fair assessment in terms of local and rural need requirement.
- The principle of an initial design and the retention of the boundary on the site was accepted at pre-planning stage. The position of the planning authority at pre-planning stage and assessment stage is clearly inconsistent.

- The conditions set out under Reg Ref 17/261 have been reapplied word for word under the current proposal which is wholly unacceptable, particularly given the change of policy in the interim.
- The planning assessment has been poorly set out with only minor amendments made to the text from the previous planning report.
- Requests that the Inspector and the Board have due regard to these matters in the consideration of the appeal.

Reason for Refusal No 1

- The reference in the reason for refusal is to the planning authority's policy to *'restrict the provision of one-off housing to rural generated housing need'*, whilst the actual policy is *'to accommodate proposals for one-off housing in Rural Areas under Urban Influence subject to normal planning considerations'* and specifically where a housing need is demonstrated. The restrictive approach taken by the planning authority is inhibiting development at appropriate locations, where there is a genuine housing need.
- The applicant has a genuine housing need and complies with Category D of housing policy P-RAUI-HOU-1 as persons with a link to the rural community in which they wish to build their first home. The Board is requested to note, as set out in the grounds of appeal, that this is a very unique case with legitimate intention and that due consideration be given to the valid facts associated with the case.

One additional dwelling cannot be considered to give rise to an uneconomic demand for services in this location. No issues have been raised regarding water connection, effluent treatment and there is an existing access serving the site. The reference to an uneconomic demand for services is, therefore, unsubstantiated.

It is also inappropriate for the planning authority to state that the proposal will act as a precedent for further development at this location. Each application should be considered on its merits and the rural housing policy aims to accommodate appropriate rural housing on a case by case basis subject to normal planning considerations.

Reason for Refusal No 2

- The applicant rejects this reason for refusal and is of the view that an additional dwelling can be accommodated on the site. Documentation submitted in support of the application confirmed that there is no visual impact associated with the proposal. Section AA and BB confirm that the visual impact from the roadside is limited. This has been achieved by a revised single storey design, relocation of the dwelling to a more appropriate location within the site, lowering of ground level by 1m and the provision of additional trees and landscaping.
- The rationale offered by the planning authority that an additional dwelling at this location would constitute excessive development does not stand up. There are no policies on rural density in the development plan and the policy is to provide for rural housing where standards are met.
- The site is located in an area designated 'normal rural landscape' where subject to normal planning considerations there are no restrictions. There is an existing access to the site and it is suitable for a septic tank and can be provided with a water supply which are key considerations to support a development in this location.
- No changes are proposed to the roadside boundary wall. Appropriate measures have been undertaken to ensure that appropriate sightlines can be achieved without having to remove the entirety of the boundary. The applicant has removed vegetation which has previously inhibited sight visibility at the entrance.
- The set back of the boundary as required by the Area Engineer is not appropriate. It was clearly set out in the application that the existing stone wall does not interfere with sightlines but the reason for refusal does not acknowledge this. The stone wall runs continuously along this stretch of road fronting many properties. The planning permission on the adjacent site to the north (11/404) included conditions (No's 6 & 7) to protect the same stretch of wall. This demonstrates an inconsistent approach by the planning authority.

- The site has an existing entrance which has a set back of 5m with wing walls. If an adjustment is required this would be a minor alteration and would not detract from the rural character of the area.
- Bury Architect's have prepared supporting material for this appeal which addresses the matter of sightlines specifically (attached). It concludes;
- *'The retention of the dry stone wall to protect the rural character of the area would not interfere with achieving adequate sightlines and would be consistent with the planning granted on the adjacent site. Furthermore, it would comply with Section 13.4.4(c) of the CPD to reduce the visual impact of the development on the landscape. As part of the appeal clarity is sought as to whether the existing dry stone wall can be retained as per PL18/347 or a reason to necessitate a set back of 5.5m as per the area engineer's conditions'*
- It is clear that the removal of the roadside boundary is unjustified and that there is a clear rationale for the retention of the boundary as originally proposed.

It is noted that the planning application documentation set out in clear detail how the previous reasons for refusal have been addressed and overcome. It is acknowledged that there was insufficient detail to support the original application in terms of rural housing need.

It is further noted that there is a significant planning history relating to a site to the south, but the sites differ significantly in terms of planning context. The site to the south is identified as located on a 'scenic route' and is also a site of archaeological interest. In contrast the appeal site is located in a 'normal rural landscape' and is not of archaeological interest. The applicant also has a genuine housing need and normal planning considerations therefore apply.

6.2. Planning Authority Response

6.2.1. Pre-planning discussions

The appeal refers to pre-planning discussions. A series of pre-planning meetings were held with Mr Cullen over the period 2015-17, where he was advised that his

case for rural generated housing need was questionable as his family home was within the development limit of Strandhill and the significant separation distance between the subject site and the applicant's family home. He was also advised of concerns in relation to overconcentration of development in this rural area. He was advised on the basis of the discussions that a refusal of planning permission was possible.

Notwithstanding the advice, the applicant proceeded to make an application, which was refused permission (17/261) on the grounds of non-compliance with rural housing policies, excessive density of development and impacts on the visual amenities of the area arising from the removal of the front boundary wall to achieve adequate sightlines. It is not considered that the current application addressed the previous reasons for refusal cited by the planning authority.

There has been considerable discussion and assessment of the case up to the stage of refusal and the planning authority has been consistent in its approach since the initial pre-planning meeting was held in February 2015. The planning authority rejects the appellants' contention that the approach has been negative or obstructive.

6.2.2. Procedural Matters

- The planning authority rejects the assertion that there were procedural inaccuracies and deficiencies in the assessment of the application. The assessment at pre-planning stage and during the planning application stage have been entirely consistent.
- The appellant states that 'the retention of the front roadside boundary' was accepted at pre-planning stage. Whilst the planning authority would accept this in principle, it would also be subject to assessment by the area engineer in relation to road safety.
- The planning authority rejects the assertion that there was a poor approach to development control. Given the similar nature of the two applications it is evident that similar issues arise. The report of the current application clearly incorporates and considers the policy changes as a result of the adoption of the CDP 2017-2023.

6.2.3. Rural Housing Policy and Rural Generated Housing Need

- The CDP policy to ‘Accommodate proposals for one off rural houses in Rural areas Under Urban Influence’ in certain specified circumstances of rural generated housing need (as set out in Policy P-RAUI-HOU-1), will logically result in restricted opportunities for those in other non-complying circumstances.
- Whilst it is argued by the appellants that they comply with criterion D of Policy P-RAUI-HOU-1, the planning authority contend that:
 - There is a considerable distance (almost 5km) separating the applicants family home and the subject site. This has obvious implications in terms of the strength of ties that exist with the local area.
 - The applicant’s family home is located within the built-up area of Strandhill and is zoned ‘residential uses’ in the Strandhill Mini Plan. Whilst not specifically addressed in the wording of Criterion D, it is noteworthy that criterion C specifically excludes family homes which are located within an area zoned for development.
 - It is acknowledged that the Strandhill/Ransboro communities do share linkages in terms of sporting and community organisations. However, the areas are served by their own educational and ecclesiastical services which serves to distinguish separation.
 - It is accepted that the current rented property at Kellystown is within the same rural community as the subject site. However, the applicants have been living there for less than 4 years and this relatively short period of time must be considered as a relevant factor in assessing links to the rural community. The acceptance of such short rental periods as substantive links to the rural community would set an undesirable precedent and would render the management of rural housing in such areas unsustainable.
 - In terms of the economic provision of services, there is no reference to service requirements such as transport, waste, community facilities, communications infrastructure, road maintenance etc. Such services can be more economically provided in existing settlements and accordingly

one-off rural housing in areas such as this should be accommodated in cases of rural generated housing needs only.

- This is an area that has been subject to significant pressure for one-off rural housing and accordingly the implementation of the appropriate policy response is important. In addition to the planning history documented in the planning officer's report, the planning authority would like to draw attention to a recent refusal by the Board (PL 21.242034) for a site located approximately 500m to the east of the subject site.
- Whilst the site is located within the designated 'Normal Rural Landscape' the applicant is incorrect in stating that 'there is no restriction on development in such locations'. Attention is drawn to Section 7.4.3 of the CPD which describes these landscapes. The site is considered to be within an area of 'superior visual qualities' and the proposed development must be considered in the context of surrounding development and the carrying capacity of the landscape. There is existing development to the north and south of the site and it is considered that this previously rural and unspoilt stretch of road (with views of Knocknarea) has reached capacity in terms of the ability to assimilate additional development into the landscape.
- The position of the planning authority in relation to the roadside boundary removal has been outlined previously. Section 13.4.2 C, Section 13.4.4, Section 7.3.2 and Policy P-ARH-5 of the CPD are also relevant. It is considered that the cumulative visual impact of existing development, the proposed dwelling and the consequent removal of extensive roadside boundary, would be seriously injurious to the visual amenity of the area and would be contrary to the proper planning and sustainable development of the area.

7.0 Assessment

7.1. Introduction

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

- Rural housing policy.
- Impact on rural character of the area.
- Road safety.
- Procedural issues.
- Appropriate Assessment.

7.2. Rural housing policy

- 7.2.1. Section 5.3 of the development plan sets out the requirements regarding housing in rural areas. Under its provisions applications for individual houses outside towns and villages are assessed having regard to the type of rural area as designated in the plan and the demonstrated need of the applicant to build a house in the area.
- 7.2.2. The subject site is located in a *Rural Area Under Urban Influence* as identified in Fig 5a of the development plan. These are the areas of the county where there is pressure for one-off housing development and pressure on the local road network. Under the rural housing policies of the Plan, applicants must have a demonstrated housing need to reside in these areas.
- 7.2.3. Under the provisions of Policy P-RAUI-HOU-1 housing in rural areas under urban influence will be facilitated for five 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;
 - c. Persons who have no family lands, but who wish to build their first home for their permanent occupation in the area of their original family home, within the rural community in which they have spent a substantial and continuous part of their lives (this provision does not apply in cases where the original family home is located in an area zoned for development in a town or a village);

- d. Persons with a link to the rural community in which they wish to build a first home for their permanent occupation, by reason of having lived in this community or by the existence in this community of long established ties with immediate family members;
- e. Persons who are required to live in a rural area for exceptional reasons, including health reasons...

AND where such persons can demonstrate that the home they propose is in the interest of the proper planning and sustainable development of the area.

- 7.2.4. It is the contention of the applicants' that they qualify for consideration under Category D above. This requires that they have lived in this community or have long established ties with the community through immediate family members. On the basis of the information submitted in support of the application and the appeal I do not consider that the applicants' satisfy either of these requirements.
- 7.2.5. The evidence produced indicates that the applicants have never resided in the Ransboro area. The applicants' links are clearly with the village of Strandhill, being the location of Keith Cullen's family home and the area where national school was attended. The village of Strandhill is located c 5km from the subject site and the family home is located at Larass on zoned lands to the west side of the village.
- 7.2.6. Land registry maps and documents have been submitted of Keith Cullen's aunts land at Grange East. Knocknaree, together with correspondence stating that applicant grew up in the Ransboro area and spent a substantial part of his life on the family farm. The lands are located north of Ransboro. The application is also supported by documentation that suggests that Keith Cullen had and continues to have a degree of interaction with community and sporting activities in Ransboro. It is asserted in the grounds of appeal that as the communities of Strandhill and Ransboro share these linkages, the applicant must be considered as someone with ties to the area, to warrant consideration under Category D. It is noted for example that the applicant was confirmed in the local church and was a member of the Coolera-Strandhill GAA club.
- 7.2.7. Whilst I accept that interaction between two settlements would not be uncommon in small rural communities, to suggest that such a tenuous link could be used to ground the policy regarding the provision of housing in areas under pressure is

unreasonable. To adopt such an approach would suggest that anyone who participated in local community or sporting activities, irrespective of where they lived, would be entitled for consideration under the relevant policy of the Plan. Such a permissive approach would militate against the reasonable accommodation of people with a genuine need to reside in the area and would be at variance with the principles of proper and sustainable development. In a similar way, the suggestion that the applicants should be accommodated because they have rented accommodation c. 2km for the site for the past four years, would as stated by the planning authority, create an undesirable precedent and circumvent the stated policy of the plan, which would have consequences for the appropriate management of housing in rural areas.

- 7.2.8. The grounds of appeal refer to a change in policy since the previous refusal on the site (17/261) and suggests that this provides clear support for applicants' current proposal. It is unclear how this conclusion is reached. The original application was assessed under the provisions of the Sligo County Development Plan 2011-2017, which also facilitated rural generated housing in rural areas under urban influence subject to certain criteria. The categories of applicants facilitated by its provisions were not dissimilar to those of the current plan (copies of both attached to the report for the Board's information). In fact, I would consider that the current plan provides less scope for a broad interpretation of its provisions.
- 7.2.9. The requirement of Policy P-RAUI-HOU-1 (Category D) is that there are long-established ties with the area, which are strong and substantive. It suggests a degree of permanency as opposed to occasional links. It is my opinion these requirements are not satisfied and that this is a clear case of urban generated housing, more appropriately located within the development limits of Strandhill. I would point out to the Board that the Strandhill Mini-Plan refers to high levels of vacancy in the village and that planning permission is in place for 150 residential units.
- 7.2.10. To conclude, the applicant has not in my opinion indicated a demonstrable economic or social need to live in a rural area in accordance with National Policy Objective 19 of the National Planning Framework, or the qualifying criteria set out in Policy P-RAUI-HOU-1 of the development plan. A rural-generated housing need has not, therefore, been substantiated.

7.2.11. It is also a requirement of the stated policy that the applicant demonstrate that the house they propose is in the interest of the proper planning and sustainable development of the area, which is addressed in more detail below.

7.3. Impact on rural character of the area

7.3.1. The planning authority's second reason for refusal relates to the impacts of the development on the rural character and the visual amenities of the area. I accept that the design of the house and its location on the subject site minimises the potential for significant adverse visual impact. However, it is clear that the area has and continues to experience pressure for one-off rural housing resulting in inappropriate ribbon development, which has the effect of eroding the rural character of the area. There are houses to the north and south of the subject site and significant ribbon development where the road re-joins the regional road at Knocknahur south.

7.3.2. In the absence of any justification for an additional house based on rural-generated housing need, I consider that the proposed development would result in further encroachment of random rural development in the area, which would militate against the preservation of the rural countryside and detract from the visual amenities of the area. The proposed development would not, therefore, be in the interest of the proper planning and sustainable development.

7.4. Road safety

7.4.1. The site is accessed by a local road which is seriously substandard in width and alignment. The road which is c 3m wide is insufficient for two-way traffic and has limited passing opportunities. The road joins the R292 to the north of the site and visibility is seriously restricted to the south at the junction. Whilst the planning authority has not specifically commented on the inadequacies of the local road network in the vicinity of the site, the roadside boundary set back required by the Area Engineer is to address the deficiencies in road width. I accept that the set back of the wall would lead to a suburban pattern of development which would further erode the rural character of the area .

7.4.2. The vehicular entrance to the site will be located at the southern end of the site frontage in the position of the existing field access. Whilst I accept that visibility is curtailed to a degree to the south by existing roadside walls, I consider that if the

proposal was otherwise acceptable, this matter could be addressed by relocating the access further north on the site frontage.

- 7.4.3. The proposed development if permitted would generate additional traffic movements onto the local road network which is substandard and at the junction with the R292, where sightlines are seriously deficient to the south. I consider that it is difficult to justify the additional pressure that the proposed development, unrelated to rural-generated housing need would place on the already deficient road infrastructure and I consider that the proposal should be refused on that basis. The Board may consider this to be a new issue and avail of its powers under section 137 of the Planning and Development Act, as amended.

7.5. **Procedural issues**

- 7.5.1. The procedural issues raised relate to pre-planning and the assessment of the application. The Board has no jurisdiction in relation to the former and the appeal procedure facilitates the consideration of the application 'de novo' and the determination of the application has been made to the Board in the first instance. I consider that all of the matters raised have been duly addressed in this report.
- 7.5.2. I consider that the planning authority rebuttal has provided clarity on the matters relating to the design of the house and the retention of the front boundary wall, which the applicants' contend were agreed at pre-planning stage.
- 7.5.3. Regarding compliance with the rural housing provisions, the planning authority do not accept that the applicants' were misled in this regard, noting the advice given at pre-planning stage.

7.6. **Appropriate Assessment**

- 7.6.1. The closers European sites to the appeal site are those 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).

- 7.6.2. 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 sites. 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.
- 7.6.3. I do not 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 applicants have not demonstrated a rural-generated housing need in accordance with Policy P-RAUI-HOU-1 of the development plan and National Policy Objective 19 of the National Planning Framework.
- 8.2. The proposed development unrelated to housing need would contribute to the further encroachment of random rural development in the area, which would militate against the preservation of the rural environment and 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 by the development onto the adjoining substandard local road and at the junction of the regional road where visibility is seriously restricted to the south.
- 8.4. It has not been demonstrated in accordance with Policy P-RAUI-H-3 that the proposed development is in the interests of the proper planning and sustainable development of the area.

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. Having regard to the location of the site within an area identified as under the influence of Sligo town where housing is restricted to persons who can demonstrate rural-generated housing need and 'where such persons can demonstrate that the home they propose is in the interest of the proper planning and sustainable development of the area' in accordance with policy P-RAUI-HOU-1 of the Sligo County Development Plan 2017-2023, and to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February, 2018 which for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, the Board is not satisfied that the applicants have sufficiently demonstrated that they have a rural-generated housing need. As a result, the Board considers that the proposed development would contribute to the further 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.
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 onto the adjoining local road which is seriously restricted in width and alignment and at the junction of the regional road where visibility is seriously restricted to the south.

Breda Gannon
Senior Planning Inspector

19th March, 2019