



An
Bord
Pleanála

Inspector's Report ABP 308238-20

Development	Outline permission for the construction of a dwelling & wastewater treatment unit, vehicular access & driveway.
Location	Knockloughlin, Longford, Co. Longford
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	20/157
Applicant(s)	Sean McKenna
Type of Application	Outline Permission
Planning Authority Decision	Refuse Outline Permission
Type of Appeal	First Party
Appellant(s)	Sean McKenna
Observer(s)	None
Date of Site Inspection	09 th March 2021
Inspector	Brendan Coyne

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1.0 Site Location and Description

1.1. This site (0.46 ha) is located on the southern side of the L1011 road, in the rural townland of Knockloughlin, c. 5km north-east of Longford town. The site comprises a greenfield backland site located to the rear / south of an existing detached two-storey dwelling known as Highfield House. The site is accessed via an existing vehicular entrance and gravelled lane. The ground level of the site is relatively level. The boundaries of the site are defined with mature trees and hedgerow. The surrounding area is characterised by agricultural land and dispersed rural one-off housing and agricultural buildings. The appellant's existing dwelling is located on adjacent lands to the east of the site, as outlined in blue on the site layout plan submitted.

2.0 Proposed Development

2.1. Outline Permission sought for the following;

- Construction of a dwelling house – stated floor area c. 200 sq.m.,
- Wastewater treatment unit,
- Vehicular access and driveway.

3.0 Planning Authority Decision

3.1. Decision

Longford County Council REFUSED outline permission for the proposed development. The 5 no. reasons for refusal were as follows;

1. The Planning Authority are not satisfied that the proposed development, given its incorrectly completed site characterization test, would not pose a significant threat to public health, including the health of the occupants of the proposed new dwelling and to the quality of ground and surface waters. The proposed development would, if permitted, therefore be contrary to Policy HOU RUR 7 as designated under Section 3.2.2.1 of the Longford County Development Plan, which aims to protect

water quality, and as such would be contrary to the proper planning and sustainable development of the area.

2. It is the policy of the Council as set out in Section 3.2.2.1 HOU RUR 3 of the Longford County Development Plan 2015-2021, to protect agricultural land and prevent unsustainable speculative urban commuter generated and ribbon development in the rural area. It is considered that the applicant has not demonstrated a rurally generated housing need at this location and where the proposed development has the potential to impact adversely on the area. As such, the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. On the basis of information received, the proposed development does not fulfill a specific rural generated housing need in accordance with Section 2.1.6.5 policy CS 12 of the Longford County Development Plan 2015-2021 and is therefore contrary to HOU 3 and CS 12 of the Longford County Development Plan 2015-2021, which aims to prevent over proliferation of urban generated one-off housing in the rural area. The development, would therefore, if permitted, by itself or the precedent it would set for similar developments in the vicinity, contravenes these objectives, and, as such, would be contrary to the proper planning and sustainable development of the area.
4. It is considered that the proposed development would give rise to an excessive density of development in an un-serviced rural area, thus resulting in further pressure for community and public services which it would be uneconomic to provide and would, if permitted, therefore be contrary to the proper planning and sustainable development of the area.
5. The proposed development constitutes inappropriate backland development which is considered an inappropriate form of development and would be out of character with the pattern of development in the area. The proposed development would, therefore set an undesirable precedent in this rural location and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Basis for the Planning Authority's decision. Includes:

- Regarding the proposed wastewater treatment, the site passed the T-test with a stated T-Value of 70.15 and P-Value of 36.97.
- Section 3.3(a) of the site characterisation form gave a result of 198.33, which would require the completion of Step 4 in the form. In the site characterisation form submitted, Step 5 has been completed. As such, it is not clear that the proposed wastewater treatment system would work at the site.
- The applicant has an existing house adjacent to the site. As such the applicant's need for a house in the area has been provided for.
- The proposed development constitutes an inappropriate form of backland development which would be out of character with the pattern of development in the area.
- The proposed development would set an undesirable precedent in this rural location.
- The access entrance to the site has been opened without the benefit of planning permission.
- The Appropriate Assessment screening report submitted indicates the proposed development would not adversely affect or impact on a Natura 2000 site.

3.3. Other Technical Reports

Area Engineer Report: No objections.

3.4. Prescribed Bodies

Westmeath National Roads Office: No objections

Irish Water: No objection subject to Conditions.

4.0 Planning History

None

5.0 Policy and Context

5.1. Development Plan

Longford County Development Plan 2015-2021 is the statutory plan for the area. The following provisions are considered relevant:

Zoning: The site is located on un-zoned land, outside a zoned town.

Section 2.1.6.5 Rural Areas/Open Countryside states the following;

Where an area of land is outside a designated settlement (i.e. an area not included in the zoning maps at Appendix 1, or covered by a Local Area Plan), and is not otherwise zoned as part of the Longford Town Development Plan, this area is termed 'rural' for the purposes of the plan.

Relevant Policies under this Section include the following;

CS 11: Areas other than those defined as part of the settlement hierarchy and lands zoned as part of this plan, shall be designated as rural for the purposes of the plan.

CS 12: a) The following categories of applicant shall be considered for the development of housing in the rural area with a view towards sustaining rural communities:

- Members of farm families, seeking to build on the family farm.
- Landowners with reasonably sized farm holdings who wish to live on their land.
- Members of the rural community in the immediate area, this includes returning emigrants or their children with remaining substantial family or community ties, who wish to permanently settle in the area.
- Persons whose primary full or part-time employment is locally based or who are providing a service to the local community.

b) Speculative and unsustainable urban generated housing development will be discouraged in the rural area.

c) Occupancy Conditions may be attached in accordance with Ministerial Guidelines to protect the policy application and integrity.

CS 13: In accordance with the policies outlined in the Sustainable Rural Housing Guidelines issued by the Department of the Environment, Longford County Council shall strictly apply policy CS 12 in the vicinity of Designated Settlements in order to prevent over-proliferation of urban-generated one-off housing in the rural area. Further ribbon development on all approaches to Longford Town, regional routes R194 and R198 in particular, shall be discouraged.

Policies for residential development within **Rural Areas** are set out in **Section 3.2.2** of the Development Plan as follows;

HOU RUR 1: Assessment of residential development in rural areas shall be guided by the suitability of the area in terms of its sensitivity, its ability to accommodate development in a sustainable manner and compliance with the relevant technical criteria.

HOU RUR 2: In terms of rural housing, Longford County Council recognises the need of applicants defined within policy CS 12 to locate in their own rural areas. These cases shall be assessed on their merits, with regard being had to ability of the applicant and/or proposed resident to provide, at their own expense, the services required to sustain the proposed development without detrimental impact on road safety, water quality, public health or environmental and landscape integrity.

HOU RUR 3: Outside designated settlements and development envelopes, there shall be a presumption against extensive urban generated commuter development, ribbon development, development by persons who do not intend to use the dwelling as their primary

residence and unsustainable, speculator driven residential units. In this respect, applicants for permission for residential development in non-designated areas shall be required to submit a statement indicating the sustainability of the proposal, which shall form part of the assessment of the application for planning permission and in which shall be outlined:

- a) The reason for the location of the proposed dwelling in a particular locality.
- b) The connection or close relationship between the applicant and/or proposed resident and the locality in which the proposed dwelling is to be situated and the criteria outlined in CS 12.
- c) The place of employment of the applicant and/or proposed resident where relevant.
- d) A demonstration of the ability of the applicant and/or proposed resident to provide, at their own expense, the services required to sustain the proposed development without detrimental impact on road safety, water quality, public health, views and prospects, landscape, environmental integrity and amenity.

HOU RUR 4: Applicants for planning permission for residential development in rural areas under strong urban influence may be required to agree to an occupancy condition, applied in accordance with ministerial guidelines, restricting the occupancy of the dwelling to the applicant and/or the applicant's immediate family for a specified period, as part of any grant of planning permission.

HOU RUR 7: It is policy of the Council to have regard to the Sustainable Rural Housing Guidelines for Planning Authorities, April 2005. The principles set out in the guidelines require that new houses in rural areas be sited and designed to integrate well with their physical surroundings and be generally compatible with:

- i. The protection of water quality in the arrangements made for on site waste water disposal facilities;
- ii. The provision of a safe means of access in relation to road and public safety;
- iii. The conservation of sensitive areas such as natural habitats, the environs of protected structures and other aspects of heritage.

In regard to septic tanks, the Planning Authority will be positively disposed towards the use of septic tanks and/or with additional package treatment systems, where necessary, with Irish Agrément Board Certification. In order to protect groundwater, all site suitability tests shall be carried out in accordance with the Environmental Protection Agency's 'Code of Practice- Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. <10)', or any subsequent update.

Section 3.2.2.2	Rural Areas - Requirements and Standards for Development
HOU RUR 8:	Effluent Disposal, Drainage and Water Supply
HOU RUR 9:	Access and Vehicular Circulation
HOU RUR 10:	Design and Siting
Appendix 3	Rural Design Guidance

5.2. National Guidelines

5.2.1. *National Planning Framework – Project Ireland 2040*

- NPO19** Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:
- 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;

- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.2.2. *Sustainable Rural Housing Guidelines for Planning Authorities (2005)*

The guidelines require a distinction to be made between 'Urban Generated' and 'Rural Generated' housing need. A number of rural area typologies are identified including rural areas under strong urban influence which are defined as those with proximity to the immediate environs or close commuting catchment of large cities and towns. Examples are given of the types of circumstances for which 'Rural Generated Housing Need' might apply. These include 'persons who are an intrinsic part of the rural community' and 'persons working full time or part time in rural areas'.

Code of Practice Wastewater Treatment Disposal Systems serving Single Houses (October 2009)

5.3. Natural Heritage Designations

- 5.3.1. The closest European sites are the Ballykenny-Fisherstown Bog SPA (Site Code 004101) and the Lough Forbes Complex SAC (Site Code 001818), both of which are located c. 6.1 km west of the appeal site. The Brown Bog SAC (Site Code 002346) is located c. 6.8 km to the south-west of the appeal site.

5.4. EIA Screening

- 5.4.1. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment 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. An appeal was received from Liam Madden, Architect and Environmental Scientist representing the first-party appellant Sean McKenna, against the decision made by the Planning Authority to refuse outline permission for the proposed development. The following is a summary of the grounds of appeal.

6.1.2. Re. Refusal Reason No. 1

- The Planning Authority was incorrect in its assessment of the Site Characterisation Form.
- The Planning Officer made the mistake of reading the Average T_{100} which was 198.33 mins and mixing the T_{100} value with the Average T_{100} value.
- The submitted test was correctly conducted and the results are reliable.
- The Applicant has submitted a second version of the Site Characterisation Form with Step 4 outlined in red and the original relevant figures and text highlighted in yellow.

6.1.3. Re. Refusal Reason No. 2 and 3

- Both reasons are considered one and the same.
- The applicant complies with all 4 criteria as set out under policy CS 12, with regard rural housing need.
- The proposed dwelling is not a speculative or urban generated development.

- The appellant was born and has lived in Knockloughlin on family land all his life.
- The appellant is employed locally in the agri-business sector.
- The appellant is in his mid-seventies and his son and family are currently living with him in his modest cottage, which is too small.
- The appellant would be happy to have an occupancy condition attached to a grant of permission.

6.1.4. **Re. Refusal Reason No. 4**

- There are 6 no. houses in the locality. Apart from these, the closest house is located half a mile away at Kiernan's Cross where there is a cluster of dwellings and other services.
- The appellant finds it inconceivable that the proposal would lead to 'further pressure for community and public services, of which it would be uneconomic to provide for'.

6.1.5. **Re. Refusal Reason No. 5**

- Describing the proposal as 'backland development' is a misnomer.
- There are numerous farmhouses and buildings in the locality which are set well back from the road.
- Historical maps submitted show that there were previously various small cottages along the access lane serving the site.
- The pattern of development in the surrounding area is ribbon development, which is contrary to the policies and objectives of the Development Plan.

6.1.6. **Other Issues**

- Land Registry Maps confirm the access to and title of the site.
- Geohive historical maps and historical aerial photographs of the site confirm the existence of the access to the site, pre-dating the 1963 Planning and Development Act.

6.1.7. Documentation submitted with the appeal includes the following:

- Longford County Council notification of decision to refuse outline permission.
- Amended Site Characterisation Form with relevant values highlighted in yellow and sections outlined in red.
- Relevant policies of the Longford County Development Plan.
- Aerial photographs and historical maps of the site.

6.2. **Planning Authority Response**

The Planning Authority did not respond to the grounds of appeal.

6.3. **Observations**

None

7.0 **Assessment**

7.1.1. The main issues for consideration are as follows;

- Wastewater Treatment,
- Rural Housing Need,
- Backland Development,
- Screening for Appropriate Assessment,

These are addressed below.

7.2. **Wastewater Treatment**

7.2.1. The Planning Authority refused outline permission for the proposed development on the grounds that they were not satisfied that the proposal would not pose a significant threat to public health, including the health of the occupants of the proposed new dwelling and to the quality of ground and surface waters. This reason for refusal was

based on the 'incorrectly completed site characterization test'. On this basis, the Planning Authority considered the proposed development, if permitted, would be contrary to Policy HOU RUR 7 of the Longford County Development Plan, as detailed in Section 5.1 above.

- 7.2.2. In the assessment of the proposed wastewater treatment system, the planning report details the site passed the T-test with a stated T-Value of 70.15 (min/25 mm) and a stated P-Value of 36.97 (min/25 mm). The planning report however states that "Section 3.3(a) gave a result of 198.33, which would lead to a completion of step 4. In this submitted site characterisation report, step 5 has been completed. As such, it is not clear that the proposed wastewater treatment system would work at the proposed site".
- 7.2.3. The appellant contests this reason for refusal in the grounds of appeal, as detailed in Section 6.1.2 above. In summary, the appellant states that the Planning Authority was incorrect in its assessment of the Site Characterisation Form and the Planning Officer made the mistake of reading the Average T_{100} value which was 198.33 and mixing the T_{100} value with the Average T_{100} value.
- 7.2.4. The Site Characterisation Report (SCR) submitted with the application and appeal has been prepared by an indemnified and certified Assessor. Details of professional indemnity and certification have been submitted.
- 7.2.5. The report submitted states that the soil type in the area consists of poorly drained mineral soil. The Aquifer Category is designated as 'regionally important' and is of 'moderate' vulnerability. The Ground Protection Response is R1, 'acceptable to normal good practice'.
- 7.2.6. The on-site assessment shows that the nearest watercourse/ stream is located c.300m from the site and that drainage ditches are located within the vicinity of the site. The SCR details that there are no springs or wells within the vicinity and there was no surface water ponding at the time of inspection. I can concur that there was no evidence of ponding on my date of site inspection, which was following a period of heavy rain. The Ground Water flows in a northerly direction towards the nearest stream.

- 7.2.7. The trial hole had a depth of 2.3m, with heavy loam topsoil to a depth of 0.2m and poorly drained mineral soil to a depth of 1.2m. The SCR found that the water table was encountered at a depth of 1.6m below ground level.
- 7.2.8. With regard the percolation "T" Test for deep subsoil and/or water table, the SCR details 3 no. T_{100} values (time to drop 100mm) for 3 percolation test holes, as follows: 195.00, 145.00 and 255.00. The Average T_{100} is stated as 198.33. Given that one of the T_{100} values was greater than 210 minutes, the percolation T-Test proceeds to the Step 5 Modified Method where the result of the T-test yields a result of 70.15 min/25mm.
- 7.2.9. With regard percolation "P" Test for shallow soil / subsoils and/or water table, the SCR details 3 no. P_{100} values (time to drop 100mm) for 3 percolation test holes, as follows: 78.00, 91.00 and 104.00. The Average P_{100} is stated as 91.00. Given that no P_{100} value exceeds 210 minutes, the percolation P-test proceeds to the Step 4 which yields a P-test result of 36.97mins/25mm.
- 7.2.10. The SCR concludes that the site is suitable for a packaged wastewater treatment system and polishing filter with discharge to ground water. The report recommends that an extended aeration plant and soil polishing filter 12mx12m.x.5m be installed with the solid filter constructed over existing ground level with pumped distribution.
- 7.2.11. Table 6.3 of the EPA Code of Practice for Wastewater Treatment Systems refers to Percolation Test Results and states that where the T-test is in excess of 90, the site is unsuitable for the discharge of treated effluent and that where the T-test results range from $50 < T < 75$, the site may be suitable for a secondary treatment system with a polishing filter at the depth of the T-test hole. Table 6.3 also states that where the P-test is lies within the range $3 \leq P \leq 75$, the site is suitable for a secondary treatment system with polishing filter at ground surface or overground.
- 7.2.12. Given that the percolation T-test yielded a result of 70.15min/25mm (modified method) and a P-test of 36.97mins/25mm (standard method), I am satisfied that the appeal site is suitable for the installation of a EN certified wastewater treatment system and percolation area. It is my opinion therefore that the proposed development would not prove prejudicial to the public health and should not therefore be refused permission on these grounds. Such development would not be contrary to Policy HOU RUR 7 of

the Longford County Development Plan, as stated in the reason for refusal by the Planning Authority.

7.3. Rural Housing Need

- 7.3.1. The Planning Authority refused outline permission for the proposed dwelling on the grounds that the applicant has not demonstrated a need for a rural house at this location. On this basis the Planning Authority consider the proposed development would be contrary to policies HOU RUR 3 and CS 12 of the Longford County Development Plan 2015-2021, as detailed in Section 5.1 above.
- 7.3.2. The appellant contests this reason for refusal, as detailed in Section 6.1.3. above. In summary, the appellant Sean McKenna states that he complies all of the requirements under policy CS 12 by reason of the following;
- The proposed dwelling is not a speculative or urban generated development.
 - The appellant was born and has lived in Knockloughlin on family land all his life.
 - The appellant is employed locally in the agri-business sector.
 - The appellant is in his mid-seventies and his son and family are currently living with him in his modest cottage, which is too small.
 - The appellant would be happy to have an occupancy condition attached to a grant of permission.
- 7.3.3. The Longford County Development Plan 2015 - 2021 does not appear to identify and map rural area types in accordance with the recommendations of Section 3.2 the Sustainable Rural Housing Guidelines for Planning Authorities (2005). Notwithstanding this, given that the site is located c. 5km to the north-east of Longford town, I consider it appropriate to categorise the appeal site as being located within a 'rural area under strong urban influence', as defined in Section 3.2 of the Rural Housing Guidelines.
- 7.3.4. The Guidelines define 'rural areas under strong urban influence' as those within proximity to the immediate environs or close commuting catchment of large cities and towns. Section 3.2.3 of the Guidelines indicate circumstances for which a rural housing need might apply including, persons who are an intrinsic part of the rural community and persons working full time or part time in rural areas.

7.3.5. Policy Objective 19 of the National Planning Framework requires that, in rural areas under urban influence, the core consideration for the provision of a one-off rural dwelling should be based on the demonstratable economic or social need to live in the rural area. This objective requires the applicants in the cases of applications like this current one before the Board to demonstrate an economic or social need to live in the rural area.

7.3.6. Policy CS 12 of the Longford County Development Plan states that speculative and unsustainable urban generated housing development will be discouraged in the rural area and sets out the following categories of applicant who shall be considered for the development of housing in rural areas:

- Members of farm families, seeking to build on the family farm.
- Landowners with reasonably sized farm holdings who wish to live on their land.
- Members of the rural community in the immediate area, this includes returning emigrants or their children with remaining substantial family or community ties, who wish to permanently settle in the area.
- Persons whose primary full or part-time employment is locally based or who are providing a service to the local community.

7.3.7. Policy HOU RUR 3 states that outside designated settlements “there shall be a presumption against extensive urban generated commuter development, ribbon development, development by persons who do not intend to use the dwelling as their primary residence and unsustainable, speculator driven residential units”. This policy requires applicants to submit a statement addressing the following criteria:

- a) The reason for the location of the proposed dwelling in a particular locality.
- b) The connection or close relationship between the applicant and/or proposed resident and the locality in which the proposed dwelling is to be situated and the criteria outlined in CS 12.
- c) The place of employment of the applicant and/or proposed resident where relevant.
- d) A demonstration of the ability of the applicant and/or proposed resident to provide, at their own expense, the services required to sustain the proposed development

without detrimental impact on road safety, water quality, public health, views and prospects, landscape, environmental integrity and amenity.

- 7.3.8. Having reviewed the documentation submitted with the application and appeal, I consider that the applicant Sean McKenna does not come within the scope of the rural housing needs criteria and policy as set out under Sections 2.1.6.5 and 3.2.2 of the Longford County Development Plan. The applicant confirms that he already owns a house in Knockloughlin, which is located immediately adjacent / to the east of the site, as outlined in blue on the Site Layout Plan submitted. The rural housing policies set out under Sections 2.1.6.5 and 3.2.2 of the Longford County Development Plan do not make provision for second homes in rural areas. I acknowledge the applicant's case that his son and family reside with him in his stated 'modest cottage'. However, no evidence has been submitted to demonstrate same, and in any event, such circumstances are not provided for under the rural housing needs criteria as set out under Sections 2.1.6.5 and 3.2.2 of the Development Plan. The provision of an additional dwelling at this location would contribute towards the proliferation of one-off housing in this rural area and thereby would be contrary to policy CS 13 of the Development Plan, which seeks to prevent over-proliferation of urban-generated one-off housing in rural areas and discourage speculative and unsustainable urban generated housing development in rural areas. Furthermore, the development of a second house at this location would be contrary to the Sustainable Rural Housing Guidelines for Planning Authorities (2005) and National Policy Objective 19 of the National Planning Framework which 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. Given that the applicant owns and resides in a house on lands adjacent to the appeal site, it is my view that the appellant does not have a demonstrable economic or social need for a house in this location. Such development would set an undesirable precedent for further similar development in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area. For this reason, I recommend that the proposed development be refused outline permission.

7.4. Backland Development

- 7.4.1. The Planning Authority refused outline permission for the proposed dwelling on the grounds that it would constitute inappropriate backland development, which would be out of character with the pattern of development in the area. The Planning Authority considered that such development would set an undesirable precedent for similar development in this rural location.
- 7.4.2. The appellant contests this reason for refusal, as detailed in Section 6.1.5 above. In the grounds of appeal, the appellant puts forward that there are numerous farmhouses and buildings in the locality which are set well back from the road, and that the existing access lane previously served various small cottages, similar to that at other nearby lanes. Having reviewed historic maps of the site, I acknowledge the historic existence of the laneway serving a number of small buildings at its end. I note however, that these small buildings are no longer in existence, are not located on the main section of the appeal site and evidence has not been submitted to demonstrate that they were residential dwellings.
- 7.4.3. The main section of the site and proposed dwelling is located to the rear / south of an existing two storey dwelling and is accessed via an existing laneway, c.90m in length. The indicated 'notional' site of the proposed dwelling is located c.120 metres from the edge of the public road and would be clearly visible from the laneway entrance along the public road. Details have not been submitted of the height and number of storeys of the proposed dwelling seeking outline permission. The remainder of the site is largely not visible from the public road by reason of the existing dwellings along the road, the relatively flat terrain and the dense mature trees and vegetation which screen the site.
- 7.4.4. The spatial pattern of development in the immediate surrounding area comprises dwellings which, for the most part, front directly onto the L1011 Road. I note that a 1.5 storey dwelling located on lands c. 0.3km to the south-east is set back c. 200m from the edge of the road. This dwelling however was permitted under a previous Development Plan, is not located behind another dwelling and is at variance with the established pattern of development in the surrounding area. As such, it is considered that this dwelling should not be considered acceptable precedent for the proposed development.

7.4.5. Given the location of the proposed dwelling and its distance from the public road, it is my view that the proposal would result in an undesirable form of backland development which would be out of character with the established pattern of development in the surrounding area and would result in an intrusive encroachment of physical development into the open rural landscape. It is considered that such development would militate against the preservation of the rural environment and would set an undesirable precedent for other such development in the vicinity. Such development would be contrary to the Longford Rural Design Guide, as set out in Appendix 3 of the Longford County Development Plan, which identifies that the 'majority of dwellings in rural County Longford are located along public roadsides...creating a street-like relationship with the carriageway'. Such development would therefore be contrary policy HOU RUR 10 of the Development Plan which requires that the siting and design of rural housing be in accordance with the design principles of the Longford Development Plan Rural Design Guide. For this reason, I recommend that the proposed development be refused outline permission.

7.5. Screening for Appropriate Assessment

7.5.1. The closest Natura 2000 sites to the appeal site are the Ballykenny-Fisherstown Bog SPA (Site Code 004101) and the Lough Forbes Complex SAC (Site Code 001818), both of which are located c. 6.1 km west of the appeal site. Also, the Brown Bog SAC (Site Code 002346) is located c. 6.8 km to the south-west of the appeal site. Taking into consideration the nature and scope of the proposed development, the wastewater treatment system proposed to serve the dwelling, the details provided on the site characterisation form and the existing residential and farm development in the immediate vicinity, I am of the opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

8.1. I recommend that outline planning permission should be refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. It is the policy of the planning authority that development outside of designated urban centres should be strictly limited to local need. This is set out in the current Development Plan for the area, where it is the settlement policy to direct new residential development to designated development centres and to protect existing rural settlements outside these centres from urban overspill.

Given that the applicant already owns and resides in a house on lands adjacent to the appeal site, it is considered that the proposed development would comprise a second house in this rural location. Such development would be contrary to the rural housing policy requirements of Sections 2.1.6.5 and 3.2.2 of the Longford County Development Plan 2015 – 2021 which seek to prevent the proliferation of one-off housing in rural area and discourage speculative and unsustainable urban generated housing development in rural areas. Furthermore, the development of a second house at this rural location would be contrary to the Sustainable Rural Housing Guidelines for Planning Authorities (2005) and National Policy Objective 19 of the National Planning Framework which 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 proposed development would set an undesirable precedent for further similar development in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its location and distance from the public road would constitute inappropriate backland development which would be out of character with the established pattern of development in the surrounding rural area and would result in an intrusive encroachment of physical development into the open rural landscape. Such development would militate against the preservation of the rural environment and would set an undesirable precedent for other such development in the vicinity. The backland location of the proposed dwelling would be contrary to the Longford Rural Design Guide and thereby would be contrary to policy HOU RUR 10 of the Longford County Development Plan 2015 - 2021. The

proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Brendan Coyne
Planning Inspector

11th March 2021