



An
Bord
Pleanála

Inspector's Report ABP-309394-21

Development

Outline permission for 2 no. dwelling houses and associated site development works.

**Significant Further Information received on 17/12/2020.*

Location

Knocknagoran, Omeath, Co. Louth.

Planning Authority

Louth County Council.

Planning Authority Reg. Ref.

20818.

Applicant

Noel Rooney.

Type of Application

Outline Planning Permission.

Planning Authority Decision

Grant.

Type of Appeal

Third Party

Appellant

Sean O'Brien.

Observer(s)

None.

Date of Site Inspection

26th day of April, 2021.

Inspector

P.M. Young.

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1.0 Site Location and Description

- 1.1. The appeal site has a stated site area of 0.2876ha and it is located in the Townland of Knocknagoran, c0.3km to the west of the R173, on the western outskirts of Omeath, in north County Louth.
- 1.2. It consists of an overgrown and unkempt portion of land that adjoins a detached single storey dwelling house on its eastern side for which it appears to form part of its larger curtilage. It adjoins a two-storey semi-detached pair on its western side.
- 1.3. At present the site does not benefit from an independent access onto the restricted in width Chapel Hill Road which bounds the northern boundary of the site. This roadside boundary contains an irregular hedgerow. The southern boundary of the site adjoins agricultural lands and the western boundary which also contains a timber post and panel boundary that runs alongside the boundary with the adjoining dwelling also contains a mixed and irregular hedgerow that runs from circa midway along it to where it terminates to the south at the rear boundary of the site. This natural hedgerow on the southernmost portion of the western boundary adjoins agricultural land.
- 1.4. The surrounding area has an edge of settlement character with panoramic views predominantly comprising of its mountainous backdrop which includes Slieve Foy and Slieve Gullion. There is also a proliferation of one-off dwellings aligning with Chapel Hill Road with these extending westwards along this road. With this road also accommodating a steady volume of traffic.

2.0 Proposed Development

- 2.1. By way of this application outline permission is sought for 2 no. dwelling houses and associated site development works.
- 2.2. On the 17th day of December, 2020, the applicant submitted their further information response which consisted of a revised site layout for the development sought under this application. The revised site layout responds to concerns relating to building line and achieving sightlines from the new entrances onto Chapel Hill. This response is accompanied by revised public notices.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 14th day of January, 2001, the Planning Authority decided to **grant** outline permission for the proposed development subject to 5 no. conditions. Of note are the requirements of the following conditions:

Condition No. 2: Requires full details of the proposed dwellings to be submitted for approval by the Planning Authority as a permission consequent. It also advises that the design shall ensure that any windows at first floor level facing the eastern or western boundaries shall only serve non-habitable rooms.

Condition No. 3: Provision of a Landscaping Scheme.

Condition No. 4: Infrastructural Requirements.

Condition No. 5: Section 48 Financial Contribution Requirement.

I note to the Board that this grant of outline permission is accompanied by a number of advisory notes including but not limited to no oversailing, overhanging or other physical impingement upon adjoining properties without consent of adjoining property owner (Note: Advisory Note 3).

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **final Planning Officer's report**, dated the 11th day of January, 2021, was satisfied with the applicant's response to the Planning Authority's further information request and concluded with a recommendation to grant outline permission subject to a number of recommended conditions.

The initial Planning Officer's report, dated the 19th day of November, 2020, considered that the principle of the residential development sought under this application is acceptable, subject to safeguards. However, it did raise concerns in relation to the

layout and the form of development proposed. This report concluded with a request for further information on the following items:

- Item No. 1: This essentially requires a revised site layout to address building line and access to the public road concerns.
- Item No. 2(a): Sightlines shall comply with Table 7.4 of the Development Plan.
- Item No. 2(b): Consent of landowners affected by the provision of the required sightlines.
- Item No. 2(c): Irish Water connection acceptance and proof that there is sufficient capacity within the existing water network to accommodate this development.
- Item No. 2(d): Irish Water connection acceptance and proof that there is sufficient capacity in the foul network to accommodate this development.
- Item No. 2(e): Given the proximity to a GAA club consideration should be given to pedestrian movements.
- Item No. 2(f): Clarity that the proposed development would not impede existing road drainage.
- Item No. 3: Revised public notices.

3.2.2. **Other Technical Reports**

Infrastructure: The final Infrastructure report dated the 4th day of January, 2021, concluded with no objection subject to the inclusion of a number of conditions in the event of a grant of outline permission.

3.3. **Prescribed Bodies**

- 3.3.1. **Irish Water:** No objection, subject to safeguards.

3.4. **Third Party Observations**

- 3.4.1. During the course of the Planning Authority's determination of this application they received a number of 3rd Party observations. The concerns raised by and large

correlate with those raised by the appellant in this appeal case. Other additional concerns include:

- The further information request has not been adequately addressed.
- There should be moratorium on development at this location until the issues with the water and drainage infrastructure is resolved.
- The presence of boundaries and utility poles will block sightlines.
- The proposed development in terms of its building to plot ratio is at odds with its setting.
- No contextual drawings have been submitted.

4.0 Planning History

- 4.1. **Site & Setting:** The Planning Authority's Planning Officer's report sets out that the site and its immediate setting have an extensive planning history in relation to previous applications for residential developments. There are no recent and/or relevant Board precedents in relation to this type of development within this settlement.

5.0 Policy & Context

5.1. Local Planning Provisions

- 5.1.1. The Louth County Development Plan, 2015 to 2021, is the applicable Development Plan, under which the site falls within the boundaries of Omeath. Under Chapter 2 of the said plan, which sets out the Core Strategy and Settlement Strategy, this settlement is identified as '*Level 3*' (Note: Small town). Such settlements are identified "*as having good bus or rail links; circa 10km from a large growth town*" and the Development Plan notes that this settlement has experienced substantial residential development pressure due to the attractiveness of its location on Carlingford Lough for second homes and investment properties. It also recognises that these settlements have high rates of dwelling vacancy and a concern is raised that the continues development of this settlement in the absence of supporting infrastructure would exacerbate existing unsustainable commuting patterns and speculative development alongside jeopardise the achievement of critical mass in Dundalk.

5.1.2. Table 2.6 of the Development Plan sets out the residential zoning in Level 3 settlements.

5.2. Local Other

5.2.1. The Draft Louth County Development Plan, 2021 to 2027, which is yet to be adopted identifies Omeath in its Core Strategy and Settlement Strategy as a 'Level 4' settlement i.e. 'Small Towns & Villages' with local services and employment functions.

5.3. Regional

5.3.1. **Eastern & Midland Regional Assembly, Spatial & Economic Strategy, 2019 to 2031.**

The principal statutory purpose of the RSES is to support the implementation of Project Ireland 2040 – National Planning Framework & National Development Plan 2019 to 2027 and the economic policies of the Government by providing a long-term strategic planning and economic framework for the development of the region.

5.4. National Planning Provisions

- Project Ireland 2040, National Planning Framework, (2018).
- Sustainable Urban Housing: Design Standards for New Apartments, (2018).
- Sustainable Residential Development in Urban Areas, (2009).
- Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities, (2007).

5.5. Natural Heritage Designations

5.5.1. The nearest European sites to the appeal site are:

- Carlingford Shore SAC (Site Code: 002306) which at its nearest point is located c317m to the east.
- Carlingford Mountains SAC (Site Code: 000453) which at its nearest point is located c1.01km to the south.

- Carlingford Lough SPA (Site Code: 004078) which at its nearest point is located c6.5km to the south east of the site.

5.6. EIA Screening

- 5.6.1. The proposed development comprises a 'project' for the purposes of environmental impact assessment and falls within a class set out in Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended), Infrastructure Projects, construction of dwelling units. However, the development is significantly below the threshold for the class, i.e., it comprises of two dwelling units and it comprises a very modest sized site of 0.2876ha on lands which are removed from any sensitive site by existing developments including housing. Having regard to the nature of the proposed development with their associated works on serviced lands including on-site containment of surface water, 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. The 3rd Party grounds of appeal can be summarised as follows:
- The creation of two building plots on the site of the applicants existing dwelling is objected to.
 - The proposed dwellings do not respect the established building line, especially to the west.
 - The original application showed four soakaways, yet the revised drawings do not show any. The revised design would make it difficult to achieve the requirements under BRE Digest 365.
 - This area experiences high levels of water runoff during inclement weather, given the location near to Slieve Foy. Therefore, the impact of the proposed development on the appellants foundations is a cause of concern.

- Concerns are raised in relation to the adequacy of the sightlines for the entrances serving the proposed dwellings. It is also contended that these have not been accurately depicted in the submitted drawings.
- The existing road that would serve this development is narrow and it is contended that there have been accidents on it.
- It is requested that the appellants sightlines are not interfered with and it is noted that they are not willing to enter into an agreement whereby a burden is created on their land title for achieving sightlines to serve this development.
- It is not accepted that the required sightlines can be achieved at this location and as such the proposed development would compromise the traffic safety of nearby dwellings.
- It is not accepted that there is sufficient infrastructural capacity to accommodate this development.
- The proposed dwellings would result in overlooking, visual overbearance, overshadowing through to diminishment of ventilation, thus impacting on the appellants established residential amenity.
- The extent and massing of the proposed dwellings is contrary to good design.
- Procedural issues are raised in relation to the Planning Authority's handling of his submission.
- The Planning Authority's grant of permission included the provision of a footpath, yet Chapel Hill is a narrow road without a footpath.
- Local needs should be placed above others.

6.2. Applicant Response

6.2.1. The 1st Party's response to the grounds of appeal can be summarised as follows:

- The original position of each of the proposed houses was moved forward by c7m from their original position in response to the concerns raised by the Planning Authority in their further information request. In their realigned position they now substantially align with the properties to the east. This is considered to be an appropriate response.

- The 5.5m distance referred to by the applicant relates to the standard set-back from the edge of a road that an entrance gate should be positioned. This is to ensure that a car can fully exit the road should the driver have to exit the vehicle to the open gate. As such the 5.5m does not relate to the visibility provisions.
- The house to the immediate west does not have this setback despite showing the same in their documentation relating to its grant of permission under P.A. Ref. No. 15/25.
- The visibility provision provided at the site is fully compliant with the required standards and no issues were raised by the Planning Authority on this matter.
- Chapel Road is served by both public water and a public sewer.
- This application is for outline planning permission and therefore the exact details of the proposed house type is yet to be determined. Therefore, concerns in relation to the proposed houses design and impact are considered premature.
- The site is located within the designated settlement centre of Omeath.

6.3. Planning Authority Response

6.3.1. The Planning Authority's response can be summarised as follows:

- Refers the Board to their Planning Officer's report on file.

7.0 Assessment

7.1. Having carried out an inspection of the site and its setting, alongside having had regard to all information on file including and not limited to the grounds of appeal and responses received by the Board as well as having had regard to relevant planning provisions for this type of development, I consider that it is appropriate that my assessment below is based on the applicants further information response which was submitted to the Planning Authority on the 17th day of December, 2020, and was accompanied by revised public notices.

7.2. I have made this conclusion based primarily on the qualitative improvements that are contained within this response when compared to the original proposal submitted to the Planning Authority on the 12th day of October, 2020. With the improvements

mainly relating to the provision of a revised site layout plan that in my view puts forward a more appropriate site response, particularly in terms of the front building line and setback of the footprint of the proposed two dwellings from the roadside boundary of Chapel Hill. Alongside this response provides clarity and improvements to the sightlines achievable onto the public road network in both directions.

- 7.3. In terms of principle of the proposed development which relates to outline planning permission for two detached dwellings on land that is zoned existing residential development under the applicable Development Plan, I concur with the Planning Authority in this case, that the general principle of such a development is acceptable, subject to safeguards.
- 7.4. I am also cognisant that regional and national planning provisions collectively encourage and support the channelling of residential development into the existing built-up areas of settlements alongside making the most efficient use of serviced lands within settlements.
- 7.5. Of particular note Regional Planning Objective 4.83 of the applicable regional economic and spatial strategy advocates supporting: *“the consolidation of the town and village network to ensure that development proceeds sustainably and at an appropriate scale, level and pace in line with the core strategies of the county development plans”*.
- 7.6. In addition, Section 2.6 of the National Planning Framework which deals specifically with the matter of compact and sustainable growth sets out under National Policy Objective 3a to deliver at least 40% of all new homes nationally within the built-up footprint of existing settlements. Moreover, in tandem with this National Policy Objective 35 seeks to increase residential density in settlements, through a range of measures including infill development schemes and National Policy Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- 7.7. In relation to the above whilst at local, regional through to national planning provisions the general principle of this proposed residential development on residentially zoned land is consistent with core and spatial settlement strategies. It is nonetheless a concern that as part of the applicant’s further information response they were not able to provide assurance that the existing foul drainage infrastructure has the capacity to

cater for the albeit low additional demands this proposed development would place upon it. Whereas it would appear that in recent years that Irish Water in conjunction with the Local Authority replaced approximately 1km of water mains in the Chapel Hill area and an additional 600mm in Howeshill due to this provision being previously prone to bursting and also the pipes being of lead construction. These works were done on the public roadside and at this point connections were run to existing water connections. The status of these works is completed.

- 7.8. In addition to this it appears that there are no capacity issues in terms of providing a potable water supply from this infrastructure to serve the now proposed two dwellings.
- 7.9. Whereas, in terms of foul drainage the proposed 'Omeath Sewerage Scheme' is in its planning phases and in the interim, this is of significant concern in my view as it has been estimated that the equivalent of 800 wheelie bins in volume of untreated wastewater is discharged directly into Carlingford Lough per day from the settlement of Omeath's existing foul drainage system. This is highly concerning as Carlingford Lough's shoreline bounds the easternmost extent of the settlement of Omeath with the shoreline also demarcating the westernmost extent of the Carlingford Shore SAC (Note: Site Code – 002306).
- 7.10. In addition to this, Carlingford Lough is a proposed National Heritage Areas and is an important shellfish area. Whilst mitigation measures could be implemented on site to deal with surface water to greenfield rates there is not sufficient space cumulatively between the two proposed new residential subdivisions to accommodate proprietary wastewater treatment systems to meet their needs. Moreover, no such systems are proposed.
- 7.11. I therefore raise it as a significant concern that any further untreated wastewater loading onto the existing substandard foul drainage system would add further to the cumulative level of untreated wastewater discharging into the Carlingford Shore SAC and Carlingford Lough itself. This is not an acceptable situation and until the 'Omeath Sewerage Scheme' has a definite timescale for completion any further development that would add to the levels of untreated wastewater entering into environmentally and ecologically sensitive Carlingford Lough is both premature and unacceptable. This is irrespective of the applicant's contention that there is an expected completion date of

2022. As said the status of this sewerage scheme on the Irish Water website is defined as 'planning'.

- 7.12. In relation to the availability of sightlines I note that there is a revised site layout drawing submitted with the applicant's further information request. Of concern this does not appear to be based on a technical survey of the public road condition in terms of its actual widths, actual roadside verges through to ground levels. It also does not indicate obstructions to the achievement of the required sightlines, including utility poles. Therefore, I am not fully satisfied that the ability to achieve the sightlines required under Section 7.3.6 and Table 7.4 of the Development Plan based on the information provided. Also, this is based on what I observed during my inspection of the site and its setting, which included that Chapel Hill road, which accommodated a steady flow of traffic, it is of a substandard width at this point, it has an undulating horizontal alignment through to in the immediate vicinity of the site and its two proposed entrances there are a significant number of existing entrances present. Mainly serving one-off dwellings and I also observed that the site is situated directly opposite the Gael Cuchulainn GAA Club which did not appear to accommodate any parking facilities for its users and for those maintaining it.
- 7.13. In terms of visual amenity impact, this application consists of an application for outline permission for two dwellings and as such the information provided is limited and essentially consists of the footprint of these structures on the newly proposed residential subdivisions.
- 7.14. Amongst the existing buildings that align Chapel Hill road these are varied in their built forms, architectural styles, palette of materials through to building to land relationship.
- 7.15. There is also a variety in building heights varying from single storey, dormer through to two storey dwellings and in the immediate context there is an example of a single semi-detached pair with this located to the immediate west of the site.
- 7.16. Whilst I consider that there is capacity at this location to accommodate residential development at planning consequent stage it would be incumbent upon the applicant to ensure that the design put forward is of suitable quality given the high scenic amenities of this setting and the openness of the landscape at this point which means that even with the use of a qualitative landscaping scheme any built insertion at this location has the potential to be a highly visible new insertion.

- 7.17. I also consider that the revised setback of the proposed dwelling houses on Site 1 and Site 2 are more appropriate in their site context relative to the placement of existing dwellings to the east and west of it. Similarly, and for the same reason I also consider the slight staggering of the front building line is also a more appropriate design response with this also reducing the potential for overlooking to arise for properties to the east and west.
- 7.18. In terms of residential amenity impact, the appellant raises concerns that this proposed development has the potential to adversely impact upon the established residential amenities of his property by way of overlooking, reduced privacy, overshadowing through to visual overbearance.
- 7.19. Again, the level of impact is not possible to assess as this is simply an outline application for two dwellings with limited details provided.
- 7.20. As part of addressing the appellants concerns, under Condition No. 2 of the Planning Authority's grant of outline permission they required that any first-floor level windows facing eastwards or westwards would serve non-habitable rooms.
- 7.21. I acknowledge that such a condition would reduce the potential for adverse overlooking to occur.
- 7.22. In addition, the revised positioning of both dwellings would result in the rear elevations finishing close to the rear boundaries of the adjoining properties to the east and west. It is somewhat concerning the marginal separation distance provided to the rear of the applicants existing dwelling which lies to the immediate east in that a substantial rear garden space would effectively run from the rear of the dwelling proposed for Site 2 to encompass the majority of the rear private amenity space currently associated with this dwelling.
- 7.23. In terms of overshadowing, a level of overshadowing would not be uncommon in a setting like this. Particularly having regard to the established pattern of development on the southern side of Chapel Hill. Notwithstanding, the level of overshadowing can not be quantified given the limited information that accompanies an application for outline permission. It would however be incumbent that at planning consequent stage that regard to protecting the established residential amenities of properties from undue diminishment of their established residential amenities should be had in design resolution for each of the proposed dwellings for Site 1 and Site 2.

7.24. In relation to visual overbearance, again it is not possible to make any assessment of this matter given the limited information provided with an application for outline permission.

7.25. In relation to the settlement of the proposed dwellings on each of the proposed residential subdivisions on what is essentially an overgrown and unkempt side garden area site appropriate and site sensitive qualitative landscaping as well as boundary treatments would be required to ensure that the proposed development is assimilated without any detrimental amenity impact, either residential and/or visual in nature.

7.26. Should the Board be minded to grant permission despite the concerns raised in this assessment, in terms of the infrastructural requirements set out under Condition No. 4 should the Board be minded to grant outline permission I consider that these are reasonable in terms of achieving orderly development and development that does not give rise to any traffic safety or other prejudicial disamenity. This includes the provision of a footpath adjoining the roadside verge to accommodate safe movement of pedestrians.

7.27. **Other Matters Arising**

7.27.1. **Procedural Matters:** The appellant raises concerns in relation to the Planning Authority's handling of this application in that they did not inspect the appellants site relative to the subject site after their submission was received. In this regard I note that the Board does not have an ombudsman role in adjudicating such matters and the Board by way of this 3rd Party appeal is tasked with assessment this application on an entirely *de novo* basis.

8.0 **Appropriate Assessment**

8.1. The proposed development comprises a 'project' for the purposes of environmental impact assessment and falls within a class set out in Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended), Infrastructure Projects, construction of dwelling units.

8.2. As set out in this report above the appeal site is located c317m to the west of Carlingford Shore SAC (Site Code: 002306) with the site occupying higher ground levels. Whereas the other nearest European site is located above 1km with the land

in between occupying higher ground levels which varying contextual developments present with no hydrological or other tangible connection and therefore can be excluded in terms of the potential for effects on other European sites during construction and operational phases of the proposed development.

Table 1: Qualifying interests & conservation objectives of European sites within a possible zone of influence relative to the proposed development.

European Site	Qualifying Interests	Conservation Objectives
Carlingford Shore SAC Site Code: 002306*	[1210] Annual vegetation of drift lines [1220] Perennial vegetation of stony banks	A site-specific conservation objective aims to define favourable conservation condition for a particular habitat or species at that site. The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

*** Note:** *The SAC set out in the above table overlaps with Carlingford Lough SPA (Site Code – 004078). It is therefore advised that the conservation objectives for these sites should be used in conjunction with those for the overlapping site as appropriate.*

8.3. The appeal site is located within a serviced and residentially zoned area on the western periphery of the settlement of Omeath. It is bound by existing residential development to its east and west, a public road to its north and agricultural land to its south and south west. In addition, the surrounding area has a predominant residential character aligning with Chapel Hill road with the density of residential development

and its proliferation increasing as one journeys westwards towards the R173 and seawards towards the Carlingford Lough shoreline.

- 8.4. In addition to this the proposed development seeks outline permission for two detached dwelling houses which would be served by way of new connections to the public water supply and public foul drainage with on-site provisions proposed for surface water with discharge at greenfield runoff rates.
- 8.5. Having regards to the above and given that the topography between the site and the Carlingford Shore SAC falls towards the SAC boundary the only potential for effects to arise on this European site is during the construction phase and if during operational phases that the 'Omeath Sewerage Scheme' is not operational and it fails.
- 8.6. In relation to the latter point, as discussed previously in my main assessment there is an unacceptable situation in that untreated wastewater from the settlement of Omeath is discharging into Carlingford Lough and at a point where it enters directly into the westernmost boundaries of Carlingford Shore SAC.
- 8.7. Therefore, the said sewerage treatment scheme is essential to ensure water quality in the receiving waters is in compliance with national and European Regulations relating to the treatment of wastewater which it presently is not.
- 8.8. Despite the serviced nature of the site, the site's location in residentially zoned land with significant development present between it and the shoreline alongside the proposed surface water drainage design as well as the upgrading of the public infrastructure services in this area, were any adverse situation to arise, for example fuel spillages during construction phase, the likelihood of any such pollutant run-off effecting the 'Annual Vegetation of drift lines' and/or the 'Perennial vegetation of stony banks, which are the identified qualifying interests of the Carlingford Shore SAC is negligible.
- 8.9. However, more concerningly the existing foul drainage situation is substandard and as such this development in the absence of the completion of the said sewerage scheme would cumulatively add to the deterioration of the water quality in the receiving waters for discharge at a point where the shoreline is a designated SAC with this cumulatively adding to the adverse effect this type of pollution has on its qualifying interests.

- 8.10. Should the said sewerage scheme be completed and be operational this would ensure that the water quality in Carlingford Lough would improve with the discharge that would be associated with the scheme be treated so that it is compliant with National and European Regulations relating to the treatment of wastewater. Therefore, the potential for adverse effect to arise would be low.
- 8.11. I note that there are no 'Appropriate Assessment' objections raised by the Planning Authority and I consider that there is a lack of clarity in terms of the provision of the said sewerage scheme from Irish Water.
- 8.12. It is therefore reasonable to conclude that on the basis of the information on the file and that publicly available, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Carlingford Shore SAC (Site Code: 002306), or any other European site, in view of their conservation objectives upon the implementation and completion of the 'Omeath Sewerage Scheme'. Until this time the proposed development sought under this application is premature and it has not been demonstrated otherwise by way of a Stage 2 Appropriate Assessment (and the submission of an NIS).
- 8.13. It is reasonable to conclude that such an application be accompanied by an appropriately prepared 'Appropriate Assessment' that satisfactorily demonstrates that the proposed development would be unlikely to have a significant effect individually or in combination with other plans or projects on European sites, in particular Carlingford Shore SAC. I am therefore of the view that the Board is precluded from granting outline permission given the significant concerns that are present in relation to foul drainage treatment within the settlement of Omeath which this development would cumulatively add to. Given the concerns raised above and the lack of assurance provided on these concerns and I am of the view that the Board is therefore precluded from granting outline permission in this case.

9.0 Recommendation

- 9.1. I recommend that outline permission be **refused** for the reasons and considerations set out below. The Board may consider that 'Reasons and Considerations No. 1 and 2' relates to new issues.

10.0 Reasons and Consideration

1. On the basis of the information provided with the application and having regard to the Stage 1 Appropriate Assessment Screening Report carried out as part of the appeal determination, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the designated Special Conservation Area: Carlingford Shore SAC (Site Code: 002306), or any other European site, in view of their Conservation Objectives. In these circumstances the Board is precluded from giving further consideration to a grant of planning permission. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed development would be premature pending the availability of a public wastewater treatment plant to serve existing development and to facilitate the orderly expansion of the settlement of Omeath. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. On the basis of the submitted documentation, the Board is not satisfied that the required sightlines can be provided within the confines of the site onto a minor road which is seriously substandard in terms of its width and horizontal alignment. The traffic generated by the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users.

Patricia-Marie Young
Planning Inspector

27th day of May, 2021.