



An
Bord
Pleanála

Inspector's Report

ABP-310985-21

Development	Construction of house, honey recovery and harvesting workspace, effluent treatment system and percolation area, and associated site works.
Location	Drumiskabole, Breeoge, Knocknahur, Co. Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	21171
Applicant(s)	Kieran McDonagh.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Kieran McDonagh
Observer(s)	Niall & Ena McLoughlin
Date of Site Inspection	20 th April 2022.
Inspector	Bríd Maxwell

1.0 Site Location and Description

- 1.1. The application site is situated in rural County Sligo, circa 4km to the southwest of Sligo town, 4.6km southeast of Strandhill village, 3km northwest of Ballysadare village and 800m south of Ransboro / Knocknahur, a small rural settlement.
- 1.2. The area is characterised by an attractive rolling landscape interspersed by traditional field boundaries of hedgerows and trees, with a backdrop of higher hills, mountains and the sea. There is a significant presence of one-off housing along the road network. Ransboro (which is referred only to as Knocknahur on the OSI and Discovery maps) includes a church and a national school as focal point with one-off housing radiating out from the crossroads. Much of the rural road network is substandard in terms of road widths, vertical and horizontal alignment and junction sight lines. The junction between the rural road network (including the R292) and the N4 is c.3km to the southeast of the appeal site.
- 1.3. The appeal site has a stated area of 0.495 hectares and is rectangular in shape and part of a larger field in pasture. Front roadside boundary is defined by post and wire fencing (according to details on file roadside boundary was formerly defined by a historic stone wall). The site is rectangular in shape and is part of a field in pasture. The rear boundary is defined by a hedgerow; the other boundaries, including the front roadside boundary are defined by post and wire fences. Ground levels slope generally from north to south and from the front towards the centre of the site. The site is surrounded by agricultural land. A two-storey period residence, Breegoe House, and associated out buildings, is located to the south. A dwelling and farm buildings are located on the opposite side of the local road.

2.0 Proposed Development

- 2.1. The application involves permission for development consisting of the construction of a private residence and associated honey recovery and harvesting workspace with proprietary effluent treatment system and percolation area, and all associated site works, including repair and rebuilding of adjoining stone wall along road edge.

2.2. The proposed dwelling has a floor area of 97sq.m. The proposed siting is 34.3m from the roadside boundary. The design incorporates a shed structure / workspace which is connected to the dwelling by a covered outdoor terrace. It is intended that the workspace and domestic kitchen are to be used for the production and storage of honey from the applicant's apiary (consisting of beehives on the site and adjoining lands)¹. External materials include natural grey corrugated fibre cement clad roof and side cladding and timber frame windows. A landscaped orchard is proposed to be planted forward of the dwelling.

3.0 Planning Authority Decision

3.1. Decision

By order dated 5th July 2021 Sligo County Council issued decision to refuse permission for the following reason:

"The proposed development is located within a Rural Area under Urban Influence as defined in the current Sligo County Development Plan 2017-2023. It is a policy of the planning authority to manage development in such areas and to restrict the provision of one off rural housing to rural generated housing need. On the basis of information submitted it is not considered that the proposed development would constitute rural generated housing need. The proposed development would constitute inappropriate housing development in a rural area lacking certain public services, would militate against the preservation of the rural environment, would set an undesirable precedent for further such development at this location and would give rise to an uneconomic demand for the provision of public services and facilities. The proposed development would conflict with the provisions of the Development Plan and accordingly would be contrary to the proper planning and sustainable development of the area."

3.2. Planning Authority Reports

3.2.1. Planning Reports

¹ Agreement in this regard from the adjoining landowner outlined in letter appended.

Planner's report notes the extensive planning history on the appeal site. In relation to housing need it is asserted that bee keeping, and sheep farming cannot credibly be considered to constitute primary employment. Question whether the applicant has lived in this community for a substantial period of his life. Whilst there may be historical family ties to the area this does not constitute a significant link. An exceptional reason to live in this rural area has not been demonstrated. Design would represent a significant intervention on the landscape. Area Engineer's recommendation for flood risk assessment noted. Refusal was recommended.

3.2.2. Other Technical Reports

Area Engineer's report notes location in a karst setting which is subject to localised flooding. Swallow holes are abundant in the area. A flood risk assessment should be carried out by a qualified hydrologist.

Environment Section Report – No objection in principle subject to conditions

3.3. **Prescribed Bodies**

Irish Water – No objection subject to connection agreement and capacity requirements.

3.4. **Third Party Observations**

3.4.1 Ena & Niall McLoughlin, Breeogue House. Submission outlines objection to the proposal noting the following:

- Significant history of refusal.
- Applicant does not have a legitimate rural housing need at this location.
- Demolition of heritage stone walls not justified.
- Traffic Hazard. Entrance on the apex of a bend at the top of a hill with diminished visibility. Multiplicity of entrances.
- Breeogue House and curtilage is listed in the record of protected structures since July 2005. The reconstruction of the demolished stone wall involves works to the curtilage of the protected structure.

4.0 Planning History

There is an extensive planning history on the appeal site as follows:

Reg.ref.02/18 – Permission REFUSED by the planning authority for a dwellinghouse.

PL21.203571 / Reg.ref.03/233 – Permission REFUSED by the Board for a dwellinghouse, overturning the decision of the planning authority.

Reg.ref.03/1106 – Permission REFUSED by the planning authority for a dwellinghouse.

PL21.208460 / Reg.ref.04/470 – Permission REFUSED by the Board for a dwellinghouse, overturning the decision of the planning authority.

PL21.212998 / Reg.ref.05/28 – Permission REFUSED by the Board for a dwellinghouse, upholding the decision of the planning authority.

PL21.217390 / Reg.ref.06/69 – Permission REFUSED by the Board (25/09/06) for a dwellinghouse, overturning the decision of the planning authority.

PL21.217959 / Reg.ref.06/245 – Permission GRANTED by the Board (25/09/06) for a new agricultural entrance, upholding the decision of the planning authority.

Reg.ref.06/998 – Permission REFUSED by the planning authority for a dwellinghouse.

Reg.ref.07/307 – Permission REFUSED by the planning authority for a dwellinghouse

Reg.ref.07/606 – Permission REFUSED by the planning authority for a dwellinghouse.

Reg.ref.07/889 – Permission REFUSED by the planning authority for a dwellinghouse.

Reg.ref.07/1232 – Permission REFUSED by the planning authority for a dwellinghouse.

Reg.ref.08/106 – Permission REFUSED by the planning authority for a dwellinghouse.

Reg.ref.08/392 – Permission REFUSED by the planning authority for a dwellinghouse.

PL21.236478 / Reg.ref.10/8 – Permission REFUSED by the Board (07/07/10) for a dwellinghouse, upholding the decision of the planning authority.

Reg.ref.12/331 – Permission REFUSED by the planning authority for a dwellinghouse.

PL21.245005 PA Reg.ref.15/99 – Permission REFUSED by the Board (15/09/15) for a dwellinghouse, upholding the decision of the planning authority. The single reason for refusal was on the basis that the Board was not satisfied that the applicant comes within the scope of the housing need criteria, as set out in the Guidelines or the SCDP 2011-2017, for a rural house in this location; would contribute to the encroachment of random rural development and militate against the preservation of the rural environment and the efficient provision of public services and infrastructure; and be contrary to the SRH Guidelines (2005).

PL21.246970 / Reg.ref.16/187 – Permission REFUSED by the Board (11/10/16) for construction of a 'honey house' (agricultural) building for the extraction and storage of honey. The single reason for refusal was on the grounds that the applicant had failed to demonstrate that the proposed development is a necessary development in this rural area outside of a designated development centre and in an area of international archaeological importance, the Cuil Irra Peninsula, contrary to policies P-LCAP-3 (to protect physical landscape and visual character), P-LCAP-4 (to protect historic and archaeological landscapes) and P-LCAP-5 (to protect and enhance visual qualities of rural areas through sensitive design) of the SCDP 2-11-2017. The Board was not convinced that the existing and proposed bee keeping activity warranted or justified development of the scale proposed, which it considered to be more appropriately located on suitably zoned and serviced lands.

ABP-302046-18 / 18/158 The Board refused permission for construction of a dwellinghouse with proprietary effluent treatment system and percolation area, and all associated site works, including repair and rebuilding of adjoining walls along the road edge. Refusal was on grounds that the Board was not satisfied that the applicant had demonstrated a rural generated housing need and on the basis of failure to demonstrate site suitability for onsite wastewater treatment system.

5.0 Policy Context

5.1. National Planning Framework, Department of Housing Planning and Local Government 2018

National Policy Objective 19 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. Development Plan

5.1.1 The Sligo County Development Plan 2017-2023 refers.

- Section 3.0 Core Strategy
- Section 3.3 Rural Settlement. Policies SP-S-4 and SPS-7.
- Section 5.3 Housing in Rural Areas – Policies P-RANR-HOU-1 and P-GBSA-HOU-1. Section 7.4 Landscape Character – Policies P-LCAP-1 and P-LCAP-2.
- Section 9.3.2 Wastewater Management in Rural Areas
- Landscape Characterisation Map - The appeal site is designated as being within “normal rural landscape” under the landscape character assessment. There is a designated scenic route tot the south

5.3. **Natural Heritage Designations**

Ballysadare Bay SPA site code 004129 is located 0.5km to the south.

Ballysadare Bay SAC site code 000622 is located 0.5km to the south.

5.4. **EIA Screening**

The proposed development is of a class under Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, namely Class 20. Infrastructure projects, (b)(i) construction of more than 500 dwelling units. However, as the proposed development comprises a single dwellinghouse, it is significantly subthreshold the 500 unit limit provided under that part. Notwithstanding the site's proximity (c0.5km) to sites of environmental sensitivity namely Ballysadare Bay SPA and Ballysadare Bay SAC, I am satisfied that due to the limited nature of the development and nature of the receiving environment there is no real likelihood of significant effects on the environment arising from the proposed development and Environmental Impact Assessment is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.1.1 The appeal is submitted by Lid Architecture on behalf of the first party. I note that the first party sought an oral hearing of the case however the Board decided (Direction 4/10/2021) that there was sufficient written evidence on file to enable an assessment of issues raised and that an oral hearing should not be held.

6.1.2 First Party grounds of appeal are summarised as follows:

- Applicant is a native of the area and has a demonstrable social and economic need to live in this rural area in compliance with Policy P-RAUI-HOU-1.
- A request for additional information would have clarified any issues.
- Applicant was born and raised in the area spent his career working with the Department of Agriculture inspecting farms in the county, has been engaged in agricultural pursuits over several decades leasing land in the area and has owned the site since 2002.

- Extensive family links in the area.
- House and yard are entirely based on rural generated need.
- Applicant complies with four of the five categories for qualifying for this policy as determinants of rural generated housing need.
- Propsoal falls within the vernacular tradition of rural living and farming configuration.
- Expert advisor was engaged to consider the nature of the applicant's rural generated economic need. Notably no clear economic need criteria in the plan. Economic report (Appendix 2) explains the nature of economic need. Economic need is objective not subjective. Quantification of economic need is set out but not addressed by the Council contrary to due process.
- Council failed to engage with economic need and dismissed proposed expansion of co-locate expanded bee keeping enterprise without seeking the necessary expert advice of further information on the matter of viability.
- Planner's report appears to question whether the applicant has a flock of 22 sheep on basis of ownership of 0.495ha of land. Assumption incorrect. Applicant leases land locally on 11 month system common in the west of Ireland. Herd number and certification of registered food producer appended.
- Appendix 5 highlights hive locations. There is ample room on the land to accommodate existing and future hives. Co-location makes bee keeping more feasible.
- Letter from adjoining landowner clarifies arrangement regarding keeping of hives on land.
- Applicant needs to supplement his retirement income to survive.
- Applicant has been living at Drumiskabole his original family home now his brother's house since 2002 apart form a brief stay at Ballymote in 2011 when emergency repairs were been carried out to the house at Drumiskabole.
- Drumiskabole is less than 5km from the site in Breeoge. Both in same electoral district and the area functions as a single community.

- Ties to the area are not only historical. Applicant's brother, nieces, nephews and many extended family members live in the locality. Extended family is a vital support to the applicant.
- Exceptional health circumstances pertain and An Bord Pleanála is requested to consider this aspect and respect the expertise of medical authorities in relation to this matter.
- Design has been given careful consideration with regard to local architectural and landscape character. Lid Architecture are an award winning practice and specialises in the integration of architecture with landscape.
- Design is not intended to look like a shed rather it references the agricultural language, materiality and palette of the vernacular buildings in the immediate area. Use of robust practical and sustainable agricultural materials with the modesty of an agricultural building.
- Photomontage and site section drawings show that due to the undulating topography and low ridge height, the siting of the building in lowest part of the site it would not break the tree line behind. Proposed orchard and native species boundary planting is intended to seclude the property from the road and key to year round production of honey.
- Historically in Irish rural vernacular architecture, domestic and agricultural buildings were integrated in form, layout and material. The courtyard configuration reflects this tradition.
- Proposed materials are re-usable, recyclable and better suited to high insulated thermal requirements and technology require for NZEB compliant houses.
- Redesign or partial redesign could be considered for example the reduction / relocation of covered outdoor area to reduce road elevation by 2.4-4m.
- Claims in letter of objection are refuted. Reference to removal of a protected wall unfounded and was exempted development as confirmed in by Sligo County Council (Appendix 8 & 9)
- There is no new proposed entrance to the site. Existing agricultural entrance is to be re-used.

- Planning Authority has been inconsistent in terms of implementation of Policy P-RAUI-Hou-1. Examples provided PL07/633 ABP225230 PL08/80, PL20/85, PL16/109, PL06/1012, PL07/42.
- Propsoal is consistent with sustainable rural Housing Guidelines and national spatial strategy in seeking to sustain and renew established rural communities.
- An Bord Pleanála is urged to critically examine determination of community and connectiveness and to determine applicant's genuine and bona fide social and economic need.

6.2. Planning Authority Response

6.2.1 The submission of the Planning Authority is summarised as follows:

- No statutory requirement to request further information.
- Application was assessed based on submitted information and full account was taken of all supporting documentation,
- Appeal submission does not alter Planning Authority's conclusion regarding subsection B C D or E of Policy P-RAUI-HOU-1
- Assessment of appropriateness of house design set out in planner's report.
- Notably precedent cases cited to support a case of inconsistent decisions by Sligo County Council almost all determined prior to the adoption of the current County Development Plan. Several of the examples are materially different types of development and are not comparable. No evidence of inconsistency is provided.
- The development would be contrary to the proper planning and sustinabale development of the area.
- The Board is respectfully requested to uphold the decision to refuse.

6.3. Observations

6.3.1 Observations are submitted by Niall and Ena McLoughlin, Breeogue House outlining vehement objection to the development on a number of grounds.

- History of refusal on basis of failure to demonstrate occupational necessity to live in this locality.
- Legal proceedings in respect of demolition of wall noted.
- Drumiskabole is on the opposite side of the N4 dual carriageway and in the natural parish of Carrow not in the normal Coolera catchment. While Carrow and Coolera are neighbouring areas they have separate schools, youth clubs sporting clubs and churches and each have unique and separate identity.
- Traffic hazard.
- No vehicular access to applicant's lands adjacent to the entrance to Breeogue house.
- Repetitive planning applications on these lands have considerable cost implications for local authority, An Bord Pleanála and third parties.

7.0 Assessment

7.1 Having examined the file, considered the prevailing local and national policies, inspected the site, and assessed the proposal, the planning history and all submissions, I consider the key issues arising in this appeal for determination by the Board relates to the question of whether the proposal overcomes the Board's previous reasons for refusal ABP-302046-18 (which was also assessed under the currently operative Sligo County Development Plan 2017-2023). These reasons related to rural generated housing need and site suitability for effluent treatment. As the proposal involves a revised design the visual impact and design suitability needs to be considered. The issue of appropriate assessment also needs to be addressed. I note that the third party observer objects to the development on site raising concerns with regard to sightline visibility and traffic safety. The submission also raises other issues including a legal dispute with regard to removal of an historic

boundary wall. On the issue of traffic, I note that the Board did not cite traffic safety as a barrier to development on the site. Issues in relation to removal of boundary walls are not relevant to the current appeal. As regards cases cited within the first party appeal to support a case of inconsistent application of rural housing policy by the local authority, I note that the sited case are largely not comparable to the current appeal case and in any event it is appropriate that the current appeal be assessed on its own planning merit. On this basis I consider it appropriate to confine the assessment to the aforementioned planning matters.

7.2 Policy – Principle.

7.2.1 The previous decision of the Board echoed in the decision of the local authority decision on the current appeal case was as follows:

“Having regard to the location of the site within an area identified as under the urban 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 applicant has 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.”

7.2.2I note Policy **P_RAUI-Hou-1** as follows:

“It is the policy of Sligo County Council to: P-RAUI-HOU-1 Accommodate proposals for one-off rural houses in Rural Areas Under Urban Influence, subject to normal planning considerations, including Habitats Directive Assessment and compliance with the guidance set out in Section 13.4 Residential development in rural areas (development management standards), where a housing need is demonstrated by the following categories of applicants:

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 resourcebased 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. Such applications must be accompanied by a specialist’s report and recommendation outlining the reasons why it is necessary for the applicant to live in

a rural area. The application should also be supported by a relevant disability organisation of which the applicant is a member, where applicable,

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.”*

7.2.3 The first party contends that he complies with four of the five categories of rural generated housing need namely B, C D and E. In relation to category B it is the applicant's case that he intends to retire from his job with the Department of Agriculture Food and the Marine and, as a skilled beekeeper, intends to supplement his retirement income with his pilot bee keeping project. I note that this case was also made in the previous applications on the site including the most recent case ABP-302046-18. Additional documentation provided in the current application and appeal, including a report by Fionan O Muircheartaigh, Economist, sets out to justify an economic need. The case relies on the argument that the applicant's intended rurally based and generated post retirement occupation (bee keeping), his requirement for housing (as living with the applicant's brother is no longer feasible post retirement), proximity to his native place, and intended support for rural environment and sustainability.

7.2.4 I have considered the additional documentation submitted with the current application and appeal in its detail and I consider that the case does not justify a *volte-face* in terms of the Board's determination of the proposed development in terms of proper planning and sustainable development. The economic arguments are not planning or locationally based or specific to the appeal site and could be made in respect of any location. Furthermore, the housing need argument could readily be met within a designated settlement. I note the decision of the Board on PL21.246970 PA Ref 16/187 where permission was refused for the construction of a 'honey house' agricultural building for the extraction and storage of honey on this site. The Board in its decision considered that such a development would be more appropriately located within a designated settlement on suitably zoned lands. This remains the case. As regards Category C (those who have no family lands but seek to build their first home within the area of their original family home) Category D (persons with rural links) and Category E (exceptional reasons including health

reasons) I note the arguments and discussion with regard to local area, community and connection. I note that there is a level of subjectivity with regard to defining local area, community and connection. It is clear however that any meaningful interpretation of the adopted county settlement strategy which seeks to direct new housing development into the Gateway City of Sligo and surrounding villages, while accommodating those with a genuine need to live in a rural location, (as is set out in policy P-RAUI-Hou 1 and which is in line with National Policy Objective 19 of the National Planning Framework 2018), would imply that the accommodation of one-off houses in a rural area under urban influence would be exceptional and locationally based and justified. I am satisfied that the particulars of this application do not meet the criteria in terms of genuine rural generated housing need. On this basis I consider that this reason for refusal as per previous decision of the Board ABP-302046-18 remains valid.

7.3 Site Suitability – Wastewater Treatment.

7.3.1 As regards site suitability for effluent treatment I note that the site suitability assessment report outlines that in the trial hole, excavated to 2.6m, neither bedrock nor water table were encountered. The soil is described as a sandy gravelly silt topsoil with silty gravel with pebbles and cobbles at .9m. A T value of 8.19 was determined. It is proposed to install a packaged wastewater treatment plant and soil polishing filter. I note the report of the Area Engineer which refers to the site location in a karst setting subject to localised flooding and with an abundance of swallow holes. The Area Engineer accordingly recommended that a flood risk assessment would be required. On this basis of this potential flooding issue, it is not possible to determine definitively whether the proposed development would be prejudicial to public health.

7..4 Design and Visual Impact

7.4.1 I note that within the most recent application to the Board ABP-302046 the reporting Inspector expressed concerns with regard to the visual impact of that proposal particularly from the northern approach to the site, and its elevated siting and visual impact over a wide area resulting in the visual suburbanisation of this rural area.

Notwithstanding these concerns the design and visual impact per se did not form one of the reasons for refusal. The current appeal case has simplified the proposed design and reduced the scale of the proposal also with revised siting. I note the design approach and justification as set out in submissions of Lid Architecture on behalf of the first party. The proposal also includes the planting of an orchard forward of the dwelling and provision for native species along the site boundaries. I consider that notwithstanding landscaping and design mitigation concerns with regard to visual suburbanisation of this rural landscape and the absorption capacity of the landscape remain valid.

7.5 Appropriate Assessment Screening.

7.5.1 The proposed development is not located within a European site and does not relate to the management of any European site and direct effects can therefore be ruled out. The application site is within c.0.5km to two European sites to the south – Ballysadare Bay SPA site code 004129 and Ballysadare Bay SAC site code 000622 – and therefore there is potential for indirect effects.

7.5.2. The conservation objectives for Ballysadare Bay SPA are to maintain the favourable conservation condition of the bird species and habitat listed as Special Conservation Interests for this SPA – Brent Goose, Grey Plover, Dunlin, Bar-tailed Godwit, Redshank and wetland habitat. The Natura 2000 Standard Data Form lists continuous urbanisation as both a negative impact (threat / pressure) and a positive impact on the subject European site. The proposed development, which is set back at a distance of c.0.5km from the European site, constitutes a form of dispersed habitation which is not listed as a threat or pressure on the European site.

7.5.3. The conservation objectives for Ballysadare Bay SAC are to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected: Narrow-mouthed whorl snail, Harbour Seal, Estuaries; Mudflats and sandflats not covered by seawater at low tide, and Embryonic shifting dunes; and to restore the favourable conservation condition of the Annex I habitat(s)

for which the SAC has been selected: Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes), Fixed coastal dunes with herbaceous vegetation (grey dunes), and Humid dune slacks. The Natura 2000 Standard Data Form lists discontinuous urban development external to the site as a medium threat / pressure to the European site.

7.5.4 Notwithstanding the relatively high population density of this area (88 persons per km² compared to 70 p/km² for the state), which is associated with Sligo town, and the suburbanised character of much of the development, the proposed development, which is located c.0.5km from the European site, constitutes dispersed habitation which is not listed as a threat or pressure external to the European site.

7.5.5 Having regard to the foregoing, potential for significant effects, including direct, indirect and in-combination effects, on the integrity of the two said European sites in view of their conservation objectives, can be ruled out.

8.0 Recommendation

I recommend that the Board uphold the decision to Refuse permission for the following reasons:

1. Having regard to the location of the site within an area identified as under the urban 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 applicant has 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. Having regard to the density of houses served by individual wastewater treatment systems in the immediate vicinity and in light of the location of the appeal site within a karst landscape subject to localised flooding, the Board is not satisfied on the basis of the information submitted in connection with this appeal, that the site can be drained satisfactorily by means of a septic tank, notwithstanding the use of a proprietary wastewater treatment system. It is considered, therefore, that the proposed development would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

Bríd Maxwell
Planning Inspector

04 May 2022