



An
Bord
Pleanála

Inspector's Report

ABP-312337-21

Development	Construction of a dwelling, garage, proprietary effluent treatment unit and infiltration system and all ancillary site works.
Location	Lavy More, Charlestown, Co. Mayo
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	21/639
Applicant(s)	Tom Henry
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party V. Refusal
Appellant(s)	Tom Henry
Observer(s)	None
Date of Site Inspection	19th day of October 2022
Inspector	Fergal O'Bric

1.0 Site Location and Description

- 1.1 The appeal site is located within the rural townland of Lavy More, approximately three kilometres east of Charlestown. The surrounding landscape is primarily one of undulating rural countryside with many instances of one-off housing and agricultural outbuildings.
- 1.2 The site itself has a stated area of 0.202 hectares, is rectangular in shape and comprises a greenfield site where the site levels fall in a southerly direction away from the adjoining public road. The public road, the L1331 (formerly the N5) has a carriageway width of approximately six metres is located to the north of the appeal site. A dwelling is located to the west, undeveloped agricultural land to the east and other one off residential dwellings further east of the site in the direction of Charlestown. Further north-east of the appeal site (on the opposite side of the public roadway) is a farm dwelling and associated farm buildings. There are no protected structures or recorded monuments within the appeal site boundary nor in the vicinity of the appeal site.

2.0 Proposed Development

- 2.1 The development would comprise the construction of a single-storey dwelling house with a stated floor area of one hundred and thirty two square metres and a ridge height of approximately 6.65 metres. External finishes include blue/black roof slates with a napp plaster finish.
- 2.2 Access to the site would be from the adjoining public road. It is proposed to install a proprietary wastewater treatment unit and infiltration system whilst a water supply would be via a connection to the public watermain.
- 2.3 Further information was submitted by the applicant in relation to Appropriate Assessment (AA), details of land ownership and details of what trees/hedgerow are required to be removed in order to achieve sightlines in accordance with Development Plan standards.

- 2.4 The Appropriate Assessment (AA) screening report submitted by the applicants concluded that the proposals would not adversely impact upon the integrity of any Natura 2000 site.
- 2.5 Following the receipt of an AA screening report, the Planning Authority (PA) concluded that the development by itself or in combination with other development in the vicinity would not be likely to have a significant adverse effect on any European site.
- 2.6 The applicant states that he is the owner of the appeal site.

3.0 Planning Authority Decision

3.1 Decision

Planning permission was refused by the Planning Authority for one reason as follows:

Reason 1: The applicant has not demonstrated to the satisfaction of Mayo County Council that the access visibility requirements as set out in Section 16.3 of the Mayo County Development Plan 2014-2020 can be achieved. Therefore, the proposed development would endanger public safety by reason of a traffic hazard or obstruction of road users or otherwise.

3.2 Planning Reports

The Initial Planning Officers report dated the 4th day of August 2021 set out the following.

- The site is located in a rural area.
- The area is designated as a structurally weak rural area within the Mayo County Development Plan (MCDP) 2014-2020.
- Urban and rural housing need can be accommodated, subject to good planning practice.
- Further information was requested as set out within Section 2.4 above.

The subsequent Planning Officers report dated the 6th day of December 2021 set out the following.

- The Planning Officer received a report from the Municipal District Engineer who recommended that planning permission be refused.
- A refusal of planning permission was recommended, as set out in Section 3.1 above.

3.3 Other Technical Reports

Municipal District Engineer: Noted that sightlines available are restricted due to limited site frontage. After a request for further information which raised the issue of sightlines, the Engineer set out that the applicant had not demonstrated that sight visibility requirements as set out within Section 16.3 of Mayo Development Plan 2014-2020 could be achieved and therefore, a refusal of planning permission was recommended.

3.4 Prescribed Bodies

None received.

3.5 Third Party Observations

None received.

4.0 Planning History

I am not aware of any planning history pertaining to the appeal site.

5.0 Policy and Context

5.1 Mayo County Development Plan 2014-2020

At the time the Planning Authority made its planning decision on the 13th day of December 2021, the Mayo County Development Plan (MCDP) 2014-2020 was the operational plan. The MDP has since been superseded by the Mayo County Development Plan (MDP) 2022-2028.

5.2 Mayo County Development Plan, 2022-2028

Chapter 2-Core and Settlement Strategy.

There are a number of Core Strategy Objectives set out within the plan as follows:

CSO 4 To move towards more compact towns by promoting the development of infill and brownfield/consolidation/regeneration sites, where available, and the redevelopment of under-utilised land within and close to the existing built-up footprint of existing settlements as an alternative to edge of centre locations.

CSO 5 To encourage where possible the delivery of 30% of new homes in urban areas within the existing built-up footprint of settlement.

CSO 6 To deliver at least 20% of all new homes in the rural area on suitable brownfield sites, including rural towns, villages and the open countryside. For the purpose of clarity, rural towns/villages are settlements with population levels less than 1,500 persons.

Section 2.8.11 sets out the following in relation to the rural countryside:

“The rural countryside is and will continue to be a living and lived-in landscape focusing on the requirements of rural economies and communities, while at the same time avoiding inappropriate development from urban areas and protecting environmental assets”.

“A single category mixed-use zoning applies to the rural village plans i.e., Rural Village Consolidation Zoning. A similar approach is adopted for Tier IV Rural Settlement Plans. These rural villages provide a choice for those who wish to live in a rural setting but not in the rural countryside”.

Chapter 3: Housing

Section 3.4.8 Rural Single Housing

The Plan makes a distinction between ‘Rural Areas under Strong Urban Influence’ and ‘Remaining Rural Areas’. Map 3.1 delineates the ‘Rural Areas under Strong Urban Influence’. The factors of density per square km where greater than 30 inhabited units per square kilometre were considered the most appropriate indicators to establish ‘Rural Areas under Strong Urban Influence’ and ‘Remaining Rural Areas’.

Within Map 3.1, the appeal site is not identified as being within a Rural Area under Urban Influence. Therefore, by default, the appeal site is located within Category 2 -

Remaining Rural Areas: These areas comprise of all other rural areas outside of the identified pressure areas under strong urban influence. It is recognised that sustaining smaller community areas is important and as such, it is considered appropriate to encourage rural housing in accordance with the principles of proper planning and sustainable development. In these areas, the Council recognises the importance of increasing population and supporting the rural economy, while seeking to consolidate the existing rural town and village network.

The sensitive reuse, refurbishment and replacement of existing rural dwellings is also recognised as a vital element in maintaining the vibrancy of the countryside.

The following Rural Housing policies and objectives are considered pertinent:

RHP 4: To ensure that future housing in rural areas have regard to the Sustainable Rural Housing Guidelines for Planning Authorities 2005 (DOEHLG) or any amended or superseding guidelines.

RHO 2: In rural areas not classified as in Rural Areas under Strong Urban Influence, there is a presumption in favour of facilitating the provision of single housing in the countryside, based on siting and design criteria for rural housing in statutory guidelines and plans, except in the case of single houses seeking to locate along Mayo's Scenic Routes/Scenic Routes with Scenic Views or Coastal Areas/Lakeshores (See RHO 3 below).

Chapter 10: Natural Environment

Map 10.1 identifies the appeal site as being within Policy Area 4.

Table 10.1 Landscape sensitivity matrix sets out that rural dwellings are deemed to have a low potential to create adverse impacts upon the landscape character of the area.

The Design Guidelines for the single rural houses have been adopted and are included within Volume 4 of the Mayo County Development Plan 2022-2028. are also considered relevant.

Volume 2, Section 7.6 Access visibility requirements.

The standards set out for roads with an 80 km/h speed limit is that the x-distance (set back) from the edge of the adjoining carriageway recommended is 3 metres and that y and z distances (sight and stopping distances) of 120 metres are required.

5.3 Sustainable Rural Housing Development Guidelines

The Guidelines require a distinction to be made between 'Urban Generated' and 'Rural Generated' housing need. Section 2.3 pertains to Strengthening Rural towns and villages. A number of rural area typologies are identified including rural areas under strong urban influence which are defined as those in 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.

5.4 National Planning Framework

Policy Objective 19 is to: 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.

5.5 Natural Heritage Designations

The River Moy SAC (site code 002298) is located approximately 205 metres north-east of the appeal site.

The appeal site is also located approximately 7.2 kilometres south-west of the Derrynabrock Bog pNHA (site code 000457).

5.6 Environmental Impact Assessment-Preliminary Assessment

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 (EIA) can, therefore, be excluded.

6.0 The Appeal

6.1 Grounds of Appeal

A first party appeal against the Planning Authority's decision to refuse planning permission has been received. The main issues raised within the appeal include the following:

Access and traffic:

- This section of road was previously a National Primary Route.
- It is a straight road and traffic on it is now local in nature, and a number of dwelling houses have been constructed along it.
- This section of road is seen as a natural extension of the town due to the road being down-graded (previously the N5), the small land holdings along it are deemed to be suitable for the development of individual houses.
- The land owner to the east was approached about cutting down/maintaining the hedgerow along their frontage to improve sightlines from the appeal site, but this has not happened.
- The land owner to the west has given consent to cutting down and/or maintaining his hedgerow frontage to improve sightlines.
- A revised drawing indicating the improved sightlines has been submitted as part of the appeal submission.
- The speed limit on the road is 80km/h and sight distances of 44 metres to the east and 56 metres to the west are achievable from the entrance point.

- The issues with the sightlines from the appeal site are as a result of neighbouring land owner's trees/hedges inhibiting visibility, which are beyond the control of the applicant to maintain.

6.2 Planning Authority Response

No comments in relation to the appeal were received from the Planning Authority.

7.0 Assessment

7.1 The main issues in this appeal relate to the issues raised in the grounds of the appeal and the reason for refusal as set out by the Planning Authority, and relate primarily to access and traffic. However, I will also address the issue of compliance with National and Local Rural Housing Policy. I note that issues in relation to layout and design and wastewater were deemed to have been addressed satisfactorily by the Planning Authority and will therefore, not form part of this assessment. Appropriate Assessment requirements are also considered. I am satisfied that no other substantial planning issues arise. The main issues can be dealt with under the following headings:

- Rural Housing Policy.
- Access and Traffic
- Appropriate Assessment.

7.2 Rural Housing Policy

- 7.2.1 National Planning Objective 19 within the NPF requires that in rural areas under urban influence, planning authorities 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 elsewhere in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.
- 7.2.2 The subject site is located in an area designated as being within the remaining rural area and therefore, not under Strong Urban Influence as defined in the Sustainable Rural Housing Guidelines for Planning Authorities. This national guidance on rural housing states that in Remaining Rural Areas, the key objective should be to

facilitate the housing requirements of the rural community whilst directing urban generated development to cities, towns and villages. Rural generated housing is defined as being housing needed in rural areas within the established rural community by persons working in rural areas or in nearby urban areas. Urban generated housing is defined as housing sought by persons living and working in urban areas.

- 7.2.3 The Mayo County Development Plan (MCDP) 2014-2020 has recently been superseded by the Mayo County Development Plan (MCDP) 2022-2028, which was adopted on the 29th day of June 2022 and became operational on the 10th day of August 2022. Therefore, this assessment will make reference to the policies and objectives of the current MCDP 2022-2028.
- 7.2.4 Section 2.4.1 of the MCDP outlines a settlement hierarchy with the three tier 1 towns of Castlebar, Ballina and Westport being the main focus for development. Charlestown is one of the tier 3 towns. There are smaller designated tier 4 and tier 5 rural villages and rural settlements. However, Lavy More is not identified as being either, a Rural Village or settlement within the Development Plan. The nearest designated settlements to the appeal site is the rural settlement of Carracastle located approximately 6.2 kilometres to the south-east of the appeal site and the urban settlement of Charlestown located approximately 3 kilometres west of the appeal site. The Development Plan states that it will: Focus on protecting and consolidating existing settlements. Section 3.4.8 sets out that the Council recognises the importance of increasing population and supporting the rural economy, while seeking to consolidate the existing rural town and village network.
- 7.2.5 There is a deficit of information provided in terms of the applicants' ties and connections to the area. The applicant has failed to outline his intrinsic ties to the local Lavy More area. It is not considered that he has demonstrated a demonstrable economic or social need to live in a rural area as set out in the NPF nor has he demonstrated a rural generated housing need that meets the criteria set out within the Sustainable Rural Housing Guidelines. I additionally conclude that the proposed development would contravene the settlement strategy set out in the Development Plan to strengthen and consolidate designated rural settlements, including

Carracastle and the urban settlement of Charlestown, as alternatives to encouraging rural housing in the open countryside.

- 7.2.6 I note that the Lavy More area has experienced a high level of development pressure over the last couple of decades. This proposals would result in the development of a 16th dwelling house over a distance of approximately 660 metres on the southern side of this road, mainly to the west of the appeal site, in the direction of Charlestown. There are approximately ten dwellings constructed on the opposite side of the road over the same distance. Although, the current proposal would not technically constitute ribbon development (5 houses or more on one side of the road over a distance of 250 metres) as defined in the Sustainable Rural Housing Guidelines, I consider that the Lavy More area has experienced development pressure in recent years. I consider that the proposals would contribute towards the exacerbation of a pattern of ribbon development along roads leading to/from Charlestown and would therefore, establish an undesirable precedent.
- 7.2.7 I note that the Development Plan under RHP 4 specifically references the Sustainable Rural Housing Guidelines which specifically refers to those with intrinsic ties to a rural area or those that are part-time or full-time employed within the rural area. Based on the lack of supporting documentation submitted, I am not satisfied that the applicant has demonstrated that he is an intrinsic part of the Lavy More community by virtue of his social or economic ties. The Development Plan facilitates people with urban based backgrounds to reside in the designated rural villages and settlements specifically identified as being within Tiers IV and V of the MCDP and include, Carracastle.
- 7.2.8 In the absence of an identified locally based, site specific economic or social need to reside in the area, it is considered that the proposed development would contribute to the development of random rural housing, would exacerbate the pattern of ribbon development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would negatively impact on the viability of the adjacent designated settlements of Carracastle and Charlestown.
- 7.2.9 In conclusion, it is considered that the applicant has not demonstrated a site specific rural housing need based on his specific economic or social links to reside in this

rural area, as required under the provisions of the Sustainable Rural Housing Guidelines and Policy Objective 19 of the National Planning Framework.

- 7.2.10 I am advising, that as this represents a new issue, not raised by any of the parties to this appeal, under Section 137 (2) of the Planning and Development Act 2000 (as amended), the Board shall give notice in writing to each of the parties and to each of the persons who have made submissions or observations in relation to the appeal or referral of this new issue.

7.3 Access and traffic

- 7.3.1 Access to the appeal site is from a local county road, the L1331 (formerly the N5) National Primary Route, where the 80 kilometre per hour speed control zone applies. The applicant has submitted details of sightlines, whereby sightlines of 56 metres in a westerly direction and 44 metres in an easterly direction from the entrance point would be achieved. It is proposed to remove approximately 29 metres of the roadside hedgerow boundary in order to achieve the improved sightlines.
- 7.3.2 The Local Authority Municipal District Engineer initially recommended that further information be sought with regard to the issue of sightlines and specifically referenced the Development Management Standards within the Section 16.3 of the MCDP 2014-2020. From my site inspection and from the Site Layout Plan submitted, I consider that the applicant has not demonstrated adequate sight lines from the entrance point in accordance with Table 4, Volume 2 of the current MCDP 2022-28, regarding Access Visibility Requirements. The MCDP sets out that an x-distance (set back) of three metres should be achieved, but that this can be relaxed to 2.4 metres, and that the recommended y and z (sight and stopping distances) distances set out for local roads within the 80 km/h speed control zone is 120 metres. The Development Plan sets out that lands within the sight distance triangles shall be within the control of the applicant and shall be subject of a formal agreement with the adjacent landowner which ensures certainty that the applicant is in a position to comply with the relevant condition and/or standard.
- 7.3.3 In order to achieve the necessary sightlines would require the removal/setting back of the roadside boundaries to the east and west of the entrance, some of which are outside of the red line application site boundary, and some of which are outside the control of the applicant. The sightlines achievable are considerably below the

Development Plan standards as set out within Section 7.6 of the Plan, Volume 2, less than 50% of the recommended standard. Given that adequate sightlines/stopping distances have not been demonstrated in accordance with the Development Plan standards, I consider that planning permission should be refused on traffic safety grounds.

- 7.3.4 In conclusion, given that the necessary sight/stopping distances have not been demonstrated and also may not be achievable, I would concur with the recommendation of the Municipal District Engineer that the development has the potential to compromise the safety and efficiency of the local road network at a location where the 80km/h speed limit applies. I am of the opinion that the development would generate additional vehicular movements which would intensify the level of traffic that would be generated on the local road network. There would be an increase in trips that would be generated by the day-to-day activities of the applicants, trips generated by other services, utility providers attending the site or visitors driving to/from the site. Given that the necessary sightlines have not been demonstrated and in any event, may not be achievable within the red line application site boundary, and/or on lands within the applicants control in accordance with Development Plan/best practice road safety standards, I am of the opinion that the development, if permitted, would result in the creation of a traffic hazard.

7.4 *Appropriate Assessment*

- 7.4.1 This section of the report considers the likely significant effects of the proposal on European sites with each of the potential significant effects assessed in respect of each of the Natura 2000 sites considered to be at risk and the significance of same. I have had regard to the Appropriate Assessment Screening Report, prepared by Paul Neary, Environmental Consultant, and make reference to same below.
- 7.4.2 Section 2.2 of the AA screening Report sets out Characteristics of the Existing Environment and describes the habitats and species within the European sites in the vicinity of the proposed development. In relation to habitats, it is noted that the appeal site comprises a field of Improved Agricultural Grassland (GA1). The field is surrounded by a stone wall categorised as Stone Walls and Other Stone Work (BL1), and Treeline (WL2). I note that there are no watercourses within or adjacent to the

appeal site, and that none of the habitats within or adjacent to the works area correspond to those listed in Annex 1 of the EU Habitats Directive.

- 7.4.3 In relation to fauna, it is stated within the screening report that no evidence of Annex II protected species associated with the River Moy SAC were recorded within or adjacent to the site boundary. No dedicated bird survey was undertaken. No species listed as a Special Conservation Interest were recorded during the site visit or breeding or significant foraging habitat for these species were recorded.
- 7.4.4 The Geological Survey of Ireland website provides details of soils and geology throughout Ireland. From the GSI website, it is apparent that the site is underlain by BminDW (Basic mineral deep well drained brown earths and grey-brown podzolics) which overlie a sub-soil as tills derived chiefly from limestone glacial till of moderate permeability.

The Project and Its Characteristics

See the detailed description of the proposed development in section 2.0 above.

The European Sites Likely to be Affected Stage I Screening

- 7.4.5 Section 2.0.3 of the AA Screening Report lists the European Site(s) within 15km of the proposed development and assesses which are within the 'Likely Zone of Impact'. There is 1 no. European site listed as being within 15km of the site.
- 7.4.6 In determining a zone of influence, I had had regard to the scale and nature of the project, and I have had regard to the EPA Appropriate Assessment Mapping Tool. I consider that the SAC that would be within the zone of influence is the River Moy SAC, which is located approximately 205 metres to the north-east of the appeal site.
- 7.4.7 I consider that the zone of influence comprises one Natura 2000 site noted above. Other sites are such a distance from the proposed development site that there would not be any significant effects on them as a result of habitat loss and/or fragmentation, impacts to habitat structure, disturbance to species of conservation concern, mortality to species, noise pollution, emissions to air and emissions to water.
- 7.4.8 The site and its Qualifying Interests/Species of Conservation Interest are listed below:

Table 1:

European Site	Qualifying Interests	Distance from Appeal Site	Potential Connections (source-pathway-receptor)	Further Consideration in Screening
River Moy SAC (Site Code 002298)	<p><u>Habitats</u></p> <p>Lowland hay meadows.</p> <p>Active raised bogs,</p> <p>Degraded raised bogs,</p> <p>Depressions on peat substrates,</p> <p>Alkaline fens,</p> <p>Old sessile oak woods,</p> <p>Alluvial forests</p> <p><u>Species:</u></p> <p>Otter</p> <p>Salmon,</p> <p>Sea lamprey,</p> <p>Brook Lamprey,</p> <p>White Clawed Crayfish.</p>	205 metres north-east of the appeal site.	Yes. Requires further assessment due to there being potential hydrological connectivity between the appeal site and the SAC via groundwater. Potential for foul effluent discharges from operational phase of development. Proposed works have potential to cause deterioration in water quality during construction and operation and to potentially adversely impact on habitats/species, either alone or in combination, and on the conservation status of aquatic habitats and species dependent on the water quality within such habitats due to pollution or sedimentation arising from the construction	Yes.

			and/or operational phases of the development.	
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I do not consider that any other European Sites fall within the zone of influence of the project, based on a combination of factors including the intervening distances, the lack of suitable habitat for qualifying interests, and the lack of hydrological or other connections. No reliance on avoidance measures or any form of mitigation is required in reaching this conclusion.

- 7.4.9 In relation to the River Moy SAC (002298). The Conservation Objective for this Natura 2000 site is: To maintain or restore the favourable conservation condition of the Annex 1 habitat(s) and/or Annex 11 species for which the SAC has been selected. Information on the NPWS website, including the site synopsis, note that the predominant habitats along the Natura 2000 site are Active raised bogs (priority habitat), Degraded raised bogs, depression on peat substrates, Alkaline fens, Old Sessile Oak woods and Alluvial forests. The predominant species within the Natura 200 site include the Otter, Salmon, River and Brook Lamprey and White Clawed Crayfish. There is no surface water hydrological pathway connecting the appeal site to the River Moy. As per the NPWS datasets and the datasets held by the National Biodiversity Data Centre (NBDC), there are no records that the appeal site contains any of the protected habitats or supports any of the protected species and is removed from the River Moy SAC (205 metres) and as such, significant effects on this site can be ruled out, having regard to its Conservation Objective.
- 7.4.10 Having regard to the above, I therefore consider that significant effects on the River Moy SAC (002298) can be ruled out, having regard to the sites' conservation objectives, and a Stage 2 Appropriate Assessment is not required.
- 7.4.11 The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

Following an Appropriate Assessment screening, it has been determined that the proposed development, individually or in combination with other plans or projects

would not adversely affect the integrity of the River Moy SAC (002298) or any other European site, in view of the sites Conservation Objectives.'

This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

8.0 Recommendation

I recommend that planning permission be refused.

9.0 Reasons and Considerations

- 1 It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a local road at a point where sightlines are restricted in easterly and westerly directions and have not been demonstrated in accordance with Mayo County Development Plan standards.
- 2 The subject site is located within an area designated "Other Rural Areas" as identified in the Mayo County Development Plan 2022-2028. Furthermore, the site is located in an area that is designated as a Stronger Rural Area in the Sustainable Rural Housing Guidelines and in the National Planning Framework, where National Policy Objective 19 aims 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. Having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has demonstrated a genuine housing need to live in this rural area as required under the National Planning Framework and the Sustainable Rural housing Guidelines. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Mayo County Development Plan, 2022, specifically RHP 4 which makes specific reference to the National Planning Guidance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- 3 It is the policy of the Planning Authority as set out within the current Development Plan to control urban sprawl and ribbon development. The proposed development would be in conflict with this policy because, when taken in conjunction with existing and permitted development in the vicinity of the site, it would consolidate and contribute to the build-up of ribbon development in this open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: These represent new issues in the appeal not raised by any of the parties to this appeal. Under Section 137 (2) of the Planning and Development Act 2000 (as amended), the Board shall give notice in writing to each of the parties and to each of the persons who have made submissions or observations in relation to the appeal or referral of these new issues.

Fergal O'Bric

Planning Inspectorate

13th December 2022