



An
Bord
Pleanála

Inspector's Report

ABP-313604-22

Development	Construction of House, domestic garage, wastewater treatment system, site entrance and all ancillary works
Location	Ballyscanlan, Coolbawn, Nenagh, Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	211794
Applicant(s)	Padraig and Orla Bourke
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Ailbhe Gerard
Observer(s)	An Taisce
Date of Site Inspection	23 rd of March 2023
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The site (stated area 0.4ha) is located in the townland of Ballyscanlan approx. 3km north of the village of Kilbarron and 3.5km south of the village of Ballinderry Co. Tipperary. Coolbawn Quay is to the northwest. The site is accessed via the R493 and the local road L94931-14. It is located on an upland site and on the southern side of the latter. This is a narrow road with grass growing in the middle. It is a dead end road which serves one-off houses and agricultural buildings. There is a gated agricultural entrance to the site.
- 1.2. The site is elevated and rises from the entrance to the local road, i.e. to the rear (south) and has varying levels between 93-99m. It is situated to the west of a crest of a hill known as 'Kings Hill'. There is a hedgerow along the western boundary which provides some screening, in view of the sites elevated position (less than 1km as the crow flies) above Lough Derg.
- 1.3. There are hedgerows along the road frontage and western site boundary. In the immediate area there is a single storey dwelling located to the north of the site with gated entrance on the opposite side of the road and three houses located to the west of the site, fronting the R493 which are located on lower ground. There is a farmhouse and buildings on higher ground to the east and a scattering of one-off housing in the area.

2.0 Proposed Development

- 2.1. This is for the construction of a part storey and a half split level dwelling house, detached domestic garage, wastewater treatment system site entrance and all ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

On the 24th of April 2022, Tipperary County Council granted permission for the proposed development subject to 15no. conditions. In summary these conditions include the following:

Compliance with plans and particulars, first occupation – 7 years, surface water drainage, potable water supply, effluent treatment – wastewater treatment system, vehicular access, landscaping, external finishes, undergrounding of services, garage to be used incidental to the enjoyment of the dwellinghouse, construction works, development contributions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner had regard to the locational context of the site, planning history and policy and to the interdepartmental reports and submissions made. Their assessment included the following:

- They are satisfied that the applicant complies with local need policy in the North Tipperary CDP 2010, as varied.
- They have some concerns about the proposed design and layout.
- They note that the District Engineer is satisfied that 70m sightlines have been achieved in both directions on the local road.
- They note that the applicant has proposed to have a secondary wastewater treatment system and polishing filter.
- They have screened the proposed development for AA and it has been determined that an AA is not required.

Further Information request

The Council's F.I request in summary, included the following:

- They had serious concerns about the design of the proposed dwelling and its impact on the character of the landscape and visual amenity of the area. They requested that a revised design showing a single storey dwelling to minimise visual impact be submitted.
- The applicant was requested to carry out a Visual Impact Assessment to and from Lough Derg. Photomontages to be included.
- That a detailed landscaping plan be submitted to reduce the visual impact of the proposed revised dwelling.

Further Information response

Shoreline Property Consultancy's response on behalf of the applicants includes the following:

- They submit revised plans showing a single storey house. The redesigned dwelling and detached garage are shown repositioned so as to be integrated with the existing topography of the site.
- They include a Photomontage Study to include 3D visualisations and to demonstrate that the proposed dwelling will be absorbed into the physical surroundings.
- The proposed development is to be sited at the lowest point of the applicant's land holding, so as to minimise the material impact on the wider landscape. They submit that it will integrate with and not detract from the landscape.
- They include a Landscape Plan to integrate the proposed dwelling into the surrounding landscape.

Planner's response

The Planner had regard to the F.I, including the revised drawings submitted and their response included the following:

- They are satisfied that the revised single storey design will reduce the visual impact of the dwelling on the primary amenity area.
- They consider the Photomontage Study to be acceptable in showing the proposed revised siting and design will integrate into the landscape.
- They note the proposed Landscaping Scheme and consider it to be acceptable.
- They note that EIA Screening and AA Screening were carried out and the F.I submission has no material bearing on same.
- They considered that the proposal complies with the policies and objectives of the North Tipperary CDP 2010, as varied and that it does not have an adverse impact upon the character of the area or the amenities of adjoining properties and would therefore be in accordance with the proper planning and

sustainable development of the area. They recommended that permission be granted subject to conditions.

3.3. Other Technical Reports

The District Engineer

They note that the sightlines on the local road are achieved. That those, to the north along the R493 from the L94931-14 are restricted and substandard and that the proposed new development will result in a light intensification of traffic movement at the junction.

3.4. Prescribed Bodies

An Taisce

They submit that adequate justification for the subject proposal in a High Amenity Area per the Tipperary CDP, on an exposed and sloping site overlooking Lough Derg, and located on a substandard road has not been provided.

3.5. Third Party Observations

A submission has been made by a local resident expressing concerns about the proposed development. As they are the subsequent, Third Party Appellant, their concerns are considered further in the context of their Grounds of Appeal and in the Assessment below.

4.0 Planning History

As noted in the Planner's Report, this includes the following:

Subject site

- Reg.Ref.09/21/0140 – Permission refused by the Council to Michael Hourigan for single storey dwelling, entrance, well, Envirocare sewage treatment system, percolation bed, and associated site works.
- Reg.Ref.08/51/0757 – Withdrawn.

5.0 Policy Context

5.1. National Policy

Project Ireland 2040, National Planning Framework (NPF) 2018

Section 5.3 refers to the growth and development of rural areas and the role of the rural town as a catalyst for this. It is recognised that the Irish countryside is, and will continue to be, a living and lived-in landscape focusing on the requirements of rural economies and rural communities, based on agriculture, forestry, tourism and rural enterprise, while at the same time avoiding ribbon and over-spill development from urban areas and protecting environmental qualities.

Objective NPO19 outlines that within areas under urban influence, single housing in the countryside will be facilitated based on the core consideration of a demonstrable economic or social need to live in the rural area. It further states that in rural areas elsewhere, it is an objective to 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. Regional Spatial and Economic Strategy for the Southern Region

The RSES 2020-2032 is a strategic document, which primarily aims to support the delivery of the programme for change set out in Project Ireland 2040, the National Planning Framework (NPF) and the National Development Plan 2018-27 (NDP).

It is supportive of compact growth, including in towns and villages to achieve better residential development across the Southern Region. Chapter 3 sets out an overall spatial development pattern for the Region. Key Principles set out in Section 3.1 include regional support for policies which restrict urban generated sprawl, strengthen the urban fabric and role of settlements servicing hinterlands, consolidate existing settlements, and protect the environment and resources of rural areas from haphazard, urban-generated housing patterns.

5.3. **Section 28 Guidelines**

Sustainable Rural Housing Guidelines for Planning Authorities 2005

This seeks to encourage and support appropriate development at the most suitable locations. A distinction to be made between 'Urban Generated' and 'Rural Generated' housing need.

Section 3.2.3 concerns Rural Generated Housing and gives an example of Persons who are an intrinsic part of the rural community and Persons working fulltime or part-time in rural areas. This includes reference to people who have lived most of their lives in rural areas and are building their first homes.

Section 3.3 is concerned that the consideration of individual sites will be subject to normal siting and design considerations. These include the following:

- Any proposed vehicular access would not endanger public safety by giving rise to a traffic hazard.
- That housing in un-serviced areas and any on site wastewater disposal systems are designed, located and maintained in a way, which protects water quality.
- The siting of the new dwelling integrates appropriately into its physical surroundings.
- The proposed site otherwise accords with the objectives of the development plan in general.

Section 4.3 refers to Assessing Housing Circumstances. This includes exceptional health circumstances.

Section 4.4 is concerned with Access and restriction of such on National Primary and Secondary Roads.

EPA Code of Practice for Domestic Wastewater Treatment Systems 2021

Its purpose is to provide guidance on domestic waste water treatment systems (DWWTSs) for single houses or equivalent developments with a population equivalent (PE) of less than or equal to 10. It sets out a methodology for site assessment and selection, installation and maintenance of an appropriate DWWTS.

The current CoP replaces the previous Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10) issued in 2009. This CoP applies to site assessments and subsequent installations carried out on or after 7th June 2021. It provides that the 2009 CoP may continue to be used for site assessments and subsequent installations commenced before 7th June 2021 or where planning permission has been applied for before that date.

5.4. **EU Water Framework Directive**

The EU Water Framework Directive (WFD) (Directive 2000/60/EC) creates a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters and groundwater, and their dependent wildlife/habitats, under one piece of environmental legislation.

5.5. **Tipperary County Development Plan 2022-2028**

This is now the pertinent plan, made for the county of Tipperary and is adopted and is effective from the 22nd of August 2022.

Introduction - Framework

Section 1.1 provides: *This is the first Plan ever prepared for the entire county of Tipperary, and it replaces the South Tipperary Plan 2009, and the North Tipperary County Development 2010. This Plan was adopted at the plenary meeting of Tipperary County Council (the Council) on 11th July 2022.*

Section 1.1.1 notes: *This Plan is influenced by, and must comply with, a set of overarching planning frameworks, each shaping and coordinating planning, economic and spatial development at national, regional and local levels. These include the National Planning Framework 2018 (NPF), and the Southern Regional Spatial and Economic Strategy 2020 (RSES).*

Section 1.4 includes: *The development objectives in this Plan are consistent, as far as practicable, with the conservation and protection of the environment...*

Chapter 2 - Core Strategy

Section 2 provides the Core Strategy. Table 2.3 Settlement Typologies. It is noted that the subject site is located outside of any settlement in the open countryside. Figure 2.4 provides the Core Strategy Map for the County.

Chapter 4 - Settlement Strategy

Policy SO-3 – To support the implementation of the County Settlement Hierarchy, in regenerating our towns and villages, creating vibrant town centres, attracting new residents and delivering quality residential neighbourhoods.

Section 4.6.4 refers to the Council's policy for housing in the countryside. *In this respect, the Council has made distinction in line with NPF policy NPO19 between rural 'Areas under Urban Influence' and 'Open Countryside' areas having consideration to demand for 'urban generated' housing in certain areas and having consideration to the protection of the viability of smaller towns and rural settlements.*

Section 4.7 provides the Planning Policy and Policy 4-1 supports and facilitates the sustainable growth of the county's towns and villages as outlined in the Settlement Strategy Chapter 4.

Chapter 5 Housing

Section 5.5 refers to Residential Development in the Open Countryside. 'Areas under Urban Influence' 'Open countryside' and 'Primary Amenity Areas' along with the 'Strategic Transport Corridors' are illustrated in Figure 5.3. The site is located within or in proximity to all 3 such areas.

The Core Strategy makes distinction between rural 'Areas under Urban Influence' and the areas outside of these or 'Open Countryside' as part of its overall approach to strengthening rural fabric and communities and protection of the environment i.e:

- In '**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, environmental and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;

- In ‘**Open Countryside**’, facilitate the provision of single housing in the countryside based on siting, environmental and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

It is also recognised that certain parts of the county are of significant scenic and tourism value and need to be protected because of their landscape quality. These areas are designated as ‘**Primary Amenity Areas**’ and include visually sensitive uplands and important tourism areas such as the Glen of Aherlow, the Galtee Mountains, the Lough Derg Lakelands etc.

Section 5.5.2 provides the Rural House Policy and includes Table 5.2 which provides the Rural Housing Technical Principles for Applicants. This has regard to Site and Design; Housing Need and Occupancy; Sustainable Low-Carbon Design and Function; Road Traffic Safety; Environment, Flooding and Cultural Heritage.

Housing Need and Occupancy - An applicant seeking a new rural dwelling must be building their first home for their permanent occupation, demonstrate a housing need, and must not already own a dwelling in a rural area. An application for a dwelling in the rural area must be made in the name of the person for whom it is intended, and an ‘Occupancy Condition’ will be attached to any grant of permission requiring that the applicant must live in the dwelling for the first 7 years after its construction.

Table 5.3 provides the Housing Need Definitions under the headings of ‘Economic’ and ‘Social’ need in the context of rural housing policy.

Section 5.6 provides the relevant Planning Policies. These also relate to settlement policies and the support for new houses to be located within services centres.

It is noted that Policy 5-11 provides local need policies for housing in the rural areas ‘the open countryside’ and distinguishes between Areas Under Urban Influence and Primary Amenity Areas, Economic and Social Need. This includes: *In ‘Areas Under Urban Influence’ and ‘Primary Amenity Areas’, the Council will consider single houses for persons where the criteria set out in Category 1A or B, or Category 2 hereunder are met.*

In summary: Category 1: Economic Need: Demonstrated economic need such as active engagement in farming/agricultural activity (20ha landholding) or in 1B - farming/horticultural/forestry/bloodstock activity on an area less than 20ha.

Category 2: Social Need: The applicant must demonstrate a social need to reside in the local rural area for social purposes in line with Table 5.3.

And all the criteria set out below is met:

- (i) Within a 'Primary Amenity Area', the applicant must have resided within 5km of the site where they intend to build for a substantial period of their lives (10 years),*
- (ii) Within an 'Area of Urban Influence', the applicant must have resided within 10km of the site where they intend to build for a substantial period of their lives (10 years), And*
- (iii) The applicant does not, or has never owned a house in the open countryside.*

In '**Open Countryside**' areas, the Council will consider single houses for persons where the development meets other relevant policies set out in the Plan, and where the proposed development is in accordance with all the criteria set out hereunder.

- (i) The proposed development must meet the normal planning and environmental criteria and development management standards,*
- (ii) The applicant does not, or has never owned a house in the open countryside,*
- (iii) To prohibit speculative development in these areas, any application for a single permanent dwelling must be made in the name of the person for whom it is intended. An occupancy condition will be attached to any grant of permission,*
- (iv) An alternative site is not available within a settlement within 5km of the proposed.*

Policy 5-13 seeks to: *Preserve the carrying capacity of strategic regional roads, identified at Figures 5.3 and 12.2, and safeguard the investment in such infrastructure.* It provides the Council will facilitate proposals for new dwellings on strategic routes in the countryside outside settlements subject to certain criteria. It also refers to compliance with sightline requirements set out in Volume 3, Appendix 6, Section 6.1 Road Design & Visibility at a Direct Access.

Tourism

Section 9 relates to Tourism.

Section 9.3.1 refers to 'The Lough Derg Visitor Experience Development Plan 2020-2024.' Figure 9.2 provides an Extract from this plan.

Section 9.6 provides the Policy Objectives which seek to support tourism on regional and county levels and Policy 9-C and refers to this Plan for Lough Derg.

Policy 9-F seeks: *To co-operate with Fáilte Ireland, Waterways Ireland and other relevant bodies and agencies, in promoting the county's waterways and Lough Derg Lakelands as part of an overall tourism development and marketing strategy.*

Chapter – Environment and Natural Assets

Section 11 has regard to Environment and Natural Assets

This includes regard in Section 11.3 to Conservation and Protection of 'European Sites' SACs and SPAs.

Section 11.4 refers to Water Quality and Protection noting regard to the Water Framework Directive.

Section 11.7 refers to Landscape and includes reference to the scenic Lough Derg Lakelands. The Landscape Character Assessment establishes a basis for the protection, management and planning of landscape having regard to those features that give Tipperary its unique 'sense of place'.

The Landscape Character Areas (LCA's) are described in the LCA set out in Volume 3, Appendix 3.

Section 11.7.1 refers to Primary and Secondary Amenity Areas (Fig.11.1) refers and includes Lough Derg.

Section 11.7.2 – Scenic Routes and Views, which are outlined in the LCA, Volume 3 and illustrated in Figure 11.1. *The Council may request the submission of a Visual Impact Statement (VIS) at application stage to ascertain the extent of the visual impact that may arise as a result of new development.*

Section 11.9 provides Planning Policies relevant to the protection of the environment, including European Sites.

Policy 11-17 is of note: *Ensure the protection of the visual amenity, landscape quality and character of designated 'Primary' and 'Secondary' amenity areas. Developments which would have a significant adverse material impact on the visual amenities of the area will not be supported. New development shall have regard to the following:*

a) Developments should avoid visually prominent locations and be designed to use existing topography to minimise adverse visual impact on the character of primary and secondary amenity areas.

b) Buildings and structures shall integrate with the landscape through careful use of scale, form and finishes.

c) Existing landscape features, including trees, hedgerows and distinctive boundary treatment shall be protected and integrated into the design proposal.

Section 14 refers to Green and Blue Infrastructure and notes Lough Derg and the River Suir are the two primary waterways in Tipperary.

Chapter - Water and Energy Utilities

Section 15.2.1 refers to Water Services in the Open Countryside.

Section 15.6 provide the Planning Policy and includes:

Policy 15-2 - Require that all new septic tanks, proprietary effluent treatment systems and percolation areas to be located and constructed in accordance with the Water Services Guidelines for Planning Authorities (and any review thereof) and the Code of Practice for Domestic waste water treatment systems (EPA, 2021) (and any amendment) and the development management standards of this Plan as set out in Volume 3.

Volume 3 – Development Management Standards

Rural Housing – Section 4.1 provides:

The design, orientation, landscaping and other features of all new one-off houses outside designated settlements shall comply with the relevant policies of the Plan and the 'Rural Housing Design Guideline' for one-off houses in the open countryside set out in Volume 3 of the Plan.

Wastewater Treatment Systems – Section 4.3.1 refers to New Rural Houses:

Connections to public services shall be made where available. For an on-site wastewater disposal system, the standards, guidance, design and orientation of the EPA Code of Practice for Domestic Wastewater Treatment Systems (EPA, 2021), shall be met. A report prepared by a qualified site assessor in accordance with the standards shall be submitted with the planning application.

Roads - Section 6.1 refers to Parking, Traffic and Road Safety.

Section 6.1 refers to Road Design & Visibility at a Direct Access.

A direct access is a vehicular access from any residential, commercial or agricultural property to and from a public road. New direct accesses shall not be permitted within 90m of the exit of a roundabout on a national road, or within 50m of the exit on a non-national road.

Table 6.1: X-Distance Requirements and is relative to junctions and accesses for Regional and Local Roads.

For direct access to a non-national road, the same principles apply as for national roads. Where posted mandatory speed limits are provided the design speeds and associated Y-Distances in Table 6.2 shall apply.

5.6. Natural Heritage Designations

The site is not located within or adjacent to any European site. The closest such site to the appeal site is the Lough Derg, North-east Shore SAC (site code 002241) which is located c.1.5km from the appeal site at the closest point.

5.7. EIA Screening

Having regard to the nature and scale of the proposed development, the nature of the receiving environment and proximity to the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

David Mooney, Town Planning Consultant has submitted a Third Party Appeal on behalf of local resident Ailbhe Gerrard. The Grounds of Appeal are summarised as follows:

- The 3-D viewpoints submitted in response to the F.I request do not adequately illustrate the impact and integration of the proposed structure on the immediately adjacent rural landscape.
- The proposed house design has been lowered from two storey to single storey to reduce the impact of the structure on the surrounding landscape. They submit that the resultant design is ill considered and does not accord with the Rural House Design Guidelines set out in the Tipperary CDP.
- They submit that the applicants have not demonstrated a local need in a social or economic sense in the context of the changing nature of Rural Housing Policy set out in both the National Planning Framework and the Draft Tipperary CDP 2022-2028.
- They note that one of the applicant's family members has previously attempted to gain planning permission on this site in the past and was ultimately refused planning permission under Reg.Ref. 09/51/0140. That the reasons for refusal of this planning application have not been addressed or overcome in the current application.
- The Planner's Report contains an AA Screening Report in which the need to carry out an Appropriate Assessment report is screened out. It is questioned whether all potential impacts on proximate nature 2000 sites have been adequately assessed.

Visual Impact

- The site is located in the Primary Amenity Area. This designation applies to views to and from the site both from Lough Derg and the surrounding rural landscape. They are concerned that the Visual Impact submitted in response to the Council's F.I request is not adequate to enable the Planning Authority to

make an informed assessment on the potential visual impact of the proposed structure on the surrounding landscape.

House Design

- The proportions of the house as submitted in the revised plans would appear incongruous in an elevated rural setting. That it would not integrate well with the site and the surrounding area in accordance with the policies for house design and impact on the landscape as set out in the Tipperary CDP and the associated Rural Design Guide development.

AA Screening

They consider that a number of issues have not been adequately addressed in the Council's AA screening report. This includes:

- Surface Water runoff flowing downhill from the site towards the SAC at Lough Derg;
- Is the minimum standard of civil infrastructure proposed to prevent environmental impact on the proximate SAC;
- What is the level of light emission from the proposed structure and would there be an impact on annex 1 species particularly birds and wildfowl.

They request that the AA screening document be reassessed by a qualified ecologist.

Local Need

- Rural Housing Policy is changing as directed by the National Planning Framework and associated Regional Economic and Social Strategies. They also refer to the proposed update of the Rural Housing Guidelines and to the then Draft Tipperary CDP. They submit that under this new rural planning policy direction, the current applicants will not be able to demonstrate an economic or social need to reside in this rural area.

Planning History

- The Planning History on site indicates that the applicant's (Orla Hourigan) brother Michael Hourigan made several attempts to achieve planning

permission on this site (they provide reference numbers and note two of the applications were withdrawn). They note the reasons for refusal.

Conclusion

- They submit that the proposed development has not been adequately assessed from the entirety of the surrounding landscape. That the visual impact of the structure needs to be assessed from immediately surrounding location on the land as well as Lough Derg.
- Due to the vulnerable and elevated landscape they consider that the house design granted permission by the Council does not adequately address the issues highlighted in the previous refusal.
- They submit that the proposal should be refused by the Board.

6.2. Applicant Response

Shoreline Property Consultancy have submitted a First Party response on behalf of the Applicants Padraig and Orla Bourke to the Grounds of Appeal. This includes regard to the locational context, planning history and policy and their response is summarised as follows:

Impact on Visual Amenity

- They refer to Photomontage Study and 3D-Viewpoints submitted as part of their F.I response. They engaged an Architectural Visualisation Consultant to undertake a visual impact assessment of the proposed development to and from Lough Derg, in the context of the site in the existing landscape. They note details relative to the photographic views in the Photomontages.
- They submit that the placement of the proposed dwellinghouse and garage fits into the local topography and rural landscape.

House Design

- In response to the Council's F.I request the storey and a half design was revised to a single storey design to minimise the impact of the proposed development on the landscape.

- That overall, the design of the proposed dwelling and detached garage has been carefully considered and aims to recreate a simple rural longhouse, respecting the traditional concept of Irish design while introducing a fresh contemporary twist that focuses on sustainability and usability.
- They provide details of external finishes and refer to landscaping.

Appropriate Assessment Screening

- The proposed development has been screened by the Council and following the screening assessment there are no potential significant effects identified and the Planning Authority deemed that an AA was not required.
- In this instance the District Planner of the Council is deemed to be the competent authority to undertake the Screening for AA.

Local & Social Need

- The applicants conform fully with the relevant local and social need policies and objectives of the North Tipperary Development Plan 2010 as varied and the Draft Tipperary County Development Plan 2022-2028.
- They include details of the applicants' local need, noting that this is Orla Bourke's (nee Hourigan) own landholding, and close to her family home located c.1.3kms away. The applicant is considered to merit the criteria of a 'Local Rural Person' in a 'Primary Amenity Area'.
- The applicant meets the criteria of Category 2: 'Social Need' in that she is local to the area and does not and has never owned a house in the rural area.

Planning History - Design

- Michael Hourigan (Orlas' brother) previously sought planning permission for a single storey dwelling house to the northern side of the subject site. Notwithstanding that previous applications were discussed under different development plans. The determining factor in the refusal was the fact that the previously proposed design represented a generic 'off the shelf' design which made no attempt to integrate the house into the topography of the site. The design was wholly inappropriate to the site.

- They submit that the current proposed design is more appropriate to the site, in terms of layout, orientation and consideration for the sloping site and sensitive landscape.

Conclusion

- The proposal will provide a dwelling for the applicant, who is local to the area and her family.
- This proposal complies with the relevant provisions and objectives of the North Tipperary CDP 2010-2016, the applicable national guidance, and the principles of proper planning and sustainable development.
- The scale and siting of the proposed dwelling is appropriate at this location, having regard to the minimal impact on the landscape, the established character of the area, and neighbouring amenity.
- They request the Board to uphold the Council's decision and grant permission.

6.3. Planning Authority Response

Their response includes the following:

- They refer to Planning Policy relative to the protection of the visual amenity and character of primary and secondary amenity areas to ensure the protection of the landscape character in these areas.
- In response to the Council's F.I request the applicant submitted revised house plans reducing the storey and a half element to a single storey element with an overall height of 5.5m.
- The proposed redesign will minimise cut required on the site and the split level dwelling will integrate into the landscape. The development complies with the Rural Housing Design Guidelines in Appendix 5.
- They note the Visual Impact Assessment submitted and consider the proposed redesign and Landscaping will serve to integrate the proposed single storey dwelling into the landscape.

- They note that an EIA is not a requirement for the proposed development. Also, that it has been screened out as to the requirement for AA.
- They refer to planning policy in the North Tipperary CDP 2010 as varied, and the documentation submitted and are satisfied that the applicant complies with local needs criteria.
- They refer to the Draft Tipperary CDP 2022 and to Policy 5-11. This is relative to 'Areas under Urban Influence' and 'Primary Amenity Areas' and to fulfilling 'economic' and 'social' criteria. They are satisfied that the applicant complies with this Policy (Housing in the Rural Countryside).
- The issues raised were fully considered and responded to in the Planners Reports, and the applicable guidance including the North Tipperary CDP 2010-2016 (as varied).
- The Council asks that the Board uphold their decision to grant permission.

6.4. **Observations**

An Taisce, observes that the accommodation of additional scattered housing in the drainage and landscape of sensitive Lough Derg is undesirable in principle.

6.5. **Further Responses**

None noted on file.

7.0 **Assessment**

7.1.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Compliance with Rural Housing Policy
- Design and Layout
- Visual Impact

- Road Safety
- Drainage issues
- Appropriate Assessment

7.1.2. It is noted that this proposal was considered by the Council, under the North Tipperary County Development Plan 2010 (as varied) and that their Assessment includes reference to a number of policies and objectives under this plan. This has now been superseded by the policies and objectives of the Tipperary County Development Plan 2022-2028, and those of relevance have been noted in the Policy Section above and further in the Assessment below.

7.2. **Compliance with Rural Housing Policy**

- 7.2.1. The Settlement Strategy has regard to Rural Generated Housing Need. This is a matter of compliance with rural settlement strategy which requires consideration of not just local but also regional and national planning provisions that deal specifically with this matter. National Policy Objectives 18 and 19 of Project Ireland 2040, refer. As noted in the Policy Section above, Objective 18 seeks to develop a programme for new homes in small towns and villages. Objective 19 seeks that: “In rural areas under urban influence, to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in the 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”.
- 7.2.2. Key Principles in Regional Spatial and Economic Strategy for the Southern Region include regional support for policies which restrict urban generated sprawl, strengthen the urban fabric and role of settlements servicing hinterlands, consolidate existing settlements, and protect the environment and resources of rural areas from haphazard, urban-generated housing patterns.
- 7.2.3. Regard is also had to the Sustainable Rural Housing Development Guidelines 2005 where the strategy indicates that there should be a presumption against urban generated one-off housing in rural areas adjacent to towns. The site is located in an area classified as being under “Strong Urban Influence” as identified in the Guidelines. Section 3.2.3 refers to Rural Generated Housing. This includes reference

to “people who have lived most of their lives in rural areas and are building their first homes”. It refers to ‘Persons who are an intrinsic part of the rural community’ and ‘Persons working full or part time in rural areas’. Section 4.3 of the Guidelines refers to Assessing Housing Circumstances.

- 7.2.4. As shown on Figure 5.3 of Volume 1 of the Tipperary County Development Plan 2022-2028, the site is located in an area under urban influence. It is also within a Primary Amenity Area (proximate to Lough Derg) and while accessed off a minor local road, is south of the junction of this road with the R493, which is a strategic regional route.
- 7.2.5. Table 5.3 provides the Housing Need definitions noting the criteria relative to Economic and Social need. Section 5.6 includes Planning Policy 5-11 which is relevant to proposals for dwellings in the countryside. This includes: *In ‘Areas Under Urban Influence’ and ‘Primary Amenity Areas’, the Council will consider single houses for persons where the criteria set out in Category 1A or B, or Category 2 hereunder are met.*

Category 1 includes that there is an economic need to reside on the site such as engagement in farming/agricultural activity at this location for a continuous period of 5 years prior to making the application. The farm must exceed 20ha in total. Also, that the applicant does not, nor has never owned a house in the open countryside.

Category 1B – includes that active engagement in farming/horticultural/forestry/livestock activity on an area less than 20ha must be demonstrated and includes criteria relative to good farming practice, and reference to a detailed 5 year business plan.

Category 2 refers to demonstrating a Social Need, noting the 10year residency requirement within 5kms of the site when within a ‘Primary Amenity Area’ or within 10kms when within an ‘Area Under Urban Influence’. It is noted that the applicant is relevant for consideration under Category 2.

- 7.2.6. Details submitted with the application provide that the application and land immediately to the south and east of the application site is under the ownership of one of the applicants Orla Bourke (née Hourigan). A map showing her landholding in blue (3.31ha) and the site to be taken off this in red (0.4ha).

- 7.2.7. Part 2(a) of the application form is relative to Rural Housing Need. This provides that Padraig Hourigan works as a soldier, stationed in Limerick (c. 64kms from the site) and Orlan Hourigan works as a dental hygienist in Nenagh (c.19kms from the site). It is provided, that they currently reside and own a house, where they have resided for the last 9 years in Nenagh. It is noted that their current house, within the urban boundaries of Nenagh, is closer to both of their places of work, than the subject site.
- 7.2.8. Their reason given for selecting the site is that Orla Bourke (née Hourigan) was born and raised at the Hourigan family home at Kilgarven, Coolbawn Nenagh (approx. 1.3km north of the application site). Orla and her husband Padraig seek to construct a dwelling house for her land holding close to the family home. Subject to this permission it is the applicant's intension to sell their property in Nenagh and to relocate to the subject site close to Orla's family home and her parents. The proposed dwelling is to be the applicants' permanent residence. They provide that the application dwelling will be larger than their current house and will be required to accommodate their needs and those of their family. Details submitted include Orla's birth certificate, letters from her primary and secondary schools.
- 7.2.9. The Third Party has queried the applicant's local need to reside on the subject site, having regard to current planning policy and guidelines. The First Party response supports the applicants local need having regard to planning policy and provides details noting that the applicants wish to construct a house for their own occupation, close to Orla's elderly parents and the family home. Also noting that she is an active member of the local community and her connection to local clubs in the area. A letter has been submitted by the applicant's mother in support of the application. It is submitted that the applicant is considered to meet the criteria of a 'Local Rural Person' in a 'Primary Amenity Area'. That she successfully meets the housing criteria set out in the Draft Tipperary CDP 2022-2028 under Policy 5-11.
- 7.2.10. As per Policy 5-11 of the Tipperary CDP 2022-2028, it appears that they do not nor have never owned a house in the open countryside. However, the information submitted provides that the applicants currently own their own home in Nenagh. Regard is also had to the Rural Housing Policy (Section 5.5.2 and Table 5.2) of the Tipperary CDP 2022-2028. This refers to *Housing Need and Occupancy* i.e.: *An applicant seeking a new rural dwelling must be building their first home for their*

permanent occupation, demonstrate a housing need, and must not already own a dwelling in a rural area.

- 7.2.11. I would consider that it has not been established that they have an ‘economic’ or ‘social’ need to live on this site in the rural area, as they have not demonstrated a housing need in that they already own their own dwelling in the urban area of Nenagh. In this instance regard is also had to the ‘Sustainable Rural Housing Guidelines for Planning Authorities 2005’. Section 3.2.3 refers to Rural Generated Housing. Reference is had to *Persons who are an intrinsic part of the rural community*. This includes: *Examples in this regard might include sons and daughters of families living in rural areas who have grown up in rural areas and are perhaps seeking to building their first home near their family place of residence.*
- 7.2.12. Therefore, as the applicants already own their own house in the Nenagh urban area, I would not consider that in this case, that local need has been established in accordance with planning policy and guidelines. I would be concerned that this would set an undesirable precedent for people who own their own property in an urban area to relocate to the rural area i.e. to facilitate building their first house in the open countryside.

7.3. Design and Layout

- 7.3.1. Permission was originally sought for the construction of a part storey and a half, split-level dwelling house, detached domestic garage, wastewater treatment system, site entrance and all ancillary site works. This is shown set back c.60m on site from the local road. The floor area of the proposed house was given as 271sq.m, and of the detached garage as 45sq.m. The proposed ridge height of this split-level house to vary between 5.7m and 7m in height. The site is elevated, rising from the local road and the proposed dwelling and as shown on the sections was to have a FFL of 96.5m and 97m when compared to 94m the entrance to the road.
- 7.3.2. Subsequent to the Planning Authority’s concerns about the height on this elevated site, revised plans were submitted showing a single storey house (262sqm) with a ridge height of c.6m. Site sections show at a similar FFL to that noted above. The F.I submitted provides that the re-designed dwelling and detached garage has been positioned so as to integrate with the existing topography of the site, to minimise the

amount of site cut required and lessen the visual impact of the proposed development on the existing landscape.

- 7.3.3. The Third Party is concerned that the proposed design does not accord with the Rural House Design Guidelines set out in the Tipperary CDP. That the proportions of the revised house, particularly the bedroom block at approx.26m in length, is too long and would appear incongruous in an elevated rural setting. They submit that the revised design has too large a footprint and will not integrate well into the surrounding countryside. In this respect it must be noted that the footprint is larger due to all the accommodation being at single storey level.
- 7.3.4. The First Party submits that the form and orientation of the proposed split-level house, takes a traditional linear (long house) form, works with the natural contours of the site, avoiding unnecessary exaction. That the dwelling has been designed to be simplistic in nature, with well-proportioned windows and doors, and a simple palette of natural and contemporary materials which take reference from the surrounding landscape. That the design and orientation of the house will allow the main living areas to benefit from natural solar gain. That the proposed dwelling is designed to integrate into the topography of the sloping site and minimise the cut and fill required on the site.
- 7.3.5. Reference is made in Section 4.1 of the Development Management Standards in Volume 3 of the Tipperary CDP 2022-2028 and of the need for compliance with the Rural Housing Design Guide. This is provided in Appendix 4 of the said Volume 3. It is a requirement that new houses in the countryside should be sited in a manner to ensure that they respect the landscape, environment, road traffic safety and their surroundings. This includes regard to topography and seeks to avoid excessive cut and fill. As shown on the sections submitted in view of the nature of the site there is an element of cut and fill required although it is not considered to be excessive.
- 7.3.6. I note that there appears to be some discrepancy between the orientation of the proposed floor plans and the layout of the house as shown Site Layout Plan. On the latter it appears that the longer bedroom block is on the eastern rather than the western side as shown on the floor plans. This would be preferable in that it would reduce the overall impact of the larger footprint on visual amenity and views to and from Lough Derg. However, while the footprint of the proposed revised dwelling is

larger than originally submitted, it is to be lower profile and that the proposed design and layout, is considered to be acceptable. I would not consider that the proposed design and layout of house and the proposed detached garage as submitted at F.I would conflict with the aforementioned 'Rural Housing Design Guidelines'.

7.4. Impact on the Character and Visual Amenities of the area

- 7.4.1. As has been noted above and shown on Figure 5.3 of Volume 1 of the Tipperary CDP 2022-2028, Lough Derg and surrounds is located in a 'Primary Amenity Area'. Appendix 3 of Volume 3 of the said plan contains the Landscape Character Assessment and Schedule of Routes and Views. As shown on Figures. 3.2 and 3.8 the subject site is within Landscape B – The Lakelands – Upper Lough Derg. The LCA notes that the Lough Derg environs form an open landscape affording long range views over the lake. Many of these views are protected and contribute to the high scenic quality of the area.
- 7.4.2. This includes in Table 3.1 that Lough Derg is among the most important landscape amenities of Tipperary – defining the majority of the County's western boundary. Regard is had to The Lakelands LCA (10 – Class 3) and to landscape having a high sensitivity to change and limited capacity to accommodate change without detriment. Reference is had to facilitating development that enhances established patterns of use and settlement without significant change to, or loss of, appearance or character. It includes that the continued protection and enhancement of the scenic quality and habitat value of the Lough Derg environs will require specific restrictions on development. Also, that future development should be of a sensitive and appropriate design that maximises the screening capacity of the drumlin hills.
- 7.4.3. A Photomontage Study with 3-D visualisations was included with the F.I submitted. This shows Views 1-4 taken (looking eastwards towards the site) from the lake. View 5 is taken from the R493 looking northeast towards the site and View 6 from the site (looking west) towards the lake. These views show that the proposed single storey dwelling on the site will not be very visible in the distance from the lake and will integrate into the rural landscape overlooking the lake. That this is aided by the distance of the site from the lake (as shown on the views submitted), the undulating topography and the screening provided by hedgerows in the area.

- 7.4.4. The Third Party is concerned that the 3-D viewpoints submitted do not adequately illustrate the impact and integration of the proposed structure on the immediately adjacent rural landscape. That they show distant views and not those from closer to the site. They consider that the VIA is not adequate to enable the Planning Authority to make an informed assessment of the potential visual impact of the proposed structure on the surrounding landscape.
- 7.4.5. The First Party response considers that the placement of the proposed dwelling and garage acknowledges and respects the wider and immediate rural landscape by fitting into the existing local topography of the land and to the established trees/hedgerows, which help to absorb the proposed development into the rural landscape.
- 7.4.6. I note that without the boundary hedgerows, the site in view of its elevated position would command views to and be more visible in the immediate hinterland distant (c.1km) from the lake. It will add to sporadic rural one-off housing development in the area. If the Board decides to permit, I would recommend, to retain and augment the existing boundary hedgerows particularly along the western boundary and that the proposed landscaping scheme be incorporated.

7.5. Access issues

- 7.5.1. The site is accessed to the northern corner via a local road (L94931-14) and is located approx.180m southeast of the junction with the R493 Regional Road (shown as a Strategic Regional Route on Figure 5.3 of Volume 1 of the Tipperary CDP 2022-2028). The access from the local road to the R493 has restricted visibility at the junction.
- 7.5.2. There is an existing field gated access from the site to the narrow uphill and dead-end road (too narrow for 2 cars to pass), which serves other properties, including closer to the junction, one opposite the site and one further uphill to the east. While poorly surfaced, it widens towards the junction and there are a couple of one-off houses located to the immediate south of this junction.
- 7.5.3. The District Engineer's Report notes this is a Local Tertiary Road and that 70m sightlines are achieved in either direction from the proposed access. They recommend that surface water be dealt with in the site and not allowed to flow onto

the road and that existing roadside drainage be retained. Their comments note that the sightline to the north along the R493 from the L94931-14 is restricted and sub-standard and that the proposed new development will result in a slight intensification of traffic movement at the junction.

- 7.5.4. On site I noted that the visibility is restricted when exiting at this junction and that the road surface of the local road at the junction is poor. I would be concerned that this proposal will add to the number of dwellings accessing this narrow local road, via this substandard junction which is used for both residential and agricultural traffic to and from the R493. Noting also, that the latter is a Strategic Regional Route and within a 'Primary Amenity Area' serving local communities and as a tourism route via Lough Derg. I am not satisfied that it has been demonstrated that the proposed intensification of use of this substandard local road proximate to the junction to the R493, would comply with the relevant standards and would not give rise to a traffic hazard or endanger the safety of other road users.

7.6. Drainage

- 7.6.1. It is proposed to serve the proposed development on site by a wastewater treatment system and bored well, and the locations of these are shown on the Site Layout Plan. The wwts is to be located in the site frontage to the north of the proposed dwellinghouse, where site levels are lower, and the bored well is to be uphill of this close to the southern site boundary.
- 7.6.2. It is noted that the application was submitted on the 10th of December 2021 and the Site Characterisation Form submitted with the application is dated 26th of November 2021, so the EPA CoP 2021 Guidelines are applicable.
- 7.6.3. The application form is accompanied by an On-Site Wastewater Treatment Site Suitability Report and a Site Characterisation Form. Details include that the vulnerability of this site is extreme and the aquifer is locally important, therefore the groundwater protection response is R2 ¹. Appendix E of the 2021 Guidelines provide details of 'Groundwater Protection Responses'. Table E1 refers. This includes that for this response a wastewater treatment system is acceptable subject to normal good practice.

- 7.6.4. The depth to bedrock on this upland site is noted at 2.2m and it is noted that the water table was not encountered. The site is recorded as having an average T test result of 28.36 (min/25mm). The comments provide that the results of the percolation test show that the percolation rates are slightly faster than predicted at the time of the trial hole examination with the sub-surface percolation value in the medium range. That the in-situ soils are suitable for the percolation, attenuation and disposal of the wastewater generated from the proposed house. It is proposed to install a secondary treatment system and soil polishing filter to discharge to ground water. It is noted that wastewater will flow via gravity from the proposed dwelling to a Molloy Concrete Chieftain SBR wastewater treatment system. The treatment system is to be a p.e. = 6. Treated effluent from the treatment system will be pumped to a calming chamber. Effluent from this will discharge via gravity to 2 distribution boxes. Each of these will evenly distribute the treated wastewater to 4 percolation trenches. Details are given of the latter and A Site Layout Plan is included.
- 7.6.5. The information submitted in terms of the wastewater treatment system does not highlight specific concerns and I note the PA is satisfied with regard to the information submitted. Provided it is properly installed and well maintained there do not appear to be issues with the wastewater treatment proposed.

7.7. Appropriate Assessment

- 7.7.1. The appeal site is not located in or immediately adjacent to a European site. A summary of the European Sites that occur within a possible zone of influence of the proposed development are set out within the PA's screening report, i.e. those within 15km. Note is had of the location of same on GIS mapping and I have considered hydrological links for those within and beyond 15km.
- 7.7.2. The application site is not within or adjoining a European Site. The nearest European Sites are Lough Derg North-East Shore SAC (002241) which is c.1.5kms to the west of the site. Lough Derg (Shannon) SPA (004058), which are located c.7km to the north of the site (as the crow flies). Given the proximity of these sites, further consideration of them is appropriate. The other sites identified can be discounted from further consideration given distances involved and lack of a source-pathway-receptor.

- 7.7.3. The site contains no rivers, stream or waterbodies and the appeal site is an uphill site that is in agricultural use. Surface water will discharge to ground via soakaways and wastewater will be treated in an on-site wastewater treatment system.
- 7.7.4. Habitat loss/fragmentation: In terms of the zone of influence, I note that the site is not within or immediately adjacent to a European site and therefore there will be no loss or alteration of habitat, or habitat/species fragmentation as a result of the proposed development. The site does not contain any habitats listed under Annex I of the Habitats Directive.
- 7.7.5. Habitat disturbance/species disturbance: With regard to direct impacts of habitat loss and disturbance, the application site is not located adjacent or within a European site. Given the scale of works involved, the nature of the existing intervening environment and distances involved to European sites, specifically Lough Derg, habitat disturbance is unlikely to occur. With regard to indirect impacts, the area around the proposed development has not been identified as an ex-situ site for qualifying interests of a designated site, and the lands themselves are not suitable for ex-situ feeding or roosting of wetland birds. The site is too far from the SPA at Lough Derg to result in impacts from noise or other forms of human disturbance during construction and operation.
- 7.7.6. Habitat degradation as a result of hydrological impact: There is no direct pathway from the site to Lough Derg or any other European site. Given the scale of works involved, the nature of the existing intervening environment, and distances involved to Lough Derg, habitat degradation is unlikely to occur.
- 7.7.7. Habitat degradation as a result of hydrogeological impacts: In the unlikely event that pollutants enter the ground water, I note the distance of the site from Lough Derg level of settling and dilution likely to occur prior to reaching of any European site and the lack of a direct hydrological link. I am satisfied that there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of Lough Derg or any other European sites, either alone or in combination with any other plans or projects, as a result of hydrogeological effects.
- 7.7.8. No cumulative impact issues arise.

7.7.9. The Qualifying Interests and General Conservation Objectives of these two Designated Natura 2000 sites are as shown on Table 1 below:

European Site and General Conservation Objectives	Qualifying Interests	Connections (source, pathway receptor)
<p>Lough Derg North-East Shore SAC (002241)</p> <p>Distance c. 1.5km</p> <p>Conservation Objective: To restore/maintain the favourable conservation condition of the identified habitats (see NPWS for list of attributes and targets)</p>	<p>Juniperus communis formations on heaths or calcareous grasslands [5130]</p> <p>Calcareous fens with Cladium mariscus and species of the Caricion davalliana [7210]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Taxus baccata woods of the British Isles [91J0]</p>	<p>There is no direct hydrological link between the sites. No potential pathway for significant indirect effects on this SAC as a result of the proposed development is identified.</p>
<p>Lough Derg (Shannon) SPA (004058)</p> <p>Distance: c.7kms</p> <p>Conservation Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Tufted Duck (Aythya fuligula) [A061]</p> <p>Goldeneye (Bucephala clangula) [A067]</p> <p>Common Tern (Sterna hirundo) [A193]</p> <p>Wetland and Waterbirds [A999]</p>	<p>There is no direct hydrological link between the sites. No potential pathway for significant indirect effects on this SPA as a result of the proposed development is identified.</p>

7.7.10. Having regard to the nature and scale of the proposed development, to the intervening land use, and distance from European Sites, it is reasonable to conclude

that on the basis of the information on file, 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 European site 002241 (Lough Derg North-East Shore SAC), 004058 (Lough Derg (Shannon) SPA) or any other European site, in view of the said sites' conservation Objectives, and a Stage 2 Appropriate Assessment is not, therefore, required.

8.0 Recommendation

8.1. I recommend that the proposed development be refused based on the reasons and considerations below.

9.0 Reasons and Considerations

1. Having regard to

- (i) the location of the site within a rural area under urban influence, as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issues by the Department of the Environment, Heritage and Local Government in April 2005,
- (ii) National Policy Objective 19 of the National Planning Framework (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 having regard to the viability of smaller towns and rural settlements,
- (iii) The objectives of Tipperary County Council Development Plan 2022-2028, including Policy SO-3 and Policy 4-1, which seek to discourage urban generated housing in rural areas and to direct provision for housing into towns and villages,
- (iv) The location of the site (as shown in Figure 5.3) of Volume one of the Tipperary County Development Plan 2022-2028 within an Area under

Urban Influence, a Primary Amenity Area and proximate to the Strategic Road network,

it is considered that, the nature of the housing need is urban generated and as has been stated on Part 2(a) of the application form submitted, the applicants already own a house in the urban area of Nenagh, and have not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would provide for a vehicular entrance to a narrow poorly surfaced local tertiary road to serve the proposed dwellinghouse, would lead to a proliferation of entrances along this road and to an intensification of use including at the junction with the R493 Regional Road which is identified as part of the Strategic Road Network in the Tipperary County Development Plan 2022-2028. It would endanger public safety by reason of traffic hazard at this junction because of the additional traffic turning movements the development would generate at a point where sightlines are restricted particularly in a northerly direction. As such it would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Angela Brereton
Planning Inspector

24th of May 2023