



An  
Bord  
Pleanála

## Inspector's Report ABP-314059-22

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<b>Development</b>	Construction of house, garage, sewerage system and treatment plant and associated site works.
<b>Location</b>	Ballysundrivan, Elphin Co. Roscommon.
<b>Planning Authority</b>	Roscommon County Council.
<b>Planning Authority Reg. Ref.</b>	21707.
<b>Applicant(s)</b>	Lorcan and Aislinn Donaldson.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	To refuse.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Lorcan and Aislinn Donaldson
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	3 <sup>rd</sup> January 2023
<b>Inspector</b>	Deirdre MacGabhann

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## 1.0 Site Location and Description

- 1.1. The 1.58ha appeal site is situated c.4km north of Elphin in the townland of Ballysundrivan, County Roscommon. The site is situated to the east of a county road (L1403) that links Elphin with the R370 (c.4.5km to the north of the site).
- 1.2. The site is L-shaped and comprises an agricultural field bound by hedgerows and hedgerow trees. The site is undulating, gently falling away from the public road and then rising to the east to a crest approximately at the southern mid-point of the site. Other residential development, one-off houses, lie north and south of the site along the public road but are largely removed from the proposed development.

## 2.0 Proposed Development

- 2.1. The proposed development, as revised by way of further information and clarification of further information (29<sup>th</sup> March 2022 and 19<sup>th</sup> May 2022 respectively) comprises a dwelling house with domestic garage and wastewater treatment system (providing secondary and tertiary treatment). Gross floor space of proposed works is 322sqm. The two storey, L-shaped dwelling is situated towards the west of the site, facing the public road. The domestic garage is proposed to the north of the dwelling and effluent treatment system to the south east of the dwelling. Access is direct from the public road via a new entrance. The existing hedgerow will be removed to provide 90m sightlines in each direction, with a new native hedgerow planted behind the new sightline. The site will be landscaped in accordance with Drawing no. PL\_003 (date stamped 19<sup>th</sup> May 2022). A short length of stone wall will be provided at the entrance to the site. Water supply will be via a connection to Polecat Sprints Group Water Scheme. Surface water will be directed into a soakpit.
- 2.2. The planning application includes:
  - Site Characterisation Report (submitted 29<sup>th</sup> March 2022).
  - Design Access Statement.
  - Visual Impact Assessment.
  - Rural Housing Form.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On the 15<sup>th</sup> June 2022, the PA decided to refuse permission for the development on the grounds that '*The proposed development by reason of the overall design concept, design features and proportions is incapable of integrating into the rural setting in which it is proposed*', would form an obtrusive feature in the landscape, be injurious to the visual amenities of the area and set an inappropriate precedent. The development would contravene Roscommon County Development Plan 2022-2028 and fail to satisfy section 12.7 (Rural Housing Design considerations) and to reflect the siting and design principles of the County Roscommon Design Guidelines.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- 16<sup>th</sup> February 2022 – The report refers to relevant planning policy in respect of the development, including the location of the site in the 'Elphin Drumlins Landscape Character Area' and rural area 'Category Area C (*sic*) – Areas in Need of Regeneration', consultations and submissions/observations (none). It screens the proposed development for appropriate assessment and environmental impact assessment and concludes that these are not required due to the nature and scale of the development and distance from sensitive sites. Under Planning Assessment, the report considers that in principle the development is in accordance with strategic policies for rural housing development and acceptable in terms of adjoining residential amenity, road and traffic considerations and flooding. It raises significant concerns in respect of the design of the development, in that it fails to appropriately reflect rural vernacular architecture and suitability of the site on which it is proposed. The report also refers to concerns in respect of technical reports regarding water supply and waste water and raises concerns in respect of details of landscaping scheme. The report recommends further information in respect of these matters.

- 21<sup>st</sup> April 2022 – Considers the FI submitted. Refers to the report by Environment section, below, and its recommendations. Concludes that the applicant has proven suitable wastewater treatment arrangements are achievable at the site, Group Water Scheme supply has been confirmed and adequate landscaping has been demonstrated. The report remains concerned that a significant re-design of the front elevation has not been submitted. It recommends clarification of FI requiring significant redesign of front projection of dwelling.
- 10<sup>th</sup> June 2022 – Remains concerned that inadequate alterations have been made to the front projection of the dwelling house. It recommends refusing permission for the development on this ground.

### 3.2.2. Other Technical Reports

- Water Services (7<sup>th</sup> January 2022) – Applicants have listed source of water as public water supply, however, supply in the area is the private Polecat Springs Group Water Scheme. Recommends FI in this regard.
- Environment (16<sup>th</sup> February 2022) – Area in which trial holes are situated may not be representative of ground conditions in proposed area of installation. Recommends further information in respect of ground conditions in order to demonstrate that soils can accommodate waste water. Subsequent report (21<sup>st</sup> April 2022) recommends a grant of permission subject to conditions.

### 3.3. Prescribed Bodies/Third Party Observations

- None.

### 4.0 Planning History

- PA ref. 21651 – Incomplete planning application for a dwelling house on subject site by Lorcan and Aislinn Donaldson.

## **5.0 Policy Context**

### **5.1. National Policy**

- 5.1.1. The National Planning Framework 2018, under Policy Objective 19, deals with rural housing. It distinguishes between areas under urban influence and rural areas elsewhere. Outside areas under urban influence the policy facilitates the provision of single houses in the countryside, based on siting and design criteria for rural housing set out in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

### **5.2. Roscommon County Development Plan 2022-2028**

- 5.2.1. The current Roscommon County Development Plan 2022 to 2028 was adopted on the 8<sup>th</sup> March 2022 and came into effect on the 19<sup>th</sup> April 2022. The appeal site is situated in a rural area zoned Rural Policy Zone B. In such areas rural housing is facilitated, subject to siting and design, including that the applicant demonstrate adherence to the principles set out in the County Roscommon Rural Design Guidelines (policy PPH 3.13).
- 5.2.2. The site also lies in the Elphin Drumlins Landscape Character Area, of 'moderate' landscape value. Policies of the Plan minimise visual impact on areas categorised within the Landscape Character Assessment, including landscapes of 'moderate' value.

### **5.3. Natural Heritage Designations**

- 5.3.1. The appeal site is substantially removed from sites of natural heritage interest. The nearest national sites are >8km to the north west and west and respectively comprise Tullaghan Bog and Ardagh Bog proposed Natural Heritage Areas (site codes 001652 and 001222). The nearest European site is >9km to the west and comprises Cloonshanville Bog SAC (site code 000614).

## **5.4. EIA Screening**

- 5.4.1. Having regard to the nature and limited scale of the proposed development, the absence of any significant environmental sensitivity in the area of the site and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. In summary, grounds of appeal are:

- i. The proposed development, as modified by clarification of FI, carefully addresses the proposed dwelling front projection and is in accordance with the County Roscommon Rural Design Guidelines and Section 9.5 of the Roscommon CDP 2014-2020 (see page 4 to 6 of submission).
- ii. By reference to existing dwellings along the public road, the development would enhance the visual amenities of the area and set a precedent for similarly appropriate development.
- iii. The decision by the PA is subjective and based on personal opinions.

### **6.2. Planning Authority Response**

- None.

### **6.3. Observations/Further Responses**

- None.

## **7.0 Assessment**

- 7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the

site, I consider that the main issue in this appeal related to the design of the subject development and its consistency with the Roscommon County Council's Rural Design Guidelines.

7.2. However, I am also concerned that the applicants site assessment has been carried out at a different location to the proposed effluent treatment system i.e. the assessment is carried out on elevated land to the east of the proposed dwelling and the wastewater treatment system is proposed to the south of it. As the Board will see from photographs of the site, this area is low lying compared to the location of the trial hole, and at the time of site inspection water was seen ponding at low points of the site (photograph 3). I am not satisfied therefore that the applicant has demonstrated that the soils on site are capable of accommodating a wastewater treatment system. This is a new issue. However, given the substantial reasons for refusal set out below, it is not pursued.

### 7.3. Design

7.3.1. In the course of the planning application, concerns were raised by the PA regarding the design concept of the development, the general proportions of the dwelling house, in particular the scale of the front projection and its overall treatment and detailing (FI). Further, the applicant was referred to Sections 4, 6 and 7 of the Roscommon Rural Design Guidelines (attached to this report) and section 12.7 of the County Development Plan 2022-2028 (also attached). Section 4 of the Rural Design Guide deals with Siting and Integration, section 6 with New Build and section 7 with Adding the Detail. Section 12.7 of the CDP provides advice on Rural House Design Considerations.

7.3.2. Having regard to the details set out in the Design Guidelines, I have the following comments on the proposed dwelling:

- The appeal site lies in a rural area that is characterised by the dominant rural landscape and the pattern of scattered rural development. In the immediate area of the site, dwellings/farm buildings are visually removed and the immediate context for the development is therefore its landscape.



- The proposed dwelling is appropriately sited towards the south of the site where the site is lower, flatter and framed by existing hedgerows and the rising topography to the east of the site.
- Notwithstanding this, there is no detailed survey of the site and it is difficult to discern that exact nature of proposed cut and fill. The information that is available indicates filling in the area of the dwelling to provide a level platform for the drive, house, garage, effluent treatment system and garden to front of property (Drawings attached to Site Assessment, 29<sup>th</sup> March 2022). This feature, together with the proposed large structure (ridge height c.8m), bulky front gabled projection (that forms the L-shape) and large area of hardstanding, would in my view result in a dwelling that would dominate the landscape, rather than sit comfortably within it. This effect is demonstrated in the applicants photomontages of the development (pages 13 to 15 of appeal), where integration is almost wholly dependent on the maturing of proposed landscaping. Despite this (proposed landscaping), I would remain concerned that the house, and in particular the gabled projection, would be remain dominant and obtrusive. In this regard the proposed bulky L-shaped dwelling is out of scale with its setting and inherently at odds with the two storey L shaped form indicated in section 6.2 of the Design Guidelines, where subservient components of the dwellings are situated to the rear of the main façade.
- Whilst the design of the dwelling has taken account of the sun path to light rooms and for passive solar gain, there is limited use of the southern aspect of the development (small/no windows) and no use of the western aspect in master bedroom. Further, fenestration is inconsistent or appears ad hoc across elevations.
- The applicant proposes removing the front boundary hedge for the length of the site to provide 90m sightlines. This seems unnecessary given the visibility available at the proposed entrance to the site and is inconsistent with the Design Guidelines which seek to minimise loss of existing hedgerows. The landscaping plan also indicates field maple along the western boundary, a species which is not specifically referred to in the design guidelines.

- 7.3.3. Having regard to the foregoing, I am not satisfied that the applicant has had due regard to the Rural Design Guidelines for Roscommon and I consider that the proposed dwelling fails to respond adequately to its context or to the detailed guidance provided to ensure that rural housing is assimilated into the landscape.
- 7.3.4. In the course of the appeal the applicant refers to inspection of existing dwellings in the area of the site (see pages 7-12 of appeal) and argues that the proposed development would not be injurious to the amenities of the area, within the context of the pattern of development. Whilst I would accept that there is a mix of different styles of dwellings in the area, these would have been considered in light of their site specific context and planning policy context at the time. Similarly, the proposed development requires consideration having regard to its site specific context and current planning policies.

## **8.0 Appropriate Assessment**

- 8.1. Having regard to the nature and modest scale of the proposed development, its location substantially removed from European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **9.0 Recommendation**

- 9.1. I recommend that permission for the development be refused.

## **10.0 Reasons and Considerations**

The site of the proposed development is located within Rural Policy Zone B 'Remaining Rural Area' as set out in the current Roscommon County Development Plan 2022-2028, where emphasis is placed on facilitating single houses, subject to appropriate siting and design criteria including demonstration of adherence to the principles set out in the County Roscommon Rural Design Guidelines, which Guidelines are considered to be reasonable. Having regard to the scale and form of the proposed dwelling, including its design concept, features and proportions and the

removal of the front boundary wall and hedging, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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Deirdre MacGabhann

Planning Inspector

12<sup>th</sup> January 2023