



An
Bord
Pleanála

Inspector's Report

ABP-314123-22

Development	House, domestic garage, septic tank and percolation area and all associated works.
Location	Portobello, Croghan, Boyle, Co. Roscommon.
Planning Authority	Roscommon County Council.
Planning Authority Reg. Ref.	2288.
Applicant(s)	Darren Lee, Emer Carney.
Type of Application	Permission.
Planning Authority Decision	To refuse.
Type of Appeal	First Party.
Appellant(s)	Darren Lee, Emer Carney.
Observer(s)	None.
Date of Site Inspection	4 th January 2023.
Inspector	Deirdre MacGabhann

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1.0 Site Location and Description

- 1.1. The 2.36ha appeal site is situated in the rural townland of Portobellow approximately 4.5km to the north west of Elphin in County Roscommon. The site lies c.2km to the east of the N61 and is situated on the western side of a minor county road.
- 1.2. The site is rectangular in shape and comprises part of a larger agricultural field. The field is bound by hedgerows, with gated access from the public road. Along the public road network in the area of the site, and to its south west and north in particular, are one off residential dwellings. The landscape in which the site is situated is largely open and undulating.

2.0 Proposed Development

- 2.1. The proposed development, as revised by way of further information (30th May 2022) comprises a new L-shaped dwelling (ridge height 7.5m), domestic garage, septic tank and percolation area and associated site works. The dwelling is situated in the approximate midpoint of the site, with the garage to its north and septic tank and percolation area to the north west. Gross floor space of the development is 287sqm. Water supply is by a new connection to the Polecat Springs Private GWS. Surface water will be disposed of into a soakpit. Access to the site is from the adjoining public road with the provision of a new entrance with 90m visibility splays (existing hedgerow removed, new native hedgerow behind sightline). Post and rail fencing is proposed along north, east and southern boundaries, to incorporate shrub and tree planting. Additional landscaping is proposed to screen the dwelling as per Drawing PL003 (date stamped 30th May 2022).
- 2.2. The planning application includes plans, drawings and the following:
 - Design Access Statement.
 - Site Characterisation Form.
 - Rural Housing Form.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 24th June 2022 the PA decided to refuse permission for the development on the grounds that having regard to the scale and proportion of the proposed two storey dwelling on an elevated and exposed site, it is incapable of integrating into the rural setting in which it is proposed. It was considered that the development would form an obtrusive feature in the landscape, would be injurious to the visual amenities of the area, would set an inappropriate precedent, contravene Roscommon County Development Plan 2022-2028 (section 12.7, Rural House Considerations) and the associated Rural Design Guidelines (section 4 – siting and integration into the rural landscape) and Policy PPH 3.13 which requires rural houses to satisfy appropriate siting and design criteria including adherence to the principles set out in the Rural Design Guidelines.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 6th April 2022 – Refers to the planning history of the site (PA ref. 22/44), relevant planning policy and technical reports. It states that the site lies within the Elphin Drumlins Landscape Character Area of Moderate Value. The report screens the proposed development for EIA and AA and concludes that these are not required (scale of development, distance from sensitive sites). Under Planning Assessment the report considers that the applicant is not required to demonstrate a rural housing need (development in an rural Area in Need of Regeneration) and that the development is acceptable in terms of residential amenity (overlooking), road and traffic considerations, wastewater treatment and flooding. It raises concerns regarding the integration of the development with its rural setting (height, general design features, open exposed site) and recommends further information with regard to the design of the development and compliance with the Roscommon Rural Design Guide. This includes a single storey dwelling to better respond to the site characteristics.

- 14th June 2022 – Considers that the applicant has not had due regard to sections 4 and 5 of the Rural Design Guide and recommends refusing permission.

3.2.2. Other Technical Reports

- Environment (4th April 2022) – No objections, recommend conditions.

3.3. Prescribed Bodies

- Water Services/Irish Water (4th March 2022) – No public water supply. Recommends that applicant consult with Polecat Springs Private Group Water Scheme for supply.

3.4. Third Party Observations

- None.

4.0 Planning History

- 4.1. Under PA ref. PD 22/44 incomplete planning application, made by Emer Carney and Darren Lee, for dwelling house on the subject site with domestic garage, septic tank and percolation area.

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 8th March 2022 and came into effect on the 19th 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 largely removed from sites of nature conservation interest. The nearest national site is c.6km to the north west of the site, Tullaghan Bog pNHA. the nearest European site is c.10km to the west, Cloonshanville Bog SAC (and pNHA).

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 vicinity and in 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, first party grounds of appeal are:

- i. The revised dwelling, in response to FI request, has addressed the proposed dwelling size, scale and form along with revised site landscape. The dwelling and garage have been changed to lower lying section of the land near the north boundary. No policy context for requested single storey dwelling. Planning assessment is subjective and contrary to proper planning assessment related to the Roscommon Rural Design Guidelines and Rural House Design Considerations of the County Development Plan 2022-2028.
- ii. Reason for refusal (obtrusive feature, injurious to visual amenities, inappropriate precedent), is not a fair assessment as the Planning Report does not refer to size, scale and massing of existing development in the area. Area of site incorrectly referred to as undeveloped green fields. Proposed development will enhance visual amenities of the area and set an appropriate precedent for similar development.
- iii. Refusal decision is subjective and based on personal opinions and not Rural Design Guidelines and section 12.7 of the CDP 2022-2028.

6.2. Planning Authority Response/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 issues 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. Design

7.2.1. In the course of the planning application, concerns were raised by the PA regarding the overall design concept of the development, particularly with regard to the height and general design features of the proposed development. In the request for FI it is stated that the design represents an insufficient response to an open and exposed

rural site and that a single storey revised dwelling is required. The applicant was referred to Sections 4, 6 and 7 of the Roscommon Rural Design Guidelines (attached to this report). Section 4 of the Rural Design Guide deals with Siting and Integration, section 6 with New Build and section 7 with Adding the Detail.

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

- The appeal site lies in a rural area that is characterised by the largely open and gently undulating landscape. As indicated by the appellant, there is existing scattered development, but it is removed from the appeal site, with the exception of dwelling to the south west of it which can be seen in views of the site from the public road. There are also properties to the north of the site on more elevated ground. The context for the development is therefore principally its landscape setting.
- The appeal site rises gently away from the public road. The proposed dwelling is situated centrally to the site and on an elevated part of the site, towards its northern boundary (c.5m above the height of the public road and c.100m from the public road). The ridge height of the dwelling is 7.5m and a large gable end dominates the front elevation. Plans for the development indicate a context of mature trees. In practice, the trimmed hedgerows which bound the site would not provide any substantial context for the development.
- In section 4 of the Roscommon Rural Design Guidelines, it is stated that essentially good siting is when a building appears to 'belong' to the landscape rather than intruding on it. For the reasons stated above, I consider that the two storey design of the proposed development, with its complex front elevation, has had limited regard to its context, paying little attention to the rising site, open nature of the site or to views of it from the public road to the north or south. Whilst maturing of the proposed landscaping would help integrate the development to the landscape, the proposed two storey dwelling would remain visually dominant and obtrusive in its wider open rolling landscape context, with the potential to break the skyline in views from the north and south.

- I would accept the appellant's point that the Rural Design Guidelines do not specifically refer to the requirement for a single storey dwelling. However, the Guidelines clearly require that the design of a dwelling responds to its context and in this instance, given the elevated and open nature of the site, the PAs requirement for a single storey dwelling is not unreasonable.

7.2.3. 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. Further, the proposed development is at odds with policies of the Plan that minimise impacts on Landscape Character Areas of Moderate value (Elphin and Drumlins LCA).

7.2.4. In the course of the appeal the applicant refers to inspection of existing dwellings in the area of the site (see pages 10-15 of appeal) which are inconsistent with the Design Guidelines and in the opinion of the appellant injure the amenities of the area. The dwellings referred to include two storey dwellings in the area. The applicant argues that the proposed development, by virtue of its consistency with the Rural Design Guidelines, selection of materials, existing and proposed vegetation and provision of sustainable family home, would not be injurious to the visual amenities of the area. It is also argued that the two-storey form of development is cost effective, provides health benefits (stairs), is secure, meets the applicants requirements, is fuel efficient and has better views of the landscape.

7.2.5. 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. Further, for the reasons stated above, I do not consider that the proposed development is in accordance with the Rural Design Guidelines for the county regardless of any merits in a two storey dwelling.

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 two storey dwelling and its location on an elevated and open site, 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.

Deirdre MacGabhann

Planning Inspector

12th January 2023