



An
Bord
Pleanála

Inspector's Report ABP317086-23

Development

Demolition of previous extensions to the existing house and construction of a new extension; demolition of an existing semi-detached dwelling and the conversion of the remaining semi-detached dwelling into accommodation ancillary to the main house. New replacement road entrance and driveway and closure of three existing road entrances and ancillary works.

Location

Cross, Ardagh. Co Longford.

Planning Authority

Longford Co. Council.

Planning Authority Reg. Ref.

2341.

Applicant(s)

Conor & Lauren Sheahan.

Type of Application

Permission.

Planning Authority Decision

To Grant Permission.

Type of Appeal

Third Party

Appellant

James Mulhern.

Observer(s)

None.

Date of Site Inspection

July 12th, 2023

Inspector

Breda Gannon.

1.0 Site Location and Description

- 1.1. The site is located in the townland of Cross, Ardagh Co. Longford. It lies to the southeast of the village and on the north side of the local road at the front of the site. The site which has a stated area of 0.495 ha is part of a large agricultural field, the boundaries of which are defined by hedgerows and trees. There is an agricultural shed to the northeast of the house.
- 1.2. The site accommodates a cluster of buildings some of which border the public road. These include a two-storey dwelling which has been extended to the side and rear. To the rear of the house and separated by a yard area there are 2 no. semi-detached single-storey dwellings. There is a single-storey outhouse adjacent to the yard which forms a boundary with the local road. At the time of inspection all of the houses were unoccupied.
- 1.3. The external finishes of the dwellings comprise rough dash, nap plaster and natural stone on selected facades including those bordering the public road. The roof covering consists of slates. Foul effluent is discharged to conventional septic tank systems and the houses are connected to the public mains water supply.
- 1.4. There are 3 no. separate vehicular access points from the site onto the main road, serving the main house, the yard area and the semi-detached dwellings to the rear. There is also an agricultural access further south along the site frontage.

2.0 Proposed Development

- 2.1. The proposal is to demolish the existing single-storey extensions to the side and rear of the main house and to demolish one of the dwelling units to the rear. It is proposed to construct a new extension to the gable end of the existing house (northeast) which will be predominantly two-storey with single storey elements. A link corridor will be provided between the extension and the single storey dwelling to the rear to be retained, allowing it to be incorporated into the main house.
- 2.2. The existing 3 no. existing vehicular access points onto the public road will be closed up and a new entrance created in the approximate position of an existing field gate. One of the existing septic tanks on the site will be retained and the other will be decommissioned.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission for the development subject to 9 no. conditions which includes the following condition of note.

Condition No 3: Requires that all the structures on the site shall be used for ancillary domestic purposes only.

Condition No 4: Requires that the existing effluent treatment system shall have sufficient capacity to cater for the proposed development and comply with the EPA Manual guidelines for single dwellings and shall be replaced or upgraded if necessary.

Condition No 9: Requires that any alterations to the proposed development required in order to increase energy efficiency, passive homes or solar heating, use of renewable energy resources and/or comply with national building codes of practice shall be submitted to the planning authority for its agreement prior to commencement of development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **Planning Officer's** report of 6/4/23 states that the site is located in a rural area and outside the designated village envelopes set out in the development plan. The proposed development is not located within a NHA, SAC, SPA or Broadzone.

There is an existing connection to the public mains water supply and an existing treatment system on the site. The applicant has submitted a design statement as part of the planning application justifying the proposed development. It is recommended that permission be granted for the development subject to conditions.

3.2.2. Other Technical Reports

None

4.0 Planning History

07/1024 – Permission granted for a single-storey dwelling house, detached garage, sewage treatment plant and ancillary works on a site to the southeast of the existing two-storey house on the site.

09/347 – Planning permission granted for a two-storey extension to the rear and a single storey extension to the side of the existing two-storey house on the site.

5.0 Policy and Context

5.1. Development Plan

The operative development plan is the **Longford County Development Plan 2021-2027**. The site is located in a rural area outside the development envelop of Ardagh, identified as a Serviced Rural Village (Appendix 1E) in the plan.

The site lies within Landscape Unit 7 – ‘Open Agricultural’ where landscape sensitivity is categorised as Low to Medium, with local exceptions including in proximity to the heritage village of Ardagh. There are no scenic routes or protected views within the vicinity of the site.

Development Management Guidelines are contained in Chapter 16 and the following are relevant:

Section 16.4.5.5: Extension to Dwellings: Sets out the criteria under which extensions to dwellings will be assessed. In general terms there is a requirement that extensions will be subordinate in scale to the main building and not impact negatively on the visual or residential amenities of the house or the area in which it is situate.

Section 16.4.7: Road Safety and Access: Sets out requirements in relation to provision of safe means of access, sight visibility splays for rural housing.

DMS 16.92: Surface and Wastewater Treatment: Sets outs criteria to be adhered to in relation to effluent disposal and drainage for rural housing including compliance with the EPA’s Code of Practice.

Natural Heritage Designations

None

5.2. EIA Screening

- 5.3. The proposed development is not one to which Schedule 5 of the Planning and Development Regulations, 2001, as amended, applies and therefore, the requirement for submission of an EIAR and carrying out of an EIA may be set aside at a preliminary stage.

6.0 The Appeal

6.1. Grounds of Appeal

- The location is a rural area c.6 miles from Longford town and the proposed development is on a busy road with a number of bends and no public lighting.
- Longford Co. Council know that the road is due for realignment and there is a possibility that the house would need to be demolished to remove these bends. This would create and add a different valuation to this development and would be uneconomic for local authority budgeting.
- Construction traffic would increase traffic on the road which would endanger public safety and would interfere with the safety and free flow of traffic.
- There is already significant traffic on the road generated by school buses and intensive farming operations. The road is incapable of accommodating additional traffic and the development is therefore premature.

6.2. Applicant Response

- There is no realignment planned for this road that would impact on the proposed development (email attached).
- The intended use of the proposed development is a single dwelling house as opposed to a three dwelling site which would result in lower levels of traffic using the site. Planning permission has been granted to close three existing

separate entrances and replace these with one entrance that has been strategically placed to achieve adequate sightlines.

- Longford Garda Station has confirmed that according to their reports the area in question is not a hazard area for traffic related incidents.
- The appellant in this case is not a local resident, living approximately 13km from the site.

6.3. Planning Authority Response

None

7.0 Assessment

7.1. Introduction

Having examined all the application and appeal documentation on file, I consider that the main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise.

I consider that the main issues arising for determination by the Board in this appeal relate to the following:

- Principle of the development.
- Road safety and traffic.
- Appropriate Assessment.

7.2. Principle of the development

- 7.2.1. The proposal is to extend the existing dwelling. While the extension is large and would not be considered subordinate in scale to the main dwelling on the site, the character of the house is not negatively impacted. The contemporary design of the proposed development coupled with the materials proposed, consisting of a mixture of nap plaster, natural stone cladding and metal cladding to the flat roof elements, complement the existing house and the local area. The retention of roadside stone walls and proposed screen hedging/planting will ensure that the proposal can be effectively assimilated within the site and will not detract from the visual amenities of the area.

- 7.2.2. The proposal is well removed from neighbouring property and no overshadowing or overlooking issues arise. The size of the site ensures that adequate private amenity space and curtilage car parking space can be provided in accordance with the requirements of the development plan. The proposal will not, therefore, have any negative impacts on the residential amenities of the area.
- 7.2.3. I note that foul effluent from the house will be discharged to an existing septic tank system on the site. A report on the file states that the extent of the percolation trenches has not been confirmed. Should the Board be minded to grant permission for the development it may consider it appropriate to include a condition requiring that the septic tank and percolation area be upgraded to comply with the EPA's Code of Practice: Domestic Waste Water Treatment Systems (Population Equivalent <10), 2021.

7.3. Road safety and traffic

- 7.3.1. There are currently 3 no. entrances providing access to this property. The proposal is to replace these entrances, which are located close to a bend on the local road with a new single entrance to the site. The entrance will be positioned further south at the location of an existing field entrance and in a position where there is improved visibility in both directions.
- 7.3.2. There will be no additional traffic movements generated by the proposed development. The proposal is to extend the house and incorporate the retained residential unit into refigured accommodation associated with the house, which is intended to be used as a single-family dwelling. The reduction in the number of residential units on the site will reduce traffic movements onto the adjoining road.
- 7.3.3. I accept that there are deficiencies associated with the local road network, but the proposed development will improve traffic safety associated with the new access arrangements and the reduction in traffic movements onto the adjoining carriageway. I note that under the provisions of the development plan (Section 16.4.7) unobstructed sight distances of 160m is considered desirable on local roads (80kph) but may be relaxed when a lesser distance is demonstrated to be adequate. There is no Roads Report on the file, but I note that permission was previously granted for a vehicular entrance in this location (07/1024).

- 7.3.4. It is also a requirement of the plan that only the minimum interference with existing roadside boundaries and hedges will be permitted. The Board will note that it is proposed to remove the existing hedgerow, which is stated to be in poor condition and replace it with a new hedgerow behind the proposed sightlines. This will integrate the development into its surroundings and preserve the rural character of the area.
- 7.3.5. I accept that the construction phase of the development will result in an increase in traffic movements in the vicinity of the site. Having regard to the temporary nature of these works and the capacity of the site to accommodate construction vehicles off the adjoining public road, these impacts will not be significant and will not interfere with the free flow of traffic or public safety along the adjoining network.
- 7.3.6. It has been confirmed by Longford Co. Council that no road realignment is proposed in the area which would impact on the proposed development of the site. The appellant's argument regarding prematurity is therefore unfounded.

7.4. Appropriate Assessment Screening

- 7.4.1. Having regard to the nature and scale of the proposed development, the nature of the foreseeable emissions therefrom, the nature of receiving environment and the distance from any European site and the absence of a pathway between the application site and any European site it is possible to screen out the requirement for the submission of an NIS and carrying out of an EIA at an initial stage.

8.0 Recommendation

- 8.1. On the basis of the above assessment, I recommend that permission for the development be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the established residential use on the site, the design of the proposed extension and the proposed revised access arrangements, it is considered that subject to compliance with the conditions set out below, the proposed development would not detract from the character of the existing dwelling or the residential or visual amenities of the area, would be acceptable in terms of traffic

safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The completed development shall be occupied as a single residential unit only.</p> <p>Reason: In the interests of residential amenity and the proper planning and sustainable development of the site.</p>
3.	<p>The proposed site entrance shall be located as shown on the plans and particulars and constructed to details to be submitted to and agreed in writing with the planning authority prior to the commencement of any development on the site. The splayed wings at the entrance shall be constructed of, or, faced with natural stone.</p> <p>Reason: In the interest of road safety and visual amenity.</p>
4.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Details of the external finishes of the proposed development (including samples) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>

	Reason: In the interest of visual amenity.
6.	<p>The septic tank and percolation area on the site shall comply with the requirements of the EPA's Code of Practice: Domestic Waste Water Treatment Systems (Population Equivalent <10), 2021, to details to be submitted to and agreed in writing prior to the commencement of any development on the site.</p> <p>Reason: In the interests of public health.</p>

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.

.Breda Gannon

.Planning Inspector
31st, July 2023