



An
Bord
Pleanála

Inspector's Report

ABP-321823-25

Development	Construction of a house, a garage and all associated site works.
Location	Cloonagh, Drumlish, Co. Longford
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	2460276
Applicant(s)	Bernard and Louise Sheridan
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	As above
Observer(s)	None
Date of Site Inspection	4 th April 2024
Inspector	Kenneth Moloney

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1.0 Site Location and Description

- 1.1. The subject site is located in a rural area situated approximately 1.8 km south of Drumlish, Co. Longford.
- 1.2. The subject site is currently a field that measures approximately 0.350 ha. The gradient of the appeal site falls from the rear (east) to the front (west) adjoining the public road and also falls from south to north.
- 1.3. The level of the site in the northwest corner is below the adjacent public road, and in this area of the site marsh grass is present.
- 1.4. The general topography of the local area falls from south to north.
- 1.5. The southern boundary of the appeal site is adjoined by a laneway which provides access to a disused farm building situated to the south of the appeal site.
- 1.6. On the opposite side of the public road, and to the southwest of the appeal site there are two existing houses. A further house is located on the opposite side of the public road from the appeal site, and the house is set back approximately 70 metres from the public road.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following development.
 - Construction of a two-storey house
 - Detached garage
 - Entrance, boundary and fence / wall
 - On-site wastewater treatment with polishing filter
- 2.2. The proposed two-storey house has a floor area of c. 224 sq. metres, and the internal layout comprises of living space at ground floor level and 4 no. bedrooms at first floor level.
- 2.3. The maximum height of the proposed house is 7.7 metres above ground level and the width of the front elevation measures c. 12.7 metres.

- 2.4. The proposed house will be finished in plaster finish and the roof will be finished in blue / black natural roof slate.
- 2.5. The proposed detached garage situated to the rear of the proposed bungalow has a floor area of c. 45 sq. metres. The maximum height of the proposed garage is 4.5 metres above ground level.
- 2.6. The entrance to the site will comprise of a 0.9m high wing wall either side of a proposed black wrought iron electric gate entrance. The proposed height of the electric gates are 1.1m.
- 2.7. The proposed wastewater treatment system will comprise of a secondary treatment system and soil polishing filter.
- 2.7.1. In the first party appeal submission the applicant submitted revised proposals for the on-site treatment system, and this includes a redesigned wastewater treatment system, comprising of a tertiary treatment plant. It is proposed that the effluent from the proprietary wastewater treatment system shall be pumped to the tertiary treatment plant whereby tertiary treatment shall take place before discharging to ground water via a stone bed.

3.0 Planning Authority Decision

- 3.1. The Planning Authority decided to **refuse** permission for the following reasons.

- 1. It is the policy of the Council as set out in Section 4.8.12, CPO 4.24 of the Longford County Development Plan 2021- 2027 which identifies the criteria for applicants seeking permission in 'Rural Areas Under Strong Urban Influence' must satisfy. It is considered that the applicants have not demonstrated a rurally generated housing need at this location, in fact it would appear their (sic) need has already been met less than (sic) 180m northeast of the site, and where the proposed development has the potential to impact adversely on the area. As such, the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
- 2. It is considered that the proposed development would give rise to an excessive density of development in an un-serviced rural area, thus resulting

in further pressure for community and public services which would be uneconomic to provide and would, if permitted, therefore be contrary to the proper planning and sustainable development of the area.

3. It is considered that the applicant has not demonstrated that the proposed wastewater treatment system taken in conjunction with existing developments in the vicinity, would result in an excessive concentration of development serviced by individual wastewater treatment systems in the area. The proposed development would, therefore, be prejudicial to public health and the environment and would be contrary to the proper (sic) planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. The Planning Officer's report dated 8th January 2024, notes the following

- Applicant has not demonstrated local need in order to comply with CPO 4.24 and CPO 4.32 of Longford CDP.
- Applicant currently owns a recently constructed dwelling in the same townland situated less than 180m from the subject site.
- Accordingly, applicants local housing need has been met.
- No potential for significant effects on the Natura 2000 network arising from the proposed works
- EIA not required.

3.2.2. Other Technical Reports

- None

3.3. Prescribed Bodies

Uisce Éireann: No objection subject to standard conditions.

3.4. Third Party Observations

- None

4.0 Planning History

4.1. Subject site

- None

4.2. Applicant's site to the south (c. 180m from appeal site)

- LA Reg. 20231 – Permission granted on the 25th November 2020 to Bernard Sheridan and Louise Bell for a bungalow type dwelling house to include (a) alterations to elevations and internal layout (b) provision of a single storey extension to the rear of the dwelling house to consist of new entrance corridor, open plan kitchen/dining/living space, bedroom, en-suite, bathroom and utility space, (c) domestic garage (d) new site entrance location, boundary walls, piers and fencing, proprietary wastewater treatment unit and percolation area and all ancillary site works.

5.0 Policy Context

5.1. National Policy

- 5.1.1. The National Planning Framework – First Revision (April 2025) seeks to protect areas that are under strong urban influence from unsustainable over-development on the one hand, and to encourage population to be sustained in more structurally weak areas, that have experienced low growth or decline in recent decades, on the other. This is supported by NPO 24, which states

'support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid overdevelopment, while sustaining vibrant rural communities'.

5.2. Longford County Development Plan, 2021 – 2027

- 5.2.1. Chapter 4 – ‘Core, Settlement and Housing Strategies’ provides guidance in respect of the rural settlement strategy and includes a Rural Typology Map¹ that classifies the county geographically into two defined areas for the purpose of delivering rural housing. This includes areas defined as ‘Rural Areas under Strong Urban Influence’ and ‘Rural Areas Elsewhere’. The Plan advises that dwellings in the country side need to be sited and designed to ensure minimum impact on their setting and the utilisation of existing features is recommended.

The following policies are relevant to the proposed development.

- CPO 4.24 – Criteria to satisfy rural housing in ‘Rural Areas Under Strong Urban Influence’.

Policy Objective CPO 4.24 states as follows;

“Accommodate demand from individuals for permanent residential development in defined ‘Rural Areas Under Strong Urban Influence’, subject to good planning practice, environmental carrying capacity and landscape protection considerations.

Applicants seeking permission for the development of single dwelling rural housing in areas defined ‘Rural Areas Under Strong Urban Influence’ must satisfy the following criteria:

1. *The applicant was born within the local rural area or is living or has lived in the local rural area for a minimum of 5 years at any stage prior to making the planning application. It includes returning emigrants seeking a permanent home in their local rural area. The ‘Local Rural Area’ for the purpose of this policy is defined as the area generally within an 8km radius of where the applicant was born, living or has lived. For the purpose of this policy, the rural area is taken to include ‘Rural Settlement Clusters’ listed in the Settlement Hierarchy, but excludes the Key Town, Self-Sustaining Growth Town, Self-Sustaining Towns, Towns and Villages and Serviced Rural Villages listed in the Settlement Hierarchy.*

¹ Figure 4.5 Longford County Development Plan, 2021 – 2027

2. *The applicant has a functional economic or social requirement to reside in this particular rural area such as in any of the following 2 situations:*
 - a. *Economic requirements will normally encompass persons referred to in the revision to the Sustainable Rural Housing Guidelines 2005 and, if applicable, circulars. It includes persons involved in full-time farming, horticulture or forestry as well as similar ruralbased part-time occupations where it can be demonstrated that it is the predominant occupation.*
 - b. *Social requirements will normally encompass persons referred to in the revision to the Sustainable Rural Housing Guidelines 2005 and, if applicable, circulars. Pending the making of the revised Sustainable Rural Housing Guidelines by the Minister, a Functional Social Requirement in County Longford shall be taken as compliance with point 1 above. Special consideration shall be given in cases of exceptional health circumstances - supported by relevant documentation from a registered medical practitioner and a disability organisation proving that a person requires to live in a particular environment or close to family support, or requires a close family member to live in close proximity to that person.*
3. *The applicant does not already own or has not owned a house in the open countryside.*
4. *If the site is located within an Area of Special Control, there is no alternative site outside of Areas of Special Control.*
5. *High quality siting and design”.*

Other relevant policies include;

- CPO 4.32 – Ribbon Development
- CPO 4.35 – Site Suitability

5.2.2. Chapter 14 – ‘*Landscape Character*’ includes guidance on landscape character in the county and identifies 7 no. broad landscape character types within the county defined in Table 14.1 and mapped in Figure 14.1. Figure 14.1 identifies that the appeal site is located within the landscape character type of ‘Central Corridor’ (Landscape Unit 4). The Plan advises that it is policy to identify, protect and enhance

landscapes and landscape features of special environmental, historic or cultural interest.

5.2.3. Chapter 16 – ‘Development Management Standards’ refers to rural housing in Section 16.4.5.7. The following Development Management Standards are relevant to the proposed development.

- DM 16.88 – Site Selection and Design
- DM 16.89 – Material and Detailing
- DM 16.90 – Domestic garage / shed / store
- DM 16.92 – Surface and Wastewater Treatment
- DM 16.93 – Boundary Treatment

5.3. **Natural Heritage Designations**

- Ballykenny-Fisherstown Bog SPA (004101) 5.3km southwest
- Lough Forbes Complex SAC (001818) 5.3km southwest
- Cloonageeher Bog NHA (Site Code 001423) 2.9km west.

6.0 **EIA Screening**

6.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. The grounds of appeal may be summarised as follows.

Refusal Reason no. 1

- Relevant Rural Housing Form² and cover letter with application included with appeal. The applicant's local need case is summarised as follows.

Rural Housing Form

- Both applicants live in local townlands since 2019 and 2021 respectively.
- Primary applicant (Bernard Sheridan) currently owns a house locally.
- Both applicants are employed as teachers and also farm their landholding.
- Neither applicant has received planning permission for a house.
- The applicant's links to the local area include farming land and family nearby for childcare.
- Both applicants have immediate family living locally.
- The applicant's exceptional circumstances supporting their case include current house too small for family needs, farming land in local area and caring for parents.

Applicant's letter accompanying the appeal (dated 4th February 2025)

- Current house is too small to meet family needs.
- Living conditions in existing house not suitable for a growing family. The house experiences mould, dampness and draughts.
- Applicants are farming the land where they intend to live, and close proximity to the farm is important.
- Primary applicant is a local teacher, and it is intended that the applicants' children will attend school locally.

² Appendix B of Appeal Submission

- The applicant's parents intend to retire and downsize soon, and the applicant's existing house would offer an opportunity for their parents to live beside family. This is important for childcare.
- The applicant's parents will rely on family care into the future.
- Applicant satisfies Section 4.8.12 and CPO 4.24 of the Longford CDP, 2021 – 2027.

Refusal Reason no. 2

- Proposal does not constitute ribbon development and would not give rise to an excessive density of dwellings in the area.
- The relevant Longford CDP provision is Section 16.4.8 and DMS 16.115 which states that ribbon development is 5 or more dwelling houses that exist in a row.

Refusal Reason no. 3

- A revised Site Characterisation Report³ proposes a redesigned wastewater treatment system, based on original percolation tests, with polishing filter.
- The revised proposal includes a tertiary treatment plant.
- Effluent from proprietary wastewater treatment system will be pumped to tertiary treatment plant and tertiary treatment will take place before discharging to ground water via a stone bed.
- The position of the stone bed is indicated in the revised site layout drawing⁴.
- The proposed system ensures that the highest effluent quality is discharged to ground water.
- There is no overconcentration of onsite sewage treatment systems as the area is not subject to ribbon development.

³ Appendix C of Appeal Submission

⁴ Appendix E of Appeal Submission

7.2. Planning Authority Response

- None

7.3. Observations

- None

8.0 Assessment

Having examined the application details and all other documentation on file, including reports of the Planning Authority, carried out a site inspection, and having regard to the relevant local/regional/national policies and guidance, I consider that the key issues on this appeal are as follows:

- Principle of Development / Rural Housing Policy
- Domestic Wastewater Treatment
- Development Density

8.1. Principle of Development / Rural Housing Policy

- 8.1.1. I would note that the appeal site is located in the open countryside in an area designated '*area under urban influence*' in accordance with Figure 4.5 'Rural Typology Map' of the Longford CDP, 2021 – 2027.
- 8.1.2. In order to satisfy the requirements of the development plan, the applicant must demonstrate sufficient genuine local rural housing need consistent with Policy CPO 4-24 of the LCDP, 2021 – 2027, to construct a house in this rural location.
- 8.1.3. Policy CPO 4-24 requires that applicants for housing in rural areas designated '*area under urban influence*' must meet criteria relating to the following, in summary;
- Demonstrate local need
 - Demonstrate functional economic and social requirement to reside locally
 - Applicant does not own or previously own a house in the open countryside

- If the site is located within an Area of Special Control, there is no alternative site outside of Areas of Special Control.
- High quality siting and design

8.1.4. Local need

In terms of demonstrating local rural housing need, I would note that the applicant submitted a Local Need Form with the application documentation. The Local Need Form states that the applicants have lived in townlands in the local area since 2019 and 2021 respectively. The LCDP⁵ requires that the applicant lives or has lived in a local area (within an 8km radius) for a period greater than the minimum required 5 years. I note from the submitted Local Need Form that the applicants' extended families have lived locally for an extensive period and the appeal site is located within the applicant's landholding as indicated in the submitted site location map, which accompanied the application.

- 8.1.5. The LCDP states that in rural areas designated 'areas under strong urban influence' it is the objective of the Plan to manage sustainable growth and to facilitate the provision of single houses in the countryside based on the core consideration of demonstratable economic and social requirement to live in a rural area. In this respect I would note that section 4.8.12 of the Plan advises that in rural areas under strong urban influence the policy will facilitate housing for people with strong links to a particular area, and who are an intrinsic part of the rural community. The Plan refers to people with strong links to a particular area, as follows;

"Such persons would normally have spent substantial periods of their lives living in the rural area as part of the established rural community, e.g. people employed in the rural area including farmers and their sons and daughters, people originally from the rural area and wishing to return, people wishing to reside near elderly parents to provide security and care, elderly parents wishing to live near other family members, people who would have grown up in rural areas seeking to build their home close to other family members, people working in rural areas such as teachers in rural schools".

⁵ Policy Objective CPO4.24 of the LCDP

8.1.6. I would accept, on the basis of information available, that the applicants have demonstrated that they would have strong local connections to the rural area the subject of this application, as they have lived in this rural area for the applicable period of time and they both have extended family living locally.

8.1.7. Economic and Social

In terms of demonstrating economic and social requirements to reside locally I note that both applicants are employed in occupations recognised within an employment category for people working in rural areas.

8.1.8. However, I would have concerns with the location of the applicant's place of work, having regard to the provisions of the LCDP which state that economic need relates to people working in rural areas. One of the applicant's place of work is located in an adjoining county, some 16 km away from the appeal site. The place of work is located within a Tier 2B Settlement of that neighbouring County Settlement Hierarchy. I have reviewed the relevant CDP of the neighbouring county, and I can confirm that the place of work is located within the settlement boundary of the Tier 2B Settlement. As such I would not consider that the place of work is compatible with the LCDP, 2021 – 2027, which facilitates housing for people working in rural areas.

8.1.9. Further the second applicant's place of employment is some 66 km from the appeal site, and I can confirm that the applicant's place of work is located within the settlement boundary of an urban area in a neighbouring county and therefore not within a rural area. As such I would not consider that the applicants' employment location would justify a local housing need in this rural area. I would note that in response to Question 5 of the submitted Local Need Form, that the applicants submit that they farm the land at the site, however the extent of lands farmed is not identified in the application documentation and furthermore this is not supported by any documentary evidence, and I would consider the onus is on the applicant to demonstrate this. Furthermore, based on the information submitted in the Local Need Form farming is not the applicant's predominant occupation which is a requirement of CPO 4.24 (2) (a).

8.1.10. Further in terms of social requirements to the live locally in this rural area, and notwithstanding the applicants letter (dated 4th February 2025) that accompanied the appeal submission which states the reasons for their housing need, I would consider

that the applicant does not include any documentary evidence that would justify their social requirements for the proposed house, in terms of caring needs or proximity to elderly parents, etc.

8.1.11. House Ownership

The applicant submits that they currently own a house within the same townland as the appeal site. The response to Question 3 in the Local Need Form states that the applicants currently own an existing house, and I would note from the PA report that the applicant's current house is located approximately 180m from the appeal site. I would note that the applicants have submitted, in response to Question 8 of the Local Need Form, that their current house is too small for family needs.

8.1.12. A key criterion for the applicant is to demonstrate that the proposed house is for their sole occupation and clearly that the proposed house is required to meet their local rural housing need. It is also a key criterion that the applicant does not already own a house in the countryside. Based on the information available the applicants' rural housing need has already been met and therefore they would not satisfy this criterion of Policy Objective CPO 4-24.

8.1.13. Area of Special Control

In relation to item 4 (Area of Special Planning Control) I would consider that this not relevant to the current appeal.

8.1.14. High quality siting and design

In terms of high-quality siting and design the subject proposal has a floor area of approximately 224 sq. metres, which is sizable relative to the guidance in the LCDP, as set out in DM 16.88 – '*Site Selection and Design*'. DM 16.88 recommends as follows;

'Larger houses (e.g. in excess of 200sqm) should incorporate design solutions to minimise visual mass and scale e.g. sub-divided into smaller elements of traditional form to avoid bulky structures'.

8.1.15. Further DM Standard 16.88 of the LCDP, 2021 – 2027, requires rural housing proposals to be sensitive to its surroundings and visually integrate with the receiving landscape and shall not be visually dominant in the landscape.

8.1.16. In terms of landscape designations, I would note that the LCDP identifies 7 no. broad landscape character types within the county defined in Table 14.1 and mapped in Figure 14.1.

8.1.17. Figure 14.1: '*County Longford's Landscape Character Areas*' of the LCDP, identifies that the appeal site is located within the landscape character type of 'Central Corridor' (Landscape Unit 4). Moreover, Table 14.1 '*County Longford's Landscape Character Type and Sensitivity*' of the LCDP advises that the visual sensitivity of the landscape within 'Central Low' is generally low.

8.1.18. I would note from the submitted plans that the proposed house is centrally located within the site. The proposed two-storey house, in terms of design, would not be inconsistent with the established character of local houses. Two of the houses located on the opposite side of the public road from the subject site are two-storey dwellings, and a further house located approximately 75 metres south of the appeal site is also two-storeys in height. I noted from my site assessment that the appeal site had mature hedging and trees along its site boundary, and the submitted plans indicate that the site boundary will comprise of existing hedgerow, and shall be strengthened where necessary. The existing and proposed boundary treatment would screen the visual impact of the proposed house and ensure that the proposal integrates to the landscape.

8.1.19. Overall, I would consider on the basis of the proposed house design, the character of the area, and the CDP landscape designation relevant to the subject site, i.e. 'Central Corridor' (Landscape Unit 4), where the visual sensitivity of the landscape is generally low, that the siting and design of the proposed house is acceptable.

8.1.20. Conclusion

8.1.21. Therefore, I would consider, based on the information available, that the applicant has inadequately demonstrated sufficient genuine local housing need consistent with Policy CPO 4-24, in particular parts (2) and (3) of the same policy objective, and as such I would support the PA's refusal reason no. 1.

8.2. **Domestic Wastewater Treatment**

8.2.1. Introduction

- 8.2.2. The proposed domestic wastewater treatment system (DWWTS) to serve the proposed house is comprised of a secondary treatment system and soil polishing filter, and I note from the applicant's submitted Site Characterisation Form that the DWWTS will discharge to ground water.
- 8.2.3. I would note from the submitted Site Characterisation Form that accompanied the planning application that the water table was evident in the trial hole on the appeal site at 1.9m below ground surface.
- 8.2.4. The PA in refusal reason no. 3 considered that the applicant has not demonstrated that the proposed wastewater treatment system taken in conjunction with existing developments in the vicinity, would result in an excessive concentration of development serviced by individual wastewater treatment systems in the area.
- 8.2.5. The applicant submitted a revised proposal for the DWWTS in their appeal submission, and this includes a redesigned wastewater treatment system, comprising of a tertiary treatment plant. It is proposed that the effluent from the proprietary wastewater treatment system shall be pumped to the tertiary treatment plant.
- 8.2.6. Impacts on Ground Water
- 8.2.7. I noted during my site assessment there was no visible evidence of pooling on the appeal site or in the immediate context of the appeal site. However, I noted that rushes and marsh grass, which can indicate poor drainage or high water table, were present on the appeal site, adjacent to the northern boundary of the site and also located in the northeast corner of the subject site, which adjoins the public road.
- 8.2.8. I would further note that the site is mainly located in an area of extreme groundwater vulnerability, and the Aquifer Type is Locally Important (L1), which is consistent with the findings of the Site Characterisation Form, and I have verified these findings in respect of groundwater vulnerability and Aquifer Type on www.gsi.ie. However, a small portion of the subject site, adjoining the public road, has a groundwater vulnerability status 'Rock at or near Surface or Karst', based on the available mapping on www.gsi.ie, and this is not recorded on the Site Characterisation Form
- 8.2.9. I would note from the drawings submitted with the application that the proposed wastewater treatment system and percolation area is located to the front of the

proposed house, within the area designated extreme groundwater vulnerability, and outside the area of the site which includes rushes and marsh grass as its vegetation type.

- 8.2.10. Having regard to Table E1 (Response matrix for DWWTS) of EPA COP, (2021) the groundwater protection response for the subject site is R2¹ and with this type of site the EPA COP advises that particular attention should be given to the depth of the subsoil over bedrock such that minimum depths are achieved.
- 8.2.11. Table 6.3 of the EPA CPO (2021) recommends minimum depths of unsaturated soil and/or subsoil between the point of infiltration and the bedrock and the water table. In the case of percolation trenches, as originally proposed, a minimum depth of 1.2m is required having regard to the groundwater protection response for subject site is R2¹.
- 8.2.12. I would agree with the PA's refusal reason no. 3, having regard to the site characteristics referred to above, the nature of the secondary treatment system and soil polishing filter, and also given that the trial hole encountered the water table at 1.9m below ground level, that the applicant has not adequately demonstrated, including the point of infiltration to achieve the 1.2m depth, that the site is capable of the safe disposal of treated effluent to the ground water.
- 8.2.13. However, in the appeal submission the applicant submits revised proposals for the on-site treatment system, and this includes a redesigned wastewater treatment system, comprising of a tertiary treatment plant. It is proposed that the effluent from the proprietary wastewater treatment system shall be pumped to the tertiary treatment plant whereby tertiary treatment shall take place before discharging to ground water via a gravel infiltration bed. The revised Site Characterisation Form confirms that it is proposed to pump the effluent from the proposed wastewater treatment system to a Ecoflo Coco Filter which will then discharge via gravity onto a stone pad of 150 sq. m. The applicant submits that this would therefore ensure that the highest effluent quality is discharged to ground water.
- 8.2.14. I would note from the Site Characterisation Form that the subsurface percolation test recorded a value of 57.47 and the surface percolation test recorded a value of 30.17. These percolation values would be consistent with Table 6.4 of the EPA Code of Practice, 2021, and the COP recommends a tertiary treatment system and infiltration

area for these recorded percolation values, which is consistent with the revised proposals for the DWWTS.

8.2.15. As referred to above Table 6.3 of the EPA CPO (2021) recommends minimum depths of unsaturated soil and/or subsoil between the point of infiltration and the bedrock and the water table. In this regard a minimum depth of 0.9m is required for tertiary systems and the revised proposal is compliant with Table 6.3 having regard to the groundwater protection response for subject site is R2¹. The revised DWWTS would therefore provide an additional buffer of 0.3m relative to the original DWWTS, in accordance with Table 6.3 of the EPA guidance, and would provide a higher quality of treatment for discharge to the ground water.

8.2.16. A further relevant consideration, in relation to the proposed DWWTS, is that the local water supply is provided by public water mains, rather than private wells providing water supplies. The provision of public mains locally mitigates potential pollution risk to water supplies. Therefore, I would consider, having regard to the revised on-site treatment system, the trial hole encountering the water table at a depth of 1.9m below ground surface and the provisions of the EPA Code of Practice, 2021 and the use of public water mains for water supply locally that the revised proposals, submitted with the appeal, address the PA's refusal reason no. 3.

8.2.17. Conclusion

8.2.18. In conclusion therefore, and based on the foregoing, I am satisfied that the applicant has adequately demonstrated that the revised domestic on-site wastewater treatment proposal is capable of the safe disposal of treated effluent and would not be prejudicial to public health.

8.3. **Development Density**

8.3.1. Refusal Reason 2 of the planning authority's decision to refuse the proposed development relates to concerns that the proposal would give rise to an excessive density of development in an un-serviced rural area. I would acknowledge that this refusal reason relates to general settlement patterns in rural areas and demand for services. I have considered the principle of proposed development in paragraph 8.1 above and concluded that such development in this rural area would, in the absence

of meeting the local rural housing need criteria, contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure.

8.3.2. Notwithstanding the above conclusion the appellant's rebuttal in respect of refusal reason no. 2 argues that the proposed house would not give rise to an excessive density in this rural area and therefore the proposal would not constitute ribbon development in this area.

8.3.3. I would note that section 4.8.11 'Open Countryside' of the LCDP, is relevant, and states as follows;

'The open 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 overspill development from urban areas and protecting environmental qualities'.

8.3.4. Although Policy Objective CPO 4.32 was not included in PA refusal reason no.2, having regard to the content of the appeal submission and for completeness I have considered the proposed development in the context of CPO 4.32. The policy provision CPO 4.32 of the LCDP relates to ribbon development (5 or more houses alongside 250 metres of road frontage). The criteria for assessing whether proposals exacerbate ribbon development in accordance with CPO 4.32 includes (a) the type of rural area and the circumstances of the applicant, (b) whether the proposal would represent infill development, (c) whether the existing ribbon development would coalesce as a result of the proposed development and (d) local circumstances including planning history and social need requirements.

8.3.5. I noted from my site assessment that the local road, onto which the appeal site adjoins provides a direct connection to the R198 to the north from the appeal site. The established pattern of one-off housing along this stretch of road is sporadic, rather than a single concentration of houses in any one area. There are three houses located on the opposite side of the public road from the appeal site, and a further house situated further south on the same side of the local road as the appeal site. However, there are no existing houses to the immediate north of the appeal site. I would therefore consider that the proposed development, based on the local context

and the type of rural area, as described above, would not be infill development and would not coalesce to create ribbon development as defined in CPO 4.32 of the LCDP.

- 8.3.6. The development along the public road, in my view, would not be a scale that would make the development of an additional house inconsistent with the objectives of CPO 4.32 or give rise to an excessive density of development in this local rural area.

9.0 AA Screening

- 9.1. I have considered case ABP-321823-25 in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The proposed development comprises of the construction of a two-storey house and includes an on-site domestic waste water treatment system and is located in a rural area. The closest European Site, part of the Natura 2000 Network, is the Lough Forbes Complex SAC and the Ballykenny-Fisherstown Bog SPA both located approximately 5.3 kms southwest of the proposed development.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.4. The reason for this conclusion is as follows:
- Small scale and nature of the development.
 - The absence of any ecological pathway from the development site to the nearest European Site.
 - Location-distance from nearest European site.
- 9.5. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.6. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

I recommend that planning permission be refused for the reason set out below.

11.0 Reasons and Considerations

1. Having regard to the location of the site within an 'Area Under Strong Urban Influence' as identified in Longford County Development Plan, 2021 – 2027, and in an area where housing is restricted to persons demonstrating local need in accordance with Policy Objective CPO 4-24 of the Longford County Development Plan, it is considered that it has not been satisfactorily demonstrated that the applicant comes within the scope of the housing need criteria as set out in the Development Plan for a house at this location. The proposed development, in the absence of meeting the local rural housing need criteria, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, 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.

Kenneth Moloney
Senior Planning Inspector

15th May 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-321823-25
Proposed Development Summary	Construction of a house, a garage and all associated site works.
Development Address	Cloonagh, Drumlish, Co. Longford.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	

No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 1 (a) of Part 2: Projects for the restructuring of rural land holdings Class 10(b)(i) of Part 2: threshold 500 dwelling units.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-321823-25
Proposed Development Summary	Construction of a house, a garage and all associated site works.
Development Address	Cloonagh, Drumlish, Co. Longford.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The proposed development consists of a rural dwelling in a rural area situated approximately 1.8 km south of Drumlish, Co. Longford. There are a number of established residential properties within the immediate context of the development site, including three houses located on the opposite side of the public road to the subject site. The proposed single storey house has a floor area of 224 sq. metres. The proposal is not considered exceptional in the context of neighbouring houses. During the construction phases the proposed development would generate waste. However, given the moderate size of the proposed development, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the construction or operational phase due to the nature of the proposed use. The proposed development does not involve any demolition works. The development, by virtue of its residential type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. The proposal will involve the partial removal of a field boundary to facilitate a site access and the inclusion of a new field boundary along the northern boundary of the site, however having regard to limited scale of the field boundary works the development would have a localised impact.
Location of development (The environmental sensitivity of geographical areas likely to	Briefly comment on the location of the development, having regard to the criteria listed The subject site is not located within or adjoins any environmentally sensitive sites or protected sites of

<p>be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>ecological importance, or any sites known for cultural or historical significance.</p> <p>The nearest designated European Site to the appeal site are the Ballykenny-Fisherstown Bog SPA (004101) and the Lough Forbes Complex SAC (001818) which are both located c. 5.3km to the southwest of the appeal site. Given that there are no hydrological connections I have concluded in my AA Screening that that the proposed development would not likely have a significant effect on any European site.</p> <p>I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>Having regard to the scale of the proposed development (i.e. a single dwelling house served by an on-site wastewater treatment system) and the limited nature of construction works associated with the development, its location removed from any sensitive habitats / features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environment.</p>
<p>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p>N/A</p>

There is a real likelihood of significant effects on the environment.	N/A
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Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)