

Planning Reference: 22/123

Date Received: 26/05/2022

Decision Due: 20/07/2022

Area:

Galro Unlimited  
c/o Will Design Associates  
Knockmartin Lane  
Longford

**Nature of Development:**

PERMISSION for material change of use of existing dwelling to residence where care is provided for persons with intellectual or physical disability. The proposed works will also include upgrade of the existing entrance and boundary treatments, removal on non-native invasive evergreen trees, proposed single storey extension (C.92M.SQ) to the NE & SE elevations and ancillary site works all which is within SAC and pNHA at Cashel Newtowncashel Co Longford

Chief Fire Officer) attached  
Road Design)

Notice on Site:  
The Longford Leader:

Recommended that permission be REFUSED for the following reasons:

REASONS	REASON FOR REFUSAL
See attached: 1-4	29939

Signed: \_\_\_\_\_  
EXECUTIVE PLANNER

*Donall Mac An Bheatha*

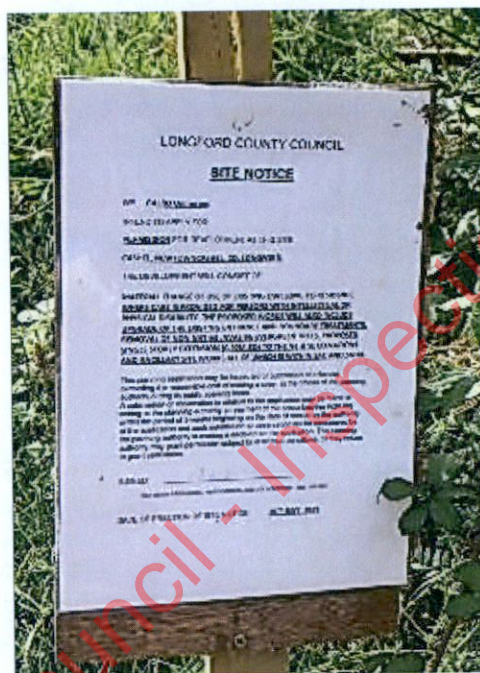
12/07/2022

Signed: \_\_\_\_\_  
SENIOR PLANNER

## Planning Report

### Proposed Development

This is an application for permission for material change of use of existing dwelling to residence where care is provided for persons with intellectual or physical disability. The proposed works will also include upgrade of the existing entrance and boundary treatments, removal on non-native invasive evergreen trees, proposed single storey extension (C.92M.SQ) to the NE & SE elevations and ancillary site works all which is within SAC and pNHA at Cashel, Newtowncashel, Co Longford



Site notice in place at time of inspection

### Planning History

There is no recent planning applications associated with the proposed development site.

### Site Description and Consideration

The proposed development site is located at the end of a cul de sac off a country road to the east of Newtowncashel and along the edge of Lough Ree and is not within any designated village envelope as specified in Longford County Development Plan 2021 – 2027. The proposed site is located within the Lough Ree Broad Zone. The existing dwelling house is approximately 55m from the shore of Lough Ree which is designated a Special Area of Conservation (SAC site code 000440), Special Protection Areas (SPA site code 004064) and is a proposed Natural Heritage Area (pNHA site code 000440). Lough Ree is clearly visible



from the proposed site with no attempt being made to screen the development, in fact the applicant is proposing to remove the existing screening around the existing dwelling house. It is noted that works have already commenced with the applicant constructing a fence along the boundary of the land right into the lake, the widening of the gateway and deposit of large volumes of stone and the movement of stones along the shoreline. It is noted that the applicant has not proposed to retain any of these works. The applicant has indicated as part of the application form that the site area is 1.25 hectares.

The applicant has submitted an Appropriate assessment for the proposed development which concludes that the writer expresses the view that a Stage 2 Appropriate Assessment and submission of an NIS is not required and it is concluded that the proposed development can be objectively said not to have any significant on SAC0004, will not contribute to or impact upon and identified sensitivities or threats and will have no adverse impact on the NPWS conservation objectives.

The applicant has also submitted a flood risk assessment of the proposed development which concludes that it is estimated that the flood risk of flooding for the proposed development will be minimal and it is predicted that the development will not increase the risk of flooding elsewhere. The proposed development satisfies the criteria of the PSFRM Justification Test.



Proposed site and existing structures (above)





Distance from existing structure to the Lake (above) view from lake shore (below)





## **Design**

The applicant intends to construct an extension on the land side (south west) of the existing dwelling house, the extension will extend beyond the length of the existing dwelling house and will remove all the existing trees which screen the existing dwelling. The proposed extension is a stated 4.6m in height and has a proposed floor area of 92m<sup>2</sup>. The applicant has indicated that the proposed extension will be finished in timber cladding.

## **Wastewater Treatment**

The applicant has indicated an existing septic tank and percolation area. No information has been submitted in relation to the existing system whether it's in working order and if it has capacity to deal with the proposed development

## **Water Supply**

The applicant intends to source water from the public mains. However there is no record of water mains in the area

## **Submissions/Observations**

Irish Water – 14<sup>th</sup> June 2022 – No objection

Health Service Executive - 02<sup>nd</sup> June 2022 – Noted

A submission was received from Joseph Casserly indicating that he objects to the proposed development, objecting to the removal of evergreen trees, new septic tank, boundary fence, or interchange with land and the harbour has been commenced without planning. The submitter has indicated that he has been farming the land for the last twenty years and he has squatters rights and a farm entitlement on it and is in the process of getting a title.

## **Internal Reports/ Memos**

None received

## **Reps**

None received

## **Pre-Planning Consultation**

A pre-planning meeting was held in relation to the proposed site in which the works that had been carried out and the proposed works were discussed



## Planning Assessment

It is the contention of the Planning Authority that the subject site is located at a prominent elevated location within the immediate landscape setting. No attempt has been made by the applicant to screen the proposed development from the lake, the Planning Authority has significant concerns in relation to the location of the proposed dwelling within the Broadzone of Lough Ree and the capacity of the landscape to assimilate the proposed development and the development site is located wholly within the SAC of Lough Ree. In this regard, the Planning Authority notes that the proposed site is located within the Shannon Basin/Lough Ree Character unit under the Longford County Development Plan 2021-2027, which is classified as having a medium to high landscape sensitivity and indicates a High sensitivity - along the shores of the lake, where the proposed development is located.

Moreover, the Planning Authority has regard to Policy CPO 14.20, which states:

*It is the policy of the Council to restrict development in the vicinity of the lakes and maintain aquifer protection zone for 1 km around boreholes at Carrowroe*

Accordingly, Given the prominent, elevated nature of the proposed development site in relation to Lough Ree, and within an area of high landscape sensitivity, it is considered that the proposed development would be visually obtrusive and have a detrimental impact on the visual amenity of the surrounding landscape.

The applicant has not submitted any information in relation to the existing waste water treatment system, whether it's in working order or if it has capacity to deal with the proposed development given the site proximity to Lough Ree. The Planning Authority are not satisfied that the proposed development, given its proximity to the Lough Ree and its resultant intensification on an existing wastewater treatment system, where no information regarding capacity or current working condition has been submitted, would not give rise to the risk of pollution of the water course and pose a significant threat to public health, including the health of the occupants of the proposed new dwelling and to the quality of ground and surface waters.

It is also noted that elements of work have been carried out within the SAC boundary and no proposal to rectify same has been submitted. The nature of the site from an unauthorised development point of view is therefore unclear.

## Recommendation

With regard to the abovementioned planning considerations, it is recommended that permission be **REFUSED** for the following reasons:



1. The proposed development site, situated adjacent to Lough Ree, is located within the Broad Zone of the lake as identified in Appendix 7: Natural Heritage and Environment and specifically under Policy CPO 12.34 of the Longford County Development Plan 2021–2027 as being of high amenity and landscape quality in relation to their setting and, as such, required to be protected from inappropriate development, i.e. development which adversely affects high amenity and landscape quality in relation to their setting. The development proposed would, if permitted, either by itself or the precedent it would set for other similar developments in the area, materially contravene these objectives and policies and, as such, would be contrary to the proper planning and sustainable development of the area.
2. The proposed development site situated adjacent to Lough Ree is located within the Broad Zone of the lake as identified in Appendix 7: Natural Heritage and Environment and specifically under Policy CPO 12.34 and Policy CPO 14.20 of the Longford County Development Plan 2021–2027 in addition to being located within a designated a Special Area of Conservation (SAC site code 000440), Special Protection Areas (SPA site code 004064) and is a proposed Natural Heritage Area (pNHA site code 000440) and as such is required to be protected from inappropriate development, i.e. development which adversely affect the natural environment as well as the high amenity and landscape quality in relation to their setting. The unauthorised developments recently carried out on the site without the benefit of planning permission in addition to the development proposed without adequate landscaping and screening would, if permitted, either by itself or the precedent it would set for other similar developments in the area, materially contravene these objectives and policies and, as such, would be contrary to the proper planning and sustainable development of the area.
3. It is considered that the proposed development, by reason of its location within an area of high landscape sensitivity and its size, layout and design would be visually obtrusive and have a detrimental impact on the visual amenity of the surrounding landscape having regard to Policy CPO 14.20 of the Longford County Development Plan 2021–2027. The development proposed would, if permitted, either by itself or

the precedent it would set for other similar developments in the area, materially contravene this policy and would be contrary to the proper planning and sustainable development of the area.

4. The Planning Authority are not satisfied that the proposed development, given its proximity to the Lough Ree and its resultant intensification on an existing wastewater treatment system, where no information regarding capacity or current working condition has been submitted, would not give rise to the risk of pollution of the water course and pose a significant threat to public health, including the health of the occupants of the proposed new dwelling and to the quality of ground and surface waters. The proposed development would, if permitted, therefore be contrary to Policy CPO 5.92 as designated under Section 5.3.2.2 of the Longford County Development Plan, which aims to protect water quality in unserved areas, and as such would be contrary to the proper planning and sustainable development of the area.



# Site Risk Assessment Form

Planning Ref. No.:

Site type/location (e.g. farm/industry/quarry/residential, etc.):

	(1) Preliminary	(2) On Site
Potential Hazards/Risks? If yes, brief description.		
Appointment Necessary?		
Accompaniment Necessary?		
Special PPE Necessary?		
Likely high level risk - need for special arrangements? (If yes consult with Line Manager re. options)		
Any Other Comments?		

(1) Signed: \_\_\_\_\_

Dated: 8-7-22

(2) Signed: \_\_\_\_\_

Dated: 8-7-22