



An
Bord
Pleanála

Inspector's Report

ABP-319417-24

Development	Retention of house and all associated site works.
Location	Drumass, Inniskeen, Co. Monaghan
Planning Authority	Monaghan County Council
Planning Authority Reg. Ref.	2360216
Applicant(s)	Martin & Shelia Lynch
Type of Application	Retention
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Martin & Shelia Lynch
Observer(s)	None
Date of Site Inspection	25/11/24
Inspector	Kathryn Hosey

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1.0 Site Location and Description

- 1.1. The appeal site is located in an unzoned rural area at Drumass, Inniskeen, Co. Monaghan. The appeal site is located c.1km to the east of Inniskeen Village and c.9.7km to the east of Carrickmacross Urban Centre.
- 1.2. The appeal site is accessed off a local secondary road within a de facto smaller settlement.
- 1.3. There is a narrow single lane cul-de-sac roadway bounding the site to the east and a two-storey dwelling further east of the cul-de-sac roadway.
- 1.4. To the west of the site immediately adjacent exists three dwellings (2 no. dormer style and 1 no. single storey style).
- 1.5. There is a two storey red bricked dwelling located directly opposite the appeal site.
- 1.6. The site comprises an unfinished two storey dwelling. The structure has been substantially commenced on the site and constructed to wall plate level.
- 1.7. The site generally maintains a level topography and is bounded by hedgerow to the north and east boundaries. The site has a stated area of 0.372ha

2.0 Proposed Development

- 2.1. The applicant is seeking retention permission for the part construction of previously permitted two storey dwelling (Monaghan Co. Co. Pl. Reg. Ref:1717) to wall plate level including supporting steel structure to first floor and roof.
- 2.2. Permission is also sought for the completion of the dwelling to include alterations to the rear elevation, alterations to the site boundary, landscaping plan and all associated site works.
- 2.3. The ground floor area of the dwelling has increased from 220sq.m permitted under **pl. ref: 17/17** to 261sq.m under the proposed appeal application.

3.0 Planning Authority Decision

Monaghan County Council issued notification of decision to refuse retention permission and permission by order dated 5th of March 2024 following receipt of a

response to a further information received on 12th of February 2024. The decision to refuse permission for the development was for the following reasons:

- Ribbon development
- Inadequate Sight Visibility Splays
- Design reasons in particular fenestration.

3.1. Planning Authority Reports

3.1.1. Planning Reports

Initial Planning report

The initial planners report detailed their assessment of the proposed development. The following provides a summary of the key points raised;

- The site planning history has been detailed. The planner also details the current enforcement notice on the site which has been issued on 6th September 2023 due to unauthorised development carried out after the expiry date of pl. reg. ref: 17/17.
- Objections to the development from the adjoining neighbour to the south has been detailed.
- Assessment of the development against the following policies within the Monaghan Development Plan have been detailed. The policies noted by the planner are as follows:
 - Policy RSP3 Rural Settlement Policies – Remaining Rural Area’ and Section 2.8.2 Category 2 – Remaining Rural Areas
 - RCP1 Policies for buildings in the Countryside and Section 15.16 Rural Character
 - Policy RHP 1 Design of Rural Housing and section 15.17 Housing in Rural Areas.
- The recommendations of Carrickmacross-Castleblaney Municipal District Roads Engineer was also considered as part of the planners assessment. The Roads Engineer recommended permission be refused.

The initial planners report concluded that additional information was required on:

- access arrangement – applicants have not demonstrated that sufficient sight visibility lines have been shown i.e less than 70 metres from the road edge.
- ribbon development
- proximity to agricultural buildings
- dwelling design – concerns regarding the solid to void relationship and proposed fenestration. Clarification with regards to the finished floor level of the dwelling.
- Concerns of the third party submission.

Final Report - Further Information Response Assessment

This report provides an assessment of the applicant's further information response. The planners report concluded that overall the applicant has not satisfactorily addressed the items of further information sought. The following matters were of concern;

- The applicant did not submit a justification as to why a relaxation in the ribbon development standard should be applied in this instance.
- The applicant did not avail of the opportunity to seek an extension of duration as per section 42 of the Planning and Development Regulations 2001 (as amended).
- The applicant has not justified that the dwelling design is compliant with table 15.4 Design Guidelines for Rural Housing with regard to solid to void ratio and shape/design of the windows.
- The applicant has not demonstrated that adequate sightlines are achievable. It has also been detailed that the applicant has not submitted updated legal agreements consenting to the proposed sightline works being carried out on the adjoining property.

3.1.2. Other Technical Reports

1. Roads Department Castleblaney- Carrickmacross Municipal District– Roads Engineer has recommended that the proposed development should be refused as the applicant has failed to provide clear visibility from the proposed entrance. The Roads Engineer has also noted that the applicant has failed to provide updated legal agreements from pl. ref. reg: 17/17 consenting to the carrying out of necessary works to achieve the required sightlines.

3.2. Prescribed Bodies

Environmental Health Officer, report received – recommended a grant subject to condition.

3.3. Third Party Observations

One no. third party observation from James ‘Jimmy’ Russell was received by the Planning Authority. This observation outlined as follows:

- The observer made reference to the site planning history including An Bord Pleanala ref: **ABP 302949-19** where permission was based on scale, form and height. Reference was also made to ongoing enforcement matters on the site.
- Concerns raised regarding overlooking, overshadowing, overbearing and loss of natural light.
- The observer has stated that there has been a loss in television satellite signal and mobile phone coverage since the unauthorised dwelling has been increased in height.
- The structure is in a different position on the site from that permitted under pl. reg. ref: 17/17.
- A copy of a topographical survey prepared in 2019 was referenced. The observer states that this survey demonstrates that adequate sightlines cannot be achieved and the development would therefore create a traffic hazard.

4.0 Planning History

ABP. Ref. No. 305984-19; Permission was refused on '31/10/19' for change of house type to that previously granted pl. ref. 17/17, along with revised boundaries, a domestic garage/artist's studio ancillary to the revised dwelling and the re-positioning of the dwelling on the site. The reason for refusal was due to the proposed scale, form, height, bulk, design and fenestration with excessive glazed areas to the front elevation.

P.A. Ref. No. 2360216; Planning permission for retention was refused on '05/03/24' for the retention of one and one half storey house granted under P.D. 1717 constructed to wall plate level including steel structure to support first floor and roof and the completion of the house, 8.581 metres high, to include alterations to the rear elevation, alterations to the site boundary and landscape plan and all associated site works.

P.A. Ref. No. 19318; Retention permission was refused on '31/10/19' for a change of house type to that previously granted under planning ref. no. 17/17. Permission was refused for revised boundaries, a domestic garage/artist's studio ancillary to the revised dwelling and the repositioning of the dwelling on the site and associated site works.

P.A. Ref. No. 17/17; Permission was granted on '13/03/17' for 1 & 1/2 storey type dwelling house, a wastewater treatment system, a new site entrance and all associated site works.

P.A. Ref. No.15446; Permission was granted on '21/01/16' for 1.5 storey dwelling, wastewater treatment system, a new site entrance and all associated site works.

P.A. Ref. No. 10/11; Outline Permission was granted on '07/05/10' for dwelling house, domestic garage, wastewater treatment system and percolation area, entrance walls and piers and all associated site works.

5.0 Policy Context

5.1. The National Planning Framework

The National Planning Framework is a high-level strategic plan which aims to guide development and investment to 2040.

National Policy Objective 19:

“Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;*
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.”*

5.2. Development Plan

The appeal site is governed by policies and objective outlined within the *Monaghan County Development Plan 2019 – 2025*. The following policies and objectives are applicable;

Chapter 2:

2.6 Rural Settlement Strategy

“RSO 1 To support a balanced approach to the development of rural areas to retain vibrancy, to accommodate within the rural area people who are functionally or

socially part of the rural community, and to direct urban generated housing demand into established rural settlements.”

2.8 Rural Area Types

Two rural area types have been identified within the Monaghan County Development Plan as per the Sustainable Rural Housing Guidelines (2005). These rural area types have been identified as Category 1 – Rural Areas Under Strong Urban Influence and Category 2 – Remaining Rural Areas.

Note: The appeal site is located within Category 2.

2.8.2 Category 2 – Remaining Rural Areas

This category refers to rural areas outside designated settlements and rural areas under strong urban influence. The aim is to facilitate rural housing to retain population and support the local economy whilst ensure proper planning and sustainable development.

RSO 4 “To maintain population levels in the remaining rural areas by accommodating appropriate rural development and to consolidate the existing town and village structure.”

RSP 3 “To facilitate rural housing in the remaining rural areas subject to the relevant planning policies as set out in Development Management Chapter of the Monaghan County Development Plan 2019-2025.”

Chapter 3:

3.6.2 Rural Housing Policy

HSP 15 *“To require all applications for rural housing to comply with the guidance set out in Development Management Chapter.”*

HSP 18 *Apply a presumption against extensive urban generated rural development, ribbon development, unsustainable, speculative driven residential units in order to safeguard the potential for incremental growth of the towns and their potential*

beyond the plan period, to utilise existing physical and social infrastructure and to avoid demand for the uneconomic provision of new infrastructure.”

Chapter 15: Development Management Standards

This chapter outlines the relevant planning standards and design criteria for proposed developments.

*“**RCP 1** To only grant planning permission for a building in the countryside where it is demonstrated that the development will not cause a detrimental impact or further erode the rural character of the area. Any new building will be unacceptable where; - It is unduly prominent in the landscape - It results in build-up of development when viewed with existing and/or approved buildings and where it would detrimentally impact on the rural character of the area. - It does not respect the traditional pattern of settlement within the area. - It creates or adds to a ribbon of development except where it is considered infill or a replacement building. - The impact of the ancillary works including the creation of visibility splays would damage the rural character of the area.”*

*“**RHP 1** Applications for one- off housing in the rural areas shall demonstrate compliance with the design guidelines as set out in Table 15.4 “Design Guidelines for Rural Housing”*

*“**RHP 4** To only permit a dwelling within 100m of an agricultural building where written consent has been provided by the owner/occupier of the agricultural unit. Written consent must be signed by both parties and witnessed by a solicitor or a peace commissioner.”*

15.17.3 Ribbon Development

*“**RHP5:** To resist development that would create or extend ribbon development. A relaxation of ribbon development policy on regional and local roads will be considered where planning permission is sought on the grounds of meeting the housing needs of a landowner* or a member of his/her immediate family** where no*

*other suitable site is available on the entire landholding***. The planning authority will apply an occupancy condition for a period of seven years in such cases. Where four or more houses plus a derelict dwelling or a derelict non-domestic building (that is mushrooms, poultry and agricultural buildings) exist within a 250m frontage on one side of the public road and have done so for a period of at least 10 years, a dwelling house on the site of the derelict building will be permitted, subject to the entire derelict building being demolished. The Planning Authority will apply an occupancy condition for a period of seven years in such cases. The infilling of gaps between houses will not normally be permitted. Exceptionally however where there is a small gap, enough to accommodate a single dwelling only, in an otherwise substantially and continuously built up frontage, planning permission may be granted.”*

15.27 Road Access Standards

“It is the Council’s policy to grant planning permission for development involving the creation of an access and/or the provision of visibility splays, only where the applicant is able to demonstrate control, or the reasonable prospect of acquiring control of any land required for the provision of any access and/or visibility splays. Proposals requiring works on third party land must be accompanied by a written legal agreement between all parties which is witnessed by a solicitor (See Appendix 14 for Form of Agreement in respect of forward and rear visibility).”

Table 15.5 Minimum visibility standards for new or intensification of an existing Access onto Non-Urban Roads

Road Category	Design Speed (Km/hr)	Y distance (m)	X Setback distance (m)	Eye Height/Object height (m)
National	100	215	3.0	1.05
Regional (upgraded)*	85	160	3.0	1.05
Regional (not upgraded)	70	120	2.4	1.05
Local Class 1	60	90	2.4	1.05
Local Class 2	50	70	2.4	1.05
Local Class 3	42	50	2.4	1.05
Cul-de-sac	42	35	2.4	1.05

*Upgraded to TII standards – There are no upgraded Regional Roads in County at present

5.3. Natural Heritage Designations

The following natural heritage designation is located in the general vicinity of the proposed development site;

- Drumcah, Toprass and Cortial Loughs Proposed Natural Heritage Area (Site Code:001462), approximately 1.1km to the south-east of the appeal site.

5.4. EIA Screening

- 5.4.1. The proposed development is a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. Refer to Form 1 in Appendix 1 of report.
- 5.4.2. Having regard to the nature, scale and extent of the proposed development, site location, the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for an environmental impact assessment can, therefore, be excluded at

preliminary examination and a screening determination is not required in this instance.

6.0 The Appeal

6.1. Grounds of Appeal

A First Party appeal has been submitted by the applicant. This appeal was prepared by Gerard Rust Architect on behalf of the applicants. The main grounds of appeal can be summarised as follows:

- The development at the time of expiry under pl. ref: 1717 was constructed to damp proof course level, wastewater treatment system installed, radon pipework and sump installed.
- Enforcement notice was issued by Monaghan Co. Council to the appellant on 1st September 2023 regards unauthorised development on the site where the house had been constructed to wall plate level.
- It has been stated that the appellants were not aware that they had to apply for an extension of duration to allow them to continue the construction works.
- It has been stated that if the appellants had applied for an extension of duration of their planning permission there was no reason why this extension of duration would have been refused. The appellants therefore feel it is unreasonable for the new issue of ribbon development to be cited as a refusal reason.
- The appellant states that the visibility splay required under pl. ref 17/17 and currently provided within this appeal application is 3 x 80m. It has been stated that this visibility splay exceeds the current requirement.
- The appellant has stated that copies of a hedge cutting agreement and map applicable to the appeal site have been included within this appeal application that were accepted under pl. ref.17/17 and still apply to the current application. Acceptable sightlines will be achieved and therefore there will be no traffic hazard.

- The appellant has made reference to the solid to void relationship of the front elevation of the dwelling stating that this does not represent a significant alteration and that the changes as built and proposed to be completed are substantially in compliance with pl. ref.17/17. The appellant states that non - compliance with policy RHP1 should not be used as a reason to refuse the current application.

6.2. Applicant Response

- None

6.3. Planning Authority Response

- None

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

Having examined the application details and all other documentation on file, including all the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Planning History
- Road Safety
- Ribbon Development
- Design and siting
- Overlooking/Overshadowing

- Wastewater Treatment

7.1. Planning History

- 7.1.1. Since 2010 there has been permission in principle for a dwelling at this location. The last permission expired in 2022, construction works had taken place but these works have ceased.
- 7.1.2. Planning permission was granted by Monaghan County Council under **pl. ref. 17/17** by order dated 13th March 2017 for a one & half storey type dwelling house, a wastewater treatment system and a new site entrance. The original named applicant was Marion Mulligan.
- 7.1.3. The planning permission granted under **pl. ref: 17/17** did not include an occupancy clause and was assessed against the Monaghan County Development Plan 2013 – 2019 which has now expired. The case planners report noted that the application site was located in a structurally weak area and stated that single dwellings will be accommodated subject to compliance with normal planning considerations. The appeal site was subsequently sold with full planning permission to Martin & Sheila Lynch the appellants of this appeal.
- 7.1.4. The appellants sought permission for a change of house type from that permitted under **pl. ref. 17/17**, revised site boundaries and a domestic garage/artist studio under **pl. ref.19318**. This permission was refused by Monaghan County Council as it was considered that the proposed dwelling design was not compliant with the design guidelines for rural housing and that the proposed domestic garage/artist studio was not compliant with RDP 18 with regards to design, layout, size etc. The decision of Monaghan County Council was then appealed to An Bord Pleanala where the refusal permission under **ABP. Ref. No. 305984-19** as the dwelling was not considered to reflect the traditional vernacular due to scale, form, height, bulk and design.
- 7.1.5. The board should note that the Planning Inspector within their report indicated that works had not commenced on the appeal site on day of site inspection dated 20th of February 2020.

- 7.1.6. I carried out a planning search on Monaghan County Councils online planning portal regarding the commencement notice for the appeal site. I noted that the appellants submitted a commencement notice to Monaghan County Council on 9th of June 2020 indicating that it was intended to commence works on 23rd June 2020.
- 7.1.7. I viewed google earth pro viewer to determine the extent of works carried out on the site prior to the application expiry date. Google earth image dated 16th March 2021 prior to the expiry date showed groundworks had commence. I am satisfied that substantial works had commenced on the appeal site prior to the expiry date of pl. ref: 17/17.
- 7.1.8. From examination of the case planners report, the appeal documentation submitted and my site inspection carried out on 25th of November 2024 it is clear that the appellants continued to construct the dwelling beyond the expiry date of pl. ref: 17/17 and also proceeded to construct the dwelling to a design that deviated from the permitted design. Monaghan County Council served an enforcement notice to the appellants. Works ceased on the site.
- 7.1.9. The appellants submitted a planning application for retention and completion of the unauthorised works which was refused by Monaghan County Council due to ribbon development, impeded sight visibility and dwelling design. These matters will be further examined and assessed in detail below.

7.2. Road Safety

- 7.2.1. The Planning Authority determined that the proposed entrance would endanger public safety by reason of a traffic hazard as they were not satisfied that the applicant could achieve clear and unobstructed visibility splays in both directions. The planners report states that in order to achieve the required visibility splays consent for the cutting of hedges from the adjoining landowner to the south-east would be required. No legal agreement consenting to these proposed works were included in the application documentation.
- 7.2.2. The appellant contends that the site layout plan submitted to the Planning Authority indicated visibility splays of 3m x 80m. The appellant stated that this exceeds the current requirement.

- 7.2.3. The appellant states that a copy of a hedge cutting agreement and map has been submitted with the appeal documentation demonstrating consent to carry out the necessary works required.
- 7.2.4. I have examined the site layout plan and the submitted hedge cutting agreement. I have also examined the proposed entrance location at site inspection. The submitted site layout plan indicates available sightlines of 80m in both directions from the proposed entrance. Having viewed the proposed entrance location on site it was clear that sight visibility was impeded to the south-east by high hedgerow outside the red lined application site boundary in third party ownership, which appears to be in the ownership of Mr Russell, who signed the hedge cutting agreement. I am not satisfied that 70m sight visibility can be achieved to the south-east without improvement works to the existing hedgerow.
- 7.2.5. I have examined the hedge – cutting agreement submitted. This agreement was dated 13th January 2017 and signed by the original applicant Marion Mulligan and the adjoining neighbour to the south-east Jimmy Russell.
- 7.2.6. This agreement does not consent to Martin & Shelia Lynch carrying out works to third party hedgerow to the south-east to achieve the required sight visibility.
- 7.2.7. It is also noted that ‘James Russell’ made a third party observation to the planning authority at planning application stage where a no. of issues were raised including sightline issues. I am not satisfied that the consent agreement dated 13th January 2017 remains.
- 7.2.8. In the absence of an accurate site layout plan clearly illustrating the required sightlines of 70m in both directions at a setback of 2.4m and the absence of an updated legal agreement from the adjoining third party consenting to the necessary required works, I am of the opinion that the proposed entrance would endanger public safety and constitute a traffic hazard.
- 7.2.9. Section 70 of the Roads Act 1993 states that landowners shall ensure that any trees and hedges on their property, hedgerows along the public road that require cutting or trimming to be cut immediately and cutting retained.

7.3. Ribbon Development

- 7.3.1. The Planning Authority determined that the retention and completion of the dwelling constitutes the 5th dwelling within a 250m frontage along the local secondary road L-8640-0. The application was refused on the basis that the development is contrary to RHP 5 of the Monaghan County Development Plan 2019 - 2025. The appellant has stated that they consider it unreasonable to assess the retention and completion of the development as if it were a new dwelling.
- 7.3.2. Having examined the documentation within the appeal file and carried out a site inspection I note the following;
- The dwelling for retention and completion had substantially commenced on the site prior to expiry of pl. ref: 17/17.
 - Two no. additional dwellings have been constructed along this stretch of road since the unfinished dwelling was originally permitted therefore bringing the no. of dwellings to 5 along a frontage of 250m.
- 7.3.3. I consider the appeal site in question to be a corner/infill site. I therefore consider that the retention and completion of the dwelling would not create or extend ribbon development at this location.
- 7.3.4. The appeal site is located within category 2 '*remaining rural areas*' which has an aim "*to facilitate rural housing to retain population and support the local economy whilst ensure proper planning and sustainable development*". The appellants purchased the appeal site which had full planning permission and no occupancy clause.
- 7.3.5. I do not consider it reasonable to refuse permission based on ribbon development in this instance given that substantial works had already commenced on the site on foot of a granted permission pl. ref. 17/17, given the sites location within an area that is not in a Rural Area under Strong Urban Influence and the nature of the site being a corner/infill site.

7.4. Design and Siting

- 7.4.1. The Planning Authority considered that the applicant failed to demonstrate that the dwelling to be retained and completed on the site is compliant with the 'Design Guidelines for Rural Housing' as per policy RHP 1 and table 15.4 of the Monaghan County Development Plan 2019-2025.

- 7.4.2. The appellant contends that the dwelling changes as built on site are substantially in compliance with now expired pl. ref: 17/17.
- 7.4.3. I have examined the documentation of pl. ref: 17/17 which permitted a 1.5 storey dwelling measuring 7.7m in height, front elevation length of 12m and dwelling depth of 9.4m. The total floor area permitted was 220sq.m in floor area. This application was assessed against expired Monaghan County Development Plan 2013-2019.
- 7.4.4. The plans for retention and completion of the dwelling indicate an increase in height and scale from that previously permitted as outlined in the table below.

	17/17 Permitted	ABP: 305984 Refused	Current Proposal
Ground Floor Area	220sq.m	262sq.m	261sq.m
Length	12m	16.6m	12.8m
Depth	9.4m	8.5m	10.1m
Height	7.7m	8.6m	8.5m

- 7.4.5. It is noted that although there has been an increase in glazing to the front elevation that the windows still generally maintain a vertical emphasis. Having viewed the plans I do not have concerns regarding the solid to void relationship particularly to the front elevation. The rear elevation has substantially changed from that permitted to facilitate significant glazing.
- 7.4.6. I consider that the partially constructed dwelling to the front elevation is generally similar in design to that previously permitted under pl. ref. 17/17. The rear elevation is not visible from the local secondary road therefore I am of the opinion that the rear elevation would not be visually intrusive to the surrounding area.
- 7.4.7. As noted earlier in my report there is now a new County Development Plan in effect, the Monaghan County Development Plan 2019 – 2025. Having regard to the current County Development Plan ‘Table 15.4 Design Guidelines for Rural Housing’ is the

applicable criteria against which the design of any proposed new dwelling is required to be assessed against.

- 7.4.8. The dwelling design to be retained and completed although not fully compliant with the criteria set out in table 15.4 does generally conform with the principles of these criteria. I consider that it is important to note that the development had substantially commenced on the site prior to the expiry of pl. ref:17/17. Given the current nature of the unfinished dwelling which is currently visually intrusive at this location I am of the opinion that it would be preferable that the dwelling be fully constructed and finished in the interest of visual amenity.

7.5. Overlooking

There is a dormer style dwelling located adjacent to the south-east of the appeal site. The dwelling design to be retained and completed contains no windows to the south-east elevation therefore overlooking of the existing dwelling to the south-east is not a concern. I am satisfied that there would be no impact on adjacent residential amenities as a result of the completion of this unfinished dwelling.

7.6. Wastewater Treatment System

- 7.6.1. The appellant has stated that the wastewater treatment system permitted under pl. ref. 17/17 has been installed on the site. A copy of a site characterisation report dated 7th April 2010 has been submitted. A report received by the Planning Authority from the Environmental Health Officer recommends no objections subject to recommended conditions. This report however appears to refer to the proposed installation of a wastewater treatment system and not the system that has already been installed on the site.
- 7.6.2. If the board are minded to grant this appeal application I recommend that the appellant be conditioned to submit documentation from a suitably qualified person demonstrating that the existing wastewater treatment system and percolation area has been installed in accordance with the EPA Code of Practice for Domestic Wastewater Treatment System Systems (2021).

8.0 AA Screening

Having regard to the nature and scale of the proposed development there is no real likelihood of significant effects either individually or in combination with any other plans or projects, on any Nature 2000 site. Therefore, I conclude that no appropriate assessment issues arise.

9.0 Recommendation

I recommend that planning permission be refused.

10.0 Reasons and Considerations

It is considered that the proposed entrance would endanger public safety by reason of a traffic hazard because of the additional traffic movements the development would generate on this local secondary road at a point where sightlines are restricted to the south-east direction and cannot be achieved in the absence of the necessary third-party consents.

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.

Kathryn Hosey
Planning Inspector

19th December 2024

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	319417-24		
Proposed Development Summary	Retention of house and all associated site works.		
Development Address	Drumass, Inniskeen, Co. Monaghan		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes X	Tick if relevant and proceed to Q2.
		No	Tick if relevant. No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank	State the Class here.	Proceed to Q3.
No	Tick or leave blank	X	Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required

No	Tick/or leave blank		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	Screening determination remains as above (Q1 to Q4)
Yes	Tick/or leave blank	Screening Determination required

Inspector: _____ **Date:** _____