

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### PR/1466/21

**Reg. Reference:** SD21B/0493      **Application Date:** 17-Sep-2021

**Submission Type:** New Application      **Registration Date:** 17-Sep-2021

**Correspondence Name and Address:** Emmet Duggan Architects Beech Lodge Design Studio, Beech Road, Arklow, Co. Wicklow

**Proposed Development:** Alterations and additions to existing detached dormer dwelling; construction of new single storey extension to rear; construction of new dormer extension to north gable end; new playroom at ground floor level; guest bedroom at first floor level; new bay window extension to existing bedroom at ground floor level to the rear; 2 new dormer windows in lieu of existing 'Velux' rooflights to 2 existing first floor dormer bedrooms to the rear; construction of new detached carport to north gable end and front of existing dwelling; all ancillary site works.

**Location:** Hazelberry, Hazelhatch, Celbridge, Co. Dublin

**Applicant Name:** Brendan McAtamney & Caroline Dowling

**Application Type:** Permission

(DF)

### Description of Site and Surroundings:

Site Visit: 12.10.2021

Site Area: 0.426Hectares.

### Site Description:

The site comprises a generally rectangular landholding on the eastern side of Balscott Road in Hazelhatch. The site contains a detached bungalow dwelling with accommodation at attic level. The site has mature-planted boundaries on all sides. The boundary with Balscott Road is a mixture of trees and hedgerow. Two gated access points noted on the site. These are (a) the vehicular access point serving the existing house and (b) a narrow double gateway access along the eastern part of the roadside boundary which is no longer used. Hazelhatch train station is located to the north and west of the site.

### Proposal:

- Alterations and additions to existing detached dormer dwelling;

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- construction of new single storey extension to rear;
- construction of new dormer extension to north gable end;
- new playroom at ground floor level;
- guest bedroom at first floor level;
- new bay window extension to existing bedroom at ground floor level to the rear;
- 2 new dormer windows in lieu of existing 'Velux' rooflights to 2 existing first floor dormer bedrooms to the rear;
- construction of new detached carport to north gable end and front of existing dwelling; all ancillary site works.

### **Zoning:**

The subject site is subject to zoning objective 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture'.

### **Consultations:**

- Roads: No objections, subject to conditions.
- Water Services: Additional Information Requested
- Irish Water: No report received
- EHO: No response

### **SEA Sensitivity Screening**

- Indicates overlap with: Rural 2016

### **Submissions/Observations /Representations:**

None received. Date for final submissions 21/10/21.

### **Relevant Planning History:**

#### Subject Site:

SD15B/0370. Alterations & additions to an existing detached dormer dwelling comprising: the demolition of an existing single-storey sunroom extension to gable end, the construction of a new single-storey kitchen/livingroom extension to rear, the construction of a new boiler house and store room to rear, modifications to existing front elevation including the provision of new 'Velux' rooflights and slate finish to existing pitched roof, alterations to existing window openings and the construction of a new entrance porch, together the upgrade of and existing septic tank to a new on-site waste-water treatment facility to current EPA standards, and all ancillary site works.

Grant Permission

SD15B/0276. Modifications to an existing vehicular entrance gate and provisions of a new driveway from public road to north-west corner, to provide for improved sight lines at existing detached dormer dwelling.

Refuse Permission

Reason: the provision of two vehicular entrances

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SD14B/0266. Alterations and additions to an existing detached dormer dwelling comprising: the demolition of an existing single storey sunroom extension to gable end; construction of a new two storey dormer extension to rear with new kitchen/living room areas at ground floor level and two new bedrooms and bathrooms at first floor level; construction of a new single storey link-structure comprising a new main entrance hall to rear together with any associated works including the upgrade of an existing septic tank to a new on site waste-water treatment facility to current EPA standards and all ancillary site works. The application shall also include a proposal to reopen and modify an existing vehicular site entrance gate to provide for improved sight lines and the formation of a new driveway to same.

Grant Permission

S99B/0392. Retain conservatory extension to side of existing dwelling.

Grant Permission

### Adjacent sites:

SD05B/0209. Single storey sun lounge extension to side of an existing dwelling

Grant Permission

### **Relevant Enforcement History:**

None recorded for subject site.

### **Pre-Planning Consultation:**

None recorded for subject site.

### **Relevant Policy in South Dublin County Council Development Plan 2016-2022:**

#### Section 2.5.0 Rural Housing

##### Policy H20 Management of Single Dwellings in Rural Areas

It is the policy of the Council to restrict the spread of dwellings in the rural "RU", Dublin Mountain 'HA-DM', Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones and to focus such housing into existing settlements.

##### Policy H21 Rural Housing Policies and Local Need Criteria

It is the policy of the Council that in accordance with the Sustainable Rural Housing Guidelines DEHLG (2005) and Circular SP 5/08 Rural Housing Policies and Local Need Criteria in Development Plans: Conformity with Articles 43 and 56 (Freedom of Establishment and Free Movement of Capital) of the European Community Treaty, 'persons who are an intrinsic part of the rural community' or 'persons working full-time or part-time in rural areas' as described under Section 3.2.3 (Rural generated housing) of the Sustainable Rural Housing Guidelines (2005) shall be favourably considered in relation to rural housing.

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### Policy H22 Rural Housing in RU Zone

It is the policy of the Council that within areas designated with Zoning Objective 'RU' (to protect and improve rural amenity and to provide for the development of agriculture) new or replacement dwellings will only be permitted in exceptional circumstances.

#### Objective 1

To consider new or replacement dwellings within areas designated with Zoning Objective "RU" (to protect and improve rural amenity and to provide for the development of agriculture) where:

- The applicant can establish a genuine need to reside in proximity to their employment (such employment being related to the rural community) OR
- The applicant has close family ties with the rural community.

### Policy H25 Replacement Dwellings in Rural and High Amenity Areas

It is the policy of the Council to consider applications for replacement dwellings in rural and high amenity areas where there is a genuine need for refurbishment and/or replacement.

#### Objective 1

To favourably consider applications for replacement dwellings within areas designated with Zoning Objective 'RU' (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective 'HA – Dublin Mountains' (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective 'HA – Liffey Valley' (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective 'HA – Dodder Valley' (to protect and enhance the outstanding character and amenity of the Dodder Valley) where the Planning Authority is satisfied that all of the following are met:

- There is a genuine need for replacement or refurbishment of the structure; **and**
- The roof, internal walls and external walls of the structure on site are substantially intact; **and**
- The structure on site is a habitable dwelling and its use as a habitable dwelling has not been abandoned (for a period that exceeds 5 years); **and**
- The structure on site is of limited value in terms of built heritage, character and visual amenity; **and**
- The replacement dwelling would largely occupy the same footprint, scale and location of the dwelling to be replaced, save in exceptional circumstances where the Planning Authority agrees a more favourable position in the context of the development management criteria outlined in Chapter 11 Implementation.

### Policy H27 Rural House and Extension Design

It is policy of the Council to ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.

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### Objective 1:

Ensure that all new rural housing and extensions within areas designated with Zoning Objective 'RU' (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective 'HA-LV' (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective 'HA-DV' (to protect and enhance the outstanding character and amenity of the Dodder Valley):

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; **and**
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; **and**
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; **and**
- Retains and reinstates traditional roadside and field boundaries; **and**
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; **and**
- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; **and**
- Would not create or exacerbate ribbon or haphazard forms of development.

Section 7.1.0 Water Supply & Wastewater  
Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater  
Policy IE2 Surface Water & Groundwater

*Section 8.1.0 Green Infrastructure Network*  
Policy G2 Green Infrastructure Network

*Section 9.1.0 Built Heritage and Architectural Conservation*  
Policy HCL 1- Overarching

*Section 9.1.1 Archaeological Heritage*  
Policy HCL 2 Archaeological Heritage

*Section 9.1.3 Architectural Conservation Areas*  
Policy HCL 4 Architectural Conservation Areas

*Section 9.2.0 Landscapes*  
Policy HCL7 Landscapes

*Section 9.2.1 Views and Prospects*

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Table 9.2: Prospects to be Preserved and Protected  
Policy HCL8 Views and Prospects

*Section 9.7.0 Sites of Geological Interest*

Table 9.6 County Geological Sites for Protection  
Policy HCL19 Geological Sites

Section 11.3.4 Rural Housing  
Section 11.3.4 (i) Housing Need

Section 11.3.4 (ii) Rural Housing Design  
Section 11.3.4 (iii) Wastewater Treatment

Section 11.2.7 Building Height  
Section 11.3.1 Residential  
Section 11.3.1 (iv) Dwelling Standards  
Table 11.20: Minimum Space Standards for Houses  
Section 11.3.1 (v) Privacy  
Section 11.3.2 Residential Consolidation

Table 11.20: Minimum Space Standards for Houses

Section 11.4.1 Bicycle Parking Standards  
Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards  
Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.6.1 (i) Flood Risk Assessment  
Section 11.6.1 (ii) Surface Water  
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)  
Section 11.6.1 (iv) Groundwater  
Section 11.6.1 (v) Rainwater Harvesting  
Section 11.6.1 (vi) Water Services

Section 11.8.0 Environmental Assessment

### **Relevant Government Guidelines:**

*Sustainable Rural Housing Guidelines for Planning Authorities DoEHLG (2005).*

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*Wastewater Treatment and Disposal Systems Serving Single Houses* Environmental Protection Agency (November 2009).

*The Planning System and Flood Risk Management - Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government & OPW, (2009).

*Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities* DoEHLG (2009).

*Project Ireland 2040 National Planning Framework*, Government of Ireland, 2018.

*Quality Housing for Sustainable Communities: Best Practice Guidelines*, Department of the Environment, Heritage and Local Government, (2007).

*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, Department of the Environment, Heritage and Local Government, (2009)

*The Planning System and Flood Risk Management - Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government & OPW, (2009).

*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*, Building Research Establishment, (1991).

### **Assessment:**

The main issues for assessment are:

- Zoning and Council policy
- Visual Impact and Residential Amenity
- Water Services
- Roads
- Screening for Appropriate Assessment
- Screening for EIA

### **Zoning and Council Policy**

Residential development is 'open for consideration' under the 'RU' land-use zoning objective, but only where such development is consistent with the rural housing policy contained in sections 2.5.0 and 11.3.4 of the County Development Plan.

“Land uses that are listed as ‘open for consideration’ in the land use zoning tables may be acceptable to the Planning Authority subject to detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in this Plan.”

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“Proposed uses in this category will be subject to full assessment on their own merits and particularly in relation to their impact on the development of the County at a strategic and a local level. Such uses may only be permitted where they do not materially conflict with other aspects of the County Development Plan.”

### Visual Impact and Residential Amenity

The proposal includes the following:

#### Ground floor Extension – Two-storey side extension

It is proposed to extend the dwelling with a two-storey structure directly to the north of the existing structure. The structure comprises:

- Its own front door, cloak room, lobby, playroom, WC shower, store (at ground level) and landing, attic store and guest bedroom, at first floor level.
- The two-storey extension will be connected via a door from the lobby and the existing utility room in the main house. There is no proposed connection at first floor level.
- This structure will have its own staircase and front and back door.
- This section of proposed development will have an approximate floor area of 72sqm.

The Planning Authority has concerns that this section of the proposed development may act as a separate dwelling. It is noted that planning permission has not been sought for an additional dwelling on the site, nor has a rationale/justification been submitted that would address compliance with County Development Plan Policy/objectives. ADDITIONAL INFORMATION.

#### Ground floor Extension/Modifications (exclusive of the two-storey extension element)

It is proposed to extend the floor area at ground floor level as follows:

- The ground floor master suite extension would project beyond the existing rear building line by 1.135m. Approximate floor area 6sqm.
- The kitchen/lounge area would project a further 3.7m beyond the existing rear projection. An approximate floor area 26sqm.
- Two Additional window opes in the western/front elevation of the ‘livingroom’.

#### Ground floor Extension/Modifications (exclusive of the two-storey extension element)

It is proposed to extend the existing dwelling into the roof by a series of modifications Including:

- An attic room measuring approximately 12sq.m requiring a dormer structure to the rear measuring 2m x 3.1m (6.2sq.m).
- Extension to an existing bedroom (granted on the foot of Reg. Ref. SD15B/0370 to include an ensuite bedroom, sitting room and balcony, measuring 20sq.m gross.
- An ensuite and new roof light (front elevation) and small balcony (rear) to the second bedroom
- floor area at ground floor level as follows:



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The Planning Authority has had regard to Policy H27 Objective 1 - Rural House and Extension Design, which seeks to protect and improve rural amenity. The proposed amendments would not have a negative impact on the environment or the rural amenity. The Planning Authority is satisfied that the extension elements to the existing dwelling structure will not have an adverse impact on the residential amenity of the adjacent properties. It will not detract from the appearance of the dwelling and is considered acceptable and conforms to Policy H27 in the County Development Plan.

### Car Port

- The car port structure will have an overall height of 4.68m with a hipped roof profile and will have a floor area of 46.29sq.m. It would be located forward of the north-western corner of the existing house (and proposed two-storey extension). An approximate 2m high wall and wooden access door is proposed to connect to the main house and provide access to the rear of the property.

Notwithstanding the overall size of the car port, it is considered that having regard to the screening on the site and subject to the closing of the second access to the site (most northerly), which should comprise the removal of the gate, build-up of the low-rise stone wall and increased planting along the north-western boundary, the proposed car port would not give rise to significant negative visual impact. **This can be achieved by way of condition.**

### **Water Services**

Water Services has requested additional information regarding the soakaway and soil percolation. This will be addressed by way of additional information.

### **Roads**

No objections raised, subject to conditions.

### **Screening for Appropriate Assessment**

Having regard to the scale and nature of the development, and the distance from Natura sites, it is not considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 Appropriate Assessment is not required.

### **Screening for Environmental Impact Assessment**

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### *Other considerations*

#### **Development Contributions**

- Alterations and additions to existing detached dormer dwelling;
- construction of new single storey extension to rear;

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- construction of new dormer extension to north gable end;
- new playroom at ground floor level;
- guest bedroom at first floor level;
- new bay window extension to existing bedroom at ground floor level to the rear;
- 2 new dormer windows in lieu of existing 'Velux' rooflights to 2 existing first floor dormer bedrooms to the rear;
- construction of new detached carport to north gable end and front of existing dwelling; all ancillary site works.

### *Permission for Residential extension/car port:*

Previous extensions: c227sq.m.

Residential Extension-133.8sq.m

Car port-42sq.m

Assessable area: 133.8sq.m contributions required

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – additional floor space	133.8sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
RU	0.426ha

### **Conclusion**

Having regard to the nature and design of the proposed extension, the two-storey element, with independent access and minimum connection to the existing dwelling could be deemed to be an additional dwelling on the site; this requires clarification.

AI is required to alleviate concerns regarding drainage.

Notwithstanding the balcony elements proposed at first floor level in the proposed roof extension of the existing dwelling it is considered that the proposed additions to the existing dwelling can be accommodated on the site without significant negative impact on adjoining visual and residential amenity and would be generally compliant with the County Development Plan zoning objectives.

### **Recommendation**

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The applicant is requested to submit:
  - (1) a report by way of additional information showing site specific soil percolation test results and design calculations for the existing soakaway which demonstrates that the

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existing soakaway has sufficient capacity to manage excess surface water run off from the proposed development in accordance with BRE Digest 365 - Soakaway Design.

(2) a revised drawing showing plan & cross-sectional views, dimensions, and location of existing/proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

(i) At least 5m from any building, public sewer, road boundary or structure.

(ii) Generally, not within 3m of the boundary of the adjoining property.

(iii) Not in such a position that the ground below foundations is likely to be adversely affected.

(iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

(v) Soakaways must include an overflow connection to the surface water drainage network.

2. It is proposed to extend the dwelling by adding a two-storey structure directly to the north of the existing dwelling structure. This 72sq.m (approximate) structure will be provided with its own staircase and front and back door, bedroom, living space and bathroom. Its connection to the principal structure is considered to be tacit and the Planning Authority is concerned that it will be used as a separate dwelling unit.

The applicant is therefore requested to clarify the use of this section of the proposed development:

(1) If this two-storey element is to be assessed as an extension to the dwelling, the proposed design should be significantly modified and the applicant is requested to submit revised drawing that clearly demonstrate that all structures on the site will act as one dwelling unit only.

(2) If this two-storey element is to be assessed as an separate dwelling unit, the applicant is requested to submit revised statutory notices which accurately detail the proposed development on site and submit documentation supporting compliance with the rural housing policy contained in the County Development Plan.

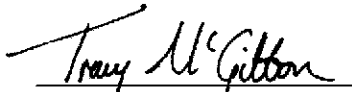
3. The applicant is requested to submit a planting scheme for the north-western (front) boundary, which fills in any gaps in the existing planted screening. The Planting Scheme should demonstrate that the planting will significantly screen the site (and development thereon) from the public road within a 5-year period.

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**REG. REF. SD21B/0493**

**LOCATION: Hazelberry, Hazelhatch, Celbridge, Co. Dublin**



**Tracy McGibbon,  
A/Senior Executive Planner**

**ORDER:** I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

**Date:**

11/11/21



**Eoin Burke, Senior Planner**