

Comhairle Chontae Atha Cliath Theas

PR/1643/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0297 **Application Date:** 01-Nov-2021
Submission Type: New Application **Registration Date:** 01-Nov-2021

Correspondence Name and Address: Jakkulla Architecture and Design 56a, Ramleh Park, Milltown, Dublin 6, D06HY92

Proposed Development: Retention permission for detached, single storey outhouse mono-pitch roof structure (4.7m high) containing a 1 bedroom dwelling with garage; retention permission also sought for a detached single storey steel shed structure (2.7m high) used as a home office ancillary to the main dwelling. Permission is sought for part garage conversion with internal modifications; external window and patio doors and associated siteworks to the outhouse structure.

Location: Lissadell, Whitechurch Road, Rathfarnham, Dublin 16.

Applicant Name: Remy Farrell

Application Type: Permission and Retention

(COS)

Description of Site and Surroundings

Site Area: stated as 0.58 Hectares on the application.
Site Visit: 24th of November 2021 and 1st of December 2021.

Site Description

The subject site is located on Whitechurch Road. The site contains a two storey main dwelling and a single storey structure used as a dwelling and outbuildings. Through the site is the Glen River (also known as Whitechurch Stream). The main dwelling is located to the front of the site and the single storey dwelling is located further back in the north-west corner of the site. There is one vehicular access from Whitechurch Road that the dwellings share. The site has a large amount of existing mature vegetation. To the north of the site is a driveway to the dwelling on neighbouring site 'Palmyra'. Further north is a residential development under construction proximate to Whitechurch Lodge (Protected Structure RPS No. 338) To the east is open space and the Grangebrook residential estate. To the south is the Edmondstown Golf Course.

Proposal

- **Retention permission** is sought for the following structures:

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- A detached, single storey outhouse mono-pitch roof structure (4.7m high) containing a 1 bedroom dwelling with garage; and
- A detached single storey steel shed structure (2.7m high) used as a home office ancillary to the main dwelling.
- **Permission** is sought for part garage conversion with internal modifications; external window and patio doors and associated siteworks to the outhouse structure.

Zoning

The subject site is subject to zoning objective 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2016-2022.

Consultations

Water Services – further information requested.

Irish Water – further information requested.

Public Realm – recommend refusal.

Roads Department – no report received.

SEA Sensitivity Screening – the site overlaps with the Strategic Flood Risk Assessment (SFRA) Flood Zones A and B (South Dublin County Development Plan Strategic Flood Risk Assessment 2016).

Submissions/Observations /Representations

None received.

Relevant Planning History

SD21B/0585

Demolition of existing single storey structures; porch to front, bay window and store to rear; construction of single storey flat roof extension to front, part single storey flat roof extension and part two storey extension with pitch roof to match existing dwelling to rear and internal modifications with associated siteworks. **Application currently under consideration.**

Relevant Enforcement History

None relevant to the subject application.

Pre-Planning Consultation

None recorded for the subject application according to APAS.

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Relevant Policy in South Dublin County Council Development Plan 2016 – 2022

2 Housing

Section 2.3.0 Quality of Residential Development

Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites

Policy H17 Residential Consolidation

H17 Objective 2:

To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Policy H17 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

7 Infrastructure & Environmental Quality

Policy IE 1 Water & Wastewater

Policy IE 2 Surface Water & Groundwater

Policy IE 3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

IE3 Objective 3:

To manage flood risk in the County in accordance with the requirements of The Planning System and Flood Risk Management Guidelines for Planning Authorities, DECLG and OPW (2009) and Circular PL02/2014 (August 2014), in particular when preparing plans and programmes and assessing development proposals. For lands identified as being at risk of flooding in (but not limited to) the Strategic Flood Risk Assessment, a site-specific Flood Risk Assessment to an appropriate level of detail, addressing all potential sources of flood risk, is required, demonstrating compliance with the aforementioned Guidelines or any updated version of these Guidelines, paying particular attention to residual flood risks and any proposed site specific flood management measures.

Policy IE 7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Policy G2 Green Infrastructure Network

Policy G3 Watercourses Network

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Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

9. Heritage, Conservation & Landscapes

Policy HCL2 Natura 2000 sites

11 Implementation

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

Section 11.3.2 (i) Infill Sites

Section 11.3.2 (ii) Corner/Side Garden Sites

Section 11.4.1 Bicycle Parking Standards

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 11.5.5 Landscape

Section 11.6.0 Infrastructure and Environmental Quality

Section 11.6.1 Water Management

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional Spatial and Economic Strategy 2019 – 2031.

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2009).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

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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).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Concurrent Application;
- Visual and Residential Amenity;
- Access and Parking;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is within zoning objective 'RES': '*To protect and/or improve residential amenity*'. Residential development in this zoning is Permitted in Principle. Therefore, the proposed redevelopment of the site for residential development is considered to be generally acceptable, subject to further assessment against the relevant policies, objectives and standards set out under this Plan.

Concurrent Application

There is a concurrent application on the subject site, Reg. Ref. SD21B/0585, for the demolition of existing single storey structures; porch to front, bay window and store to rear; construction of single storey flat roof extension to front, part single storey flat roof extension and part two storey extension with pitch roof to match existing dwelling to rear and internal modifications with associated siteworks. These works are restricted to the existing main dwelling and do not relate to the structures which are the subject of this application.

Visual and Residential Amenity

Retention and permission for 1 bed dwelling

Existing Residential Amenity

The development would provide for the **retention** of a detached, single storey outhouse mono-pitch roof structure containing a 1 bedroom dwelling with garage. The dwelling would have an overall height of approx. 4.7m. The dwelling is located in the north-west of the site. It is approx. 13.1m from the north boundary and approx. 12.4m from the western boundary. It is approx. 27m from the

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main dwelling on-site at the closest point. Apart from the main dwelling, the closest neighbouring dwellings are those permitted to the north within the grounds of Whitechurch Lodge. Given the distance of the dwelling from the surrounding existing dwellings it is not considered it would have significant overshadowing, overlooking and overbearing impacts.

Standard of accommodation

Permission is sought for alterations to the structure for a part garage conversion, internal modifications, external window and patio door. The 1 bedroom dwelling is approx. 70sq.m in total floor area (excluding the garage) and meets the minimum space requirement of the County Development Plan. The bedroom is approx. 12.6sq.m, which is acceptable in this instance. Sufficient internal storage would be provided. The applicant states that a 70sq.m patio and 335sq.m side garden would be provided for the dwelling. The extent of the side garden is not clear on the submitted drawings. Separation between the private amenity spaces of the dwelling and the main dwelling is not indicated. The applicant should be requested to indicate the extent of the private amenity space for both dwellings and any boundary treatments. **This should be requested via additional information.**

Visual Amenity

Under the County Development Plan infill development should be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. The overall subject site is approx. 0.58 ha in size.

The site is sufficiently sized to accommodate a second dwelling. The dwelling for retention is 'L' shaped with a mono-pitched roof sloping down from the west and north. The materials and finishes of the dwelling match the main dwelling on-site. The dwelling is single storey with an overall height of approx. 4.7m. The design and form of the dwelling is considered to be visually acceptable and integrates with the main dwelling on-site and surrounding residential development. The dwelling is located over 30m from Whitechurch Road at a lower ground level, and the site is largely vegetated, so is not highly visible from the surrounding area.

Retention of shed structure

The development would also provide for the **retention** of a detached single storey steel shed structure used as a home office ancillary to the main dwelling. The structure is located to the rear (south) of the existing original dwelling, approx. 19m from this dwelling. The structure has a mono-pitch roof with an overall height of approx. 2.7m. The structure is approx. 28sq.m in size. The

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external material used is metal cladding. Given the design, scale and location of the shed it is considered to be acceptable in terms of residential and visual amenity. A **condition** should be attached to any grant of permission stating that the use must remain ancillary to the main dwelling, and it is not to be used for separate accommodation or commercial purposes.

Landscape

The subject site has a large amount of existing vegetation, including around the dwelling for retention. At the closest point this dwelling is located approx. 6.5m from Whitechurch Stream. The Public Realm Section has reviewed the proposed development and recommends refusal:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

The Public Realm Section would have concerns regarding the above application and its potential impact on the Whitechurch Stream and associated blue/green infrastructure considering the close proximity of the built structures to this important water course. As Such the Public Realm Section recommends REFUSAL of this application.

Existing Trees and Green Infrastructure

The subject site contains a large number of existing mature trees and the Whitechurch Stream flows through the centre of the subject site. The existing structures for retention namely "single storey outhouse mono-pitch roof structure (4.7m high) containing a 1 bedroom dwelling with garage; retention permission also sought for a detached single storey steel shed structure (2.7m high) used as a home office ancillary to the main dwelling" would be considered by the Public Realm Section to have a negative impact on the existing mature trees, local biodiversity and ecology and on the Green/Blue Infrastructure of the site.

Proximity of Development to the Whitechurch Stream

The location/proximity of the existing structures for retention to the Whitechurch Stream contravenes Planning Policy G3 Objective 2 of the CDP 2016-2022 - G3 Objective 2; "To maintain a biodiversity protection zone of not less than 10 metres from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities."

Arboricultural Impact

The applicant has not provided any information as to the impacts of the development on the existing trees within the development area. The applicant should submit a tree survey report for the trees within the proposed development area. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing trees and should also provide an arboricultural impact assessment.

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The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends REFUSAL based on the following:

1. Proximity of Development to the Whitechurch Stream

The location/proximity (<10m) of the existing structures for retention to the Whitechurch Stream contravenes Planning Policy G3 Objective 2 of the CDP 2016-2022 - G3 Objective 2; "To maintain a biodiversity protection zone of not less than 10 metres from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities."

2. Arboricultural Impact of the Proposed Development

The impact of the proposed development on the existing trees contained within the development site is not acceptable to the Public Realm Section; and would contravene policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 and other GI policies and objectives in the CDP.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

3. Impact of Development on Green Infrastructure

The Public Realm Section considers that the proposed development is contrary to Policy G6 - "It is the policy of the Council to support the protection and enhancement of Green Infrastructure in all new development in urban areas, to strengthen Green Infrastructure linkage across the wider urban network and to achieve the highest standards of living and working environment" and G6 Objective 1 and G6 Objective 2 and G6 Objective 3 in the County Development Plan.

Notwithstanding the recommendation from Public Realm it is considered that given the principle of the development is acceptable these items should be addressed via additional information. The proximity of the dwelling to Whitechurch Stream means that the impact on this watercourse is a concern. Water Services also raise flooding as a concern. **This should be addressed by way of additional information.**

The applicant should also submit an Ecological Impact Assessment, Tree Survey Report, Arboricultural Impact Assessment Report and Tree Protection Plan, and Alien Invasive Plant Species Survey Report to address concerns in regard to biodiversity and ecology. **This should be addressed by way of additional information.**

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Access and Parking

No report from the Roads Department was received at the time this report was written. Notwithstanding this, it is considered sufficient car parking is accommodated on-site for both dwellings. Both dwellings are accessed via a single vehicular access off Whitechurch Road. No additional vehicular access is proposed.

Services and Drainage

Water Services has reviewed the proposed development and requests further information:

Surface Water Report

1.1 *The detached dwelling is in close proximity to the Whitechurch Stream to the east of same. The applicant is required to clarify the distance between the detached dwelling and the existing watercourse to the east. A minimum setback distance of 10 metres is required between any proposed development and the top of bank of any water course to allow for access to the existing Watercourse for maintenance purposes and to maintain a 10m Riparian buffer zone along the watercourse.*

1.2 *There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*

1.3 *The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of 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.*

1.4 *The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. Submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development*

1.5 *The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:*

- Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.*
- Permeable Paving*

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- *Grasscrete*

Flood Risk

Further Information Required

2. *The development is located in an area that is at risk of 1 in 1,000 year and possibly 1 in 100 year flood risk event. The applicant shall carry out a justification test for proposed development. Submit a report to outline what mitigation measures are proposed for the development to be retained and proposed.*

- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

The report from Water Services is noted and these items should be **addressed via additional information**. At the closest point the dwelling for retention is located approx. 6.5m from Whitechurch Stream. Further information on the site's characteristics and sensitivities, including ecology and flooding, are required in order for the Planning Authority to consider the appropriate setback from Whitechurch Stream in this instance.

It is not apparent that there is planning history for the bridge over Whitechurch Stream to the dwelling for retention. The Planning Authority considers that additional information should be provided on the integrity of the bridge. The applicant should be requested to provide a report by a suitably qualified structural engineer on the stability and design on the bridge including whether it is designed to cope with potential flooding. **This should be addressed via additional information**. It may be necessary to consult with the Office of Public Works (OPW) regarding any flood protection works for the Whitechurch Stream.

Irish Water has reviewed the proposed development and requests a drawing showing the watermain layout for the existing and proposed development. **This should be addressed via additional information**.

In relation to foul disposal, it is noted that the dwellings are supported by a single septic tank. This is unacceptable to the Planning Authority and contrary to the proper planning and sustainable development of the area. Each dwelling is required to be individually serviced and it is the view of the Planning Authority that connection to a mains sewer should be investigated and prioritised.

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Section 11.6.1 states that the provision of private waste water treatment facilities, other than single house systems, will be strongly discouraged and all new developments will be required to utilise and connect to the public wastewater infrastructure, where practicable.

The EHO should be contacted if a treatment system is proposed for retaining in revised design.

Screening for Environmental Impact Assessment

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

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Further information in regard to the ecology of the site and Whitechurch Stream is required to assess the development.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that **Additional Information** is required to ensure the proposed development would be in compliance with Council policy, would not seriously injure the ecology and amenities of the site, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

1. Section 11.6.1 of the Development Plan outlines that the provision of private waste water treatment facilities, other than single house systems, will be strongly discouraged and all new developments will be required to utilise and connect to the public wastewater infrastructure, where practicable.
In relation to foul disposal, it is noted that the dwellings are supported by a single septic tank. This is unacceptable to the Planning Authority and contrary to the proper planning and sustainable development of the area, in particular at this location due to the proximity

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to water courses. Each dwelling is required to be individually serviced and it is the view of the Planning Authority that connection to a mains sewer should be investigated and prioritised.

The applicant should also consult with the H.S.E. Environmental Health Officer to address their requirements for foul water if a treatment system is to remain on site.

2. The applicant is requested to submit information on the ecology of the subject site, how the development impacts this and proposed mitigation measures. To this effect the applicant should submit a Ecological Impact Assessment, Tree Survey Report, Arboricultural Impact Assessment Report and Tree Protection Plan, and Alien Invasive Plant Species Survey Report to address concerns in regard to biodiversity and ecology.
3. The applicant is requested to submit the following:
 - (a) A report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
 - (b) A revised drawing showing plan & cross-sectional views, dimensions, and location of 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.
 - (c) A drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the proposed development such as, but not limited to, the following:
 - Rain Gardens, Planter boxes with overflow connection to the public surface water sewer.
 - Permeable Paving
 - Grasscrete.
4. (a) The development is located in an area that is at risk of 1 in 1,000 year and possibly 1 in 100 year flood risk event. The applicant is requested to carry out a justification test for proposed development. A report should be submitted outlining what mitigation measures are proposed for the development to be retained and proposed. Depending on the outcome from this assessment and the ecological assessment it might be necessary to adjust the setback of the dwelling for retention from Whitechurch Stream. A revised proposal and drawings should be submitted in that instance.
 - (b) It is not apparent that there is planning history for the bridge over Whitechurch Stream to the dwelling for retention. The applicant is requested to provide a report by a suitably

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qualified structural engineer on the stability and design on the bridge including whether it is designed to cope with potential flooding. The applicant should consult with the Office of Public Works (OPW) and ascertaining their requirements regarding any flood protection works for the Whitechurch Stream.

5. The applicant states that a 70sq.m patio and 335sq.m side garden would be provided for the dwelling. The extent of the side garden is not clear on the submitted drawings. Separation between the private amenity spaces of the dwelling and the main dwelling is not indicated. The applicant is requested to submit revised drawings showing the extent of the private amenity spaces for both dwellings and any proposed boundary treatments.
6. The applicant is requested to submit a drawing showing the watermain layout for the existing and proposed development for retention.
7. In the context of the items above, the applicant is requested to provided information to assist the screening for Appropriate Assessment.

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REG. REF. SD21A/0297

LOCATION: Lissadell, Whitechurch Road, Rathfarnham, Dublin 16.

jjohnston

Jim Johnston,
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:

17/12/21



Eoin Burke, Senior Planner