

Comhairle Chontae Atha Cliath Theas

PR/0049/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0304 **Application Date:** 10-Nov-2021
Submission Type: New Application **Registration Date:** 10-Nov-2021
Correspondence Name and Address: Peter Ging, PM Ging Architect Unit G, Tower
Commercial Centre, Monastery Road, Clondalkin,
Dublin 22
Proposed Development: Detached house and septic tank.
Location: Kilmatead, Green Isle Road, Clondalkin, Dublin 22
Applicant Name: Timothy Hone
Application Type: Permission

Description of Site and Surroundings:

Site Area

Stated as 1.07 Hectares.

Site Description

The subject site of this Planning Application is located approximately 400m to the northeast of the interchange at the junction of the N7 and the R136 (Outer Ring Road). The site is accessed off the Green Isle Road, which is situated to the south and east of the site. The site is bound to the east by Corkagh Park, to the south by a large open space and the premises of Wilsons Auctions, to the west by Kilmatead House (a Protected Structure) and to the north by the commercial premises of 'Rare Plants'. The former Powder Mill (RPS No. 199) and Mill Pond (RPS No. 204) are located to the west and northwest of the site behind a boundary of mature trees. The Camac Valley Tourist and Camping Park is located to the east of the site.

The site is comprised of Kilmatead House, a 2 storey Protected Structure (RPS No. 198) located in the western portion of the site and a number of mews/cottage buildings located in the north western corner of the site. The remainder of the site appears to be comprised of overgrown areas with a number of trees.

Site Visit

15th December 2021.

Proposal:

The proposed development is described as:

- a detached house and septic tank.

The house is a single storey contemporary design dwelling containing 2 bedrooms (one of which is ensuite), a kitchen/living/dining area, a home office, family bathroom and a

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utility/boot room. There is a terrace adjoining the southern elevation of the proposed dwelling. The Applicant states that the Gross Floor Area of the proposed dwelling is 141sq.m (Cover Letter states 191sq.m).

The proposed development also includes the provision of a septic tank, approximately 20m to the north east of the proposed dwelling. The development also comprises a large percolation area.

Zoning:

The site subject to zoning objective 'OS' - *'To preserve and provide for open space and recreational amenities'* as outlined in the South Dublin County Development Plan 2016-2022.

Consultations:

Water and Drainage Operations: Additional Information required.

Parks and Public Realm Department: Additional Information required.

Roads Department: Additional Information required.

Heritage Officer: No report received at time of writing.

Architectural Conservation Officer: Additional Information required.

Irish Water: Refer to EHO.

Environmental Health Officer: Additional Information required.

Transport Infrastructure Ireland: No report received at time of writing.

An Taisce: No report received at time of writing.

SEA Sensitivity Screening:

Indicates overlap with:

- Protected Structures
- SFRA A
- SFRA B

Submissions/Observations /Representations:

Submission expiry date – 15th December 2021.

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No submissions or objections received.

Relevant Planning History:

Subject site

S98A/0863 – Kilmatead House, Kilmatead, Naas Road, Clondalkin, Dublin 22.

Detached granny flat (a 2 No. bedroom bungalow located to the rear of Kilmatead House) and a septic tank. **Grant Permission, subject to conditions.** This permission was never enacted.

Adjacent/nearby sites

SD18A/0126 - Wilson's Auctions, Green Isle Road, Corkagh, Dublin 22.

Continuance of use of the 3 existing buildings and all associated external areas for storage and warehousing of motor vehicles, plant, machinery and other durable products for the sale by public auction, all associated ancillary uses and all associated site and development works.

Retention Permission Granted - Temporary.

SD07A/0203 - Corkagh, Naas Road, Dublin 22.

The development will consist of the demolition of 3 number horticultural warehouses (6,369sq.m) and replacement with a tri location super hospital complex (219,800sq.m) with fully integrated education and research facilities based on international best practice encompassing a 12 number storey 450 bed children's hospital (135,00sq.m) building located to the west of the site, a 9 number storey 220 bed maternity hospital (30,800sq.m) building located to the north of the site and a 9 number storey 450 bed adult hospital (54,000sq.m) building located to the east of the site. The tri location super hospital complex will have in house diagnostic imaging and clinical waste handling. The site will also accommodate a 9-number storey 333 bed key worker accommodation block (20,000sq.m) and provide ancillary retail (1500sq.m) to service the hospital. Works will include providing a new priority junction and upgrading the existing access, 2450 number basement car parking spaces and 50 number surface car parking spaces, the development of two number heli - pads located on the roof of the children's and adult hospital, hard and soft landscaping areas, bicycle stands and revised boundary treatment. There is a protected structure (RPS 205, Gun Powder Store) located within the lands of the subject site. The protected structure is associated with the former Corkagh Gunpowder Mills (rps 195,196,198,199,203) to the North of the application area. The former Gunpowder Store will be protected and preserved in situ. **Refuse Outline Permission**

SD05A/1047 - Naas Road Horticultural Park, Corkagh, Kilmatead House, Naas Road, Clondalkin, Dublin 22.

Retention of two no. glasshouse structures and one no. packing shed at positions located further south than indicated on proposals previously granted permission Reg. Ref. S95A/0409 together with retention of one free standing sign. **Retention Permission Granted.**

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SD03A/0070 - Townlands of Baldonnell and Kingswood, Dublin 22.

Construct two 38kV 12 metre line termination masts under the Clondalkin Saggart / Tee to Cheeverstown 38kV line. These masts are required, in order to underground a section of the 38kV Overhead Line which is in conflict with the Outer Ring Road / N7 Interchange Roadworks. **Permission Granted.**

S95A/0409 / PL06S.097747 - Corkagh, Naas Road, Co. Dublin.

Glasshouse development associated horticultural packing shed and sewage treatment.

Decision: **Planning permission granted on appeal** (ABP Ref. PL06S.097747)

Relevant Enforcement History:

None recorded for subject site.

Pre-Planning Consultation:

PP110/20 – 29th January 2021.

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

Policy H6 Sustainable Communities

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

Policy H7 Urban Design in Residential Developments

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

Section 2.3.0 Quality of Residential Development

Policy H11 Residential Design and Layout

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

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Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H17 – Residential Consolidation:

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1

To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

H17 Objective 7

To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Section 9.1.4 Older Buildings, Estates and Streetscapes).

Policy HCL2 Archaeological Heritage

Policy HCL5 Older Buildings, Estates and Streetscapes

Section 11.2.1 Design Statements

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

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Development on Infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*
- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. 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. Larger sites will have more flexibility to define an independent character.*
- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*
- *Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling subdivision, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.*
- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.*

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

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Section 11.6.1 of the Dev Plan SD21A/0297

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.

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 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.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

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

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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.

Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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, (2008)

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

Urban Development and Building Heights: Guidelines for Planning Authorities, (2018).

Design Manual for Urban Roads and Streets, Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport, (2013).

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, design and residential amenity, Architectural Conservation & Heritage
- Internal Accommodation
- Access and Parking
- Arboricultural Impact and Bat Survey
- Water Services & Drainage

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Zoning and Council Policy

The subject site is situated within the 'OS' zoning objective which seeks '*To preserve and provide for open space and recreational amenities.*'

Residential development is 'Open for Consideration' on lands zoned 'OS'. Land uses that are listed as open for consideration 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. Such uses may only be permitted where they do not materially conflict with other aspects of the County Development Plan, compliance with design and residential amenity (discussed under '*Visual Impact, Design and Residential Amenity*' below) and considering the site-specific context.

The site is not currently public accessible. Notwithstanding this the lands have a potential for public value, especially having regard to the site's location to Corkagh Park, the Camping site, the Camac River and the cluster of protected structures in proximity and having regard to the potential for significant ecology on the site. The definition of Open Space is stated in Schedule 5 of the current County Development Plan and includes: 'open spaces include public or privately owned lands and passive and active amenity spaces'. This site is deemed to be privately owned with passive amenity and is deemed to be an important environmental asset within the County. The proposed development has been assessed against all aspects of the County Development Plan and has been deemed to be contrary to a number of policies and objectives and a refusal is recommended. A full assessment is found below.

Visual Impact, Design and Residential Amenity, Architectural Conservation and Heritage

The proposed development would involve a single storey contemporary design dwelling containing 2 bedrooms (one of which is ensuite), a kitchen/living/dining area, a home office, family bathroom and a utility/boot room. There is a terrace adjoining the southern elevation of the proposed dwelling.

With regards to the proximity to the Protected Structures:

The site is presently a greenfield site containing Kilmatead House, a 2 storey Protected Structure (RPS No. 198) located in the western portion of the site and a number of mews/cottage buildings located in the north-western corner of the site, one of which is included within the red line boundary. The design of the proposed dwelling represents a departure from the design characteristics of the adjacent protected structures but having regard to its location approximately 40m away from the nearest protected structure the proposed design would not generally have a significant negative impact on the integrity and visual amenity of the Protected Structure.

The Architectural Conservation Officer, in their report, raises a number of concerns regarding the siting and design of the proposed. In particular, it is noted that Pre-planning advice was provided by the Councils Architectural Conservation Officer in this regard stating that "An

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Architectural Impact Assessment to include a design rationale and schedule of materials should be included as part of any planning application". The Applicant has failed to provide an Architectural Impact Assessment assessing the overall impacts of the proposed development within the curtilage of the Protected Structure (Kilmatead House, RPS Ref. 198) and in particular assessing how the new house will sit sensitively within the context of the site. The Applicant has also failed to provide a full photographic survey of the site and surrounding context.

With regards to the impact on the receiving environment:

The Applicant states that the Gross Floor Area of the proposed dwelling is 141sq.m (which differs from the 191sq.m stated in the Cover Letter). Notwithstanding this anomaly in the figures, the Planning Authority has concerns regarding the scale of the overall footprint of the proposed development, which comprise the dwelling house and the septic tank and percolation area and the potential for these items to require the removal of sensitive shrubs, trees and landscaping from this sensitive site, which is zoned '*To **preserve and provide for open space and recreational amenities.***' The area of the site where it is proposed to construct the dwelling, the subject of this Application, is comprised of vegetation and trees. The Planning Authority has significant concerns regarding the level of tree and vegetation removal required to facilitate the proposed development

The potential for the proposed dwelling, septic tank and percolation area to result in a cumulative adverse impact at this sensitive location is unacceptable and would be contrary to County Development Plan policies and objectives and sustainable development of the area, in particular due to the proximity to water courses (including the Camac River), potential flooding of the site and the necessity to remove historic vegetation on lands that are zoned Open Space with and objective '*To **preserve and provide for open space and recreational amenities.***

The file was referred to the Heritage Officer for comment, but no report was received at the time of writing this Planning Report. Notwithstanding this, the Planning Authority recognises the sensitive location of the site, the numerous trees, untouched boundaries, protected structures and watercourses and considers that an ecological survey would be beneficial for a full assessment of the impact of the proposed developments on the receiving environment to be carried it. The Applicant has failed to provide a detailed Ecological survey and a Bat Survey

In the absence of accurate and sufficient information, the Planning Authority considers that the applicant has not demonstrated that the proposed development adheres to the key principles of the proper planning and sustainable development of the area.

The proposed development, as detailed above, would materially contravene the zoning objective of the subject site and would be contrary to County Development Plan Policy and Objectives and the key principles of proper planning and sustainable development of the area and should therefore be refused.

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Internal Accommodation

The guidance on internal accommodation within dwellings is detailed in *Quality Housing for Sustainable Communities: Best Practice Guidelines* (2007). The proposed internal accommodation would generally comply with this. Table 11.20 of the County Development states that dwellings with four or more bedrooms should be a minimum of 110sq.m. The proposed dwelling appears to surpass this minimum requirement. This is generally considered acceptable.

The minimum open space requirements for a four-bedroom house is 70sq.m, in accordance with the County Development Plan. Private amenity space indicated appears to comply with this standard.

Access and Parking

The Report of the Roads Department notes that the Applicant has failed to submit details of the access arrangement for the proposed dwelling and the location and number of parking spaces to be provided at the development. It is therefore unclear whether the proposed development adheres to the parking requirements for residential development outlined in Table 11.24 of the SDCC County Development Plan 2016-2022.

As a result of the deficiency in the information provided by the Applicant, the Planning Authority is not satisfied that the vehicular access arrangements and car parking provision adhere to the policies and objectives contained within the South Dublin County Development Plan 2016-2022.

Arboricultural Impact and Bat Survey

A report received from the Parks and Landscape Services/Public Realm Department notes that, whilst the Applicant has provided an Arboricultural Report, it does not include a detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement. The Planning Authority therefore considers that the Applicant has not demonstrated that the proposed development is in accordance with the relevant standards outlined in BS 5837: 2012 in relation to tree care and removal for design, demolition and construction.

The Parks and Public Realm Department also noted that the Applicant has not provided a Bat Survey carried out across the entire site and immediately adjoining sites to assess roosting and feeding/foraging activities and assessing potential impact on these species arising from the proposed development. As a result of the failure to provide a Bat Survey, the Planning Authority is not satisfied that the proposed development will not have an adverse impact on the bat species.

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Water Services and Drainage

A Report received from South Dublin County Council's Drainage and Water Services Department noted that no drawing in plan and cross-sectional views showing proposed Sustainable Drainage Systems (SuDS) features for the development has been provided by the Applicant. Furthermore, despite the proposed development being located close to an area that is prone to flooding, no Site Specific Flood Risk Assessment for the proposed development has been provided. The Application is therefore considered to be deficient in key information required to carry out a complete assessment of the proposed development.

Section 11.6.1 of the Development Plan outlines that the provision of private wastewater 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 proposed dwelling is to be supported by a single septic tank and percolation area. It is unclear what foul disposal is provided for the existing dwellings on the overall site outlined in red on the Site Layout Plan. Notwithstanding the deficiency in this information, the proposed Septic Tank and Percolation area at this sensitive location is unacceptable to the Planning Authority and contrary to the proper planning and sustainable development of the area, in particular due to the proximity to water courses, potential flooding of the site and the necessity to remove historic vegetation on lands that are zoned Open Space with and objective *'To preserve and provide for open space and recreational amenities.'* The proposed development would therefore be contrary to County Development Plan Policy, including Section 11.6.1 and Objectives IE1 (Water Supply & Wastewater), IE2 (Surface Water & Groundwater) and IE3 (Flood Risk Management). The proposed development would therefore be contrary to the zoning objective *'To preserve and provide for open space and recreational amenities.'* Furthermore, the necessity to remove historic trees and vegetation with a high ecological value would be contrary to Objectives G2 (Green Infrastructure Network), G3 (Watercourse Network), G4 (Public Open Space and Landscape Setting), G5 (Sustainable Urban Drainage Systems) and G6 (New Development in Urban Areas) of the South Dublin County Council Development Plan 2016-2022.

In assessing the proposed development Irish Water recommended that the Application be referred to the HSE Environmental Health Officer (EHO). The EHO has raised concerns regarding the proposed development and the lack of a site suitability assessment provided with this application. As a result, the Environmental Health Officer has not been able to determine whether the proposed septic tank system is appropriate for the current location. Notwithstanding this, the septic tank as discussed above, would be contrary to County Development Plan Policy and is therefore not acceptable.

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Screening for Appropriate Assessment

The Applicant has not provided information to assist the screening for Appropriate Assessment. Given the surrounding context of the subject site, which includes a pond to the south west, the provision of an Appropriate Assessment Screening Report carried out by a suitably qualified Ecologist is vital, to facilitate a complete assessment of the proposed development.

Environmental Impact Assessment:

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can therefore be excluded at preliminary examination and a screening determination is not required.

Notwithstanding the above, the proposed development of an ecologically mature site in an established setting comprising protected structures, water features, historic boundaries, which **may** result in the removal of mature trees/vegetation, will result in the disturbance of habitat and will have a significant impact on the short-medium term of the immediate environment. The applicant has not submitted a full Ecological Survey, as such it is unclear whether the proposed development includes mitigation measures to lessen the impact of this disturbance on the receiving environment. The Application is therefore considered to be deficient in key information required to carry out a complete assessment of the proposed development.

Planning Note

In addition to the insufficient, inconsistent and inaccurate information previously noted throughout this report, it is also noted that the information submitted by the Applicant is deficient as follows:

- **Letter of Consent** – The letter of consent provided consists of an email signed ‘CH and MJ’. A signed and dated Letter of Consent should be provided by the landowner.
- **Site Location Map** – In accordance with Article 22(2)(b) of the Planning and Development Regulations (2001), the Applicant is required to provide a Site Location Map at the correct scale (1:1000 for urban areas; 1:2500 for rural areas) and marked so as to identify clearly the land or structure to which the application relates and the boundaries in red; any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land, which is the subject of the application in blue; and wayleaves in yellow. The location of the Site Notice(s) and Ordnance Survey Sheet Number should also be included on the Site Location Map.

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- **Site Layout Plan** – In accordance with Article 23(1) of the Planning and Development Regulations (2001) significant information is required to be provided on a Site Layout Plan. The submitted Site Layout Plan is considered to be deficient and does not indicate or clearly provide the following details:
 - Development constructed to the eastern side of the existing dwelling house.
 - All existing structures present across the entire site outlined in red (at least 3 additional structures).
 - How vehicular/pedestrian access to the proposed dwelling house will be provided. Driveway/pathway should be accurately detailed.
 - All trees and vegetation present on the site should be clearly shown across the site.
 - Septic Tanks/Wastewater treatment systems for neighbouring properties, if any.

- **Application Form / Cover Letter** – In answer to Question 12 of the Application Form, the Applicant states that the Gross Floor Space of the proposed works is 141sq.m. However, it is noted that the Cover Letter states 191sq.m. This discrepancy should be clarified by the Applicant.

In the absence of accurate and sufficient information, the Planning Authority considers that the applicant has not substantially demonstrated that the proposed development will not adversely impact this sensitive location. The proposed development would therefore be contrary to the proper planning and development of the area.

Conclusion

Having regard to the surrounding context of this sensitive site, (prone to flooding, significant planting, in proximity to the Camac River and ponds and Protected Structures) the footprint and scale of the proposed dwelling, septic tank and percolation area, which will necessitate removal and disturbance of significant tree stands and vegetation, and the insufficient, inconsistent and inaccurate information provided by the Applicant, it is considered that the Applicant has not satisfactorily demonstrated that the proposed development would comply with the policy contained within the South Dublin County Council Development Plan 2016-2022

Furthermore, regarding the potential for the proposed dwelling, septic tank and percolation area to adversely impact this sensitive location, the Planning Authority considers that the scale of the proposed development would be contrary to the proper planning and sustainable development of the area, in particular due to the proximity to water courses, potential flooding of the site and the necessity to remove historic vegetation on lands that are zoned Open Space with an objective *'To preserve and provide for open space and recreational amenities*. The Application is therefore recommended for refusal.

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Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

SCHEDULE

REASON(S)

1. Having regard to the surrounding context of this sensitive site, which is prone to flooding, is in proximity to the Camac River, ponds and existing Protected Structures and comprises significant trees and shrubs, the proposed development of a dwelling house with a significant footprint and its associated septic tank and percolation area, which will necessitate removal and disturbance of significant tree stands and vegetation, would be contrary to County Development Plan Policy, including Section 11.6.1 and Objectives IE1 (Water Supply & Wastewater), IE2 (Surface Water & Groundwater) and IE3 (Flood Risk Management), Objectives G2 (Green Infrastructure Network), G3 (Watercourse Network), G4 (Public Open Space and Landscape Setting), G5 (Sustainable Urban Drainage Systems) and G6 (New Development in Urban Areas)) and would be contrary to the zoning objective 'To preserve and provide for open space and recreational amenities' and would therefore be contrary to the proper planning and sustainable development of the area.
2. Insufficient, inconsistent and inaccurate information has been submitted with the application:
 - (i) The Applicant states on the Application Form that the Gross Floor Area of the proposed dwelling is 141 sq m (which differs from the 191sqm stated in the Cover Letter).
 - (ii) The Applicant has not provided an Architectural Impact Assessment assessing the overall impacts of the proposed development within the curtilage of the Protected Structure (Kilmatead House, RPS Ref. 198) and in particular assessing how the new house will sit sensitively within the context of the site. The Applicant has also not provided a full photographic survey of the site and surrounding context.
 - (iii) The Applicant has not provided a detailed Ecological survey and a Bat Survey.
 - (iv) The Applicant has not provided details of the access arrangement for the proposed dwelling and the location and number of parking spaces to be provided at the development.
 - (v) The Arboricultural Report provided does not include sufficient information to fully assess the impact the proposed development may have on the arboreal footprint of the subject site.
 - (vi) No drawing in plan and cross-sectional views showing proposed Sustainable Drainage Systems (SuDS) features for the development has been provided by the Applicant.
 - (vii) Despite the proposed development being located close to an area that is prone to flooding, no Site Specific Flood Risk Assessment for the proposed development has been provided.

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(viii) A detailed Site Suitability Assessment has not been provided to enable the Planning Authority to determine whether the proposed septic tank system is appropriate for the current location.

(ix) The provision of an Appropriate Assessment Screening Report carried out by a suitably qualified Ecologist is vital, to facilitate a complete assessment of the proposed development.

(x) The letter of consent provided consists of an email signed 'CH and MJ'. A signed and dated Letter of Consent should be provided by the landowner.

(xi) The Applicant has not provided a Site Location Map at the correct scale (1:1000 for urban areas; 1:2500 for rural areas) in accordance with Article 22(2)(b) of the Planning and Development Regulations (2001).

(xii) The submitted Site Layout Plan is considered to be deficient and does not indicate or clearly provide details of development constructed present across the entire site outlined in red (at least 3 additional structures); how vehicular/pedestrian access to the proposed dwelling house will be provided; all existing trees and vegetation present on the site and Septic Tanks/Wastewater treatment systems for neighbouring properties (if any).

In the absence of accurate and sufficient information, the Planning Authority considers that the applicant has not substantially demonstrated that the proposed development will not adversely impact this sensitive location. The proposed development would therefore be contrary to the proper planning and development of the area.

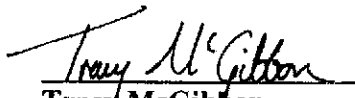
Comhairle Chontae Atha Cliath Theas

PR/0049/21

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0304


LOCATION: Kilmatead, Green Isle Road, Clondalkin, Dublin 22


Tracy McGibbon,
A/Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date:

13/1/22


Eoin Burke, Senior Planner