

# Comhairle Chontae Atha Cliath Theas

PR/0259/22

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

**Reg. Reference:** SD21A/0351      **Application Date:** 21-Dec-2021  
**Submission Type:** New Application      **Registration Date:** 21-Dec-2021

**Correspondence Name and Address:** Gerry Gleeson Dream Homes Barrack Street,  
Ballymore Eustace, Co.Kildare

**Proposed Development:** Construct a single storey dwelling; a secondary waste water treatment system with a pressurised infiltration bed for percolation area; upgrade existing farm entrance to use as a shared agricultural and domestic use; all ancillary site works.

**Location:** Glassamucky, Glenasmole, Tallaght, Dublin 24

**Applicant Name:** Edward Collins

**Application Type:** Permission

(CM)

### Description of Site and Surroundings:

Site Area: Stated as 0.4028ha

#### Site Description:

The site is an agricultural holding located off Glassamucky Road in the townland of Glassamucky. The subject site is located directly to the rear of a primary school on Glassamucky Road and is accessed from the road via an agricultural gate over grounds through which there appears to be a wayleave/right of way.

The lands consist of a large agricultural shed structure contained within a hardstanding yard, and to the south and east of that a field of approx. 1.05 Ha. Beyond this field and inside the same holding (but outside the red line boundary), there are 3 further fields. Hedge/tree lines demarcate the fields and there is gate access between them.

Site Visit: 14/02/22

### Proposal:

- Construct **a single storey dwelling;**
- a secondary waste water treatment system with a pressurised infiltration bed for percolation area;
- upgrade existing farm entrance to use as a shared agricultural and domestic use;
- all ancillary site works.

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NB: It should be noted that the plans indicate potential future extensions to both the proposed house and the existing agricultural shed, though permission for these is not sought at the present time.

### Zoning:

Under the South Dublin County Development Plan 2016 – 2022, the site is subject to the land-use zoning objective 'HA-DM – High Amenity Dublin Mountains Area', which seeks "To protect and enhance the outstanding natural character of the Dublin Mountain Area".

### Consultations:

Environmental Services:

- Surface Water
- Flood Risk

Requests Additional Information

No objection.

Public Realm

No objection, subject to conditions

Roads

Recommends Refusal.

Heritage Officer

No report received.

### External

An Taisce

Recommends Refusal.

HSE Environmental Health Officer

No response received

Irish Water:

- Water Supply
- Foul

No objection, subject to conditions.

Refer to EHO.

### Submissions/Observations /Representations:

None received.

### Relevant Planning History:

#### Subject site

None.

#### Adjoining Sites

**School Extensions** – Application Reg. Refs. SD04A/0328. SD16A/0108 and SD18A/0040 refer to grants of permission for extensions to the school

**SD18A/0450** at the School – Permission **granted** for a temporary pre-fab structure containing classroom and lobby.

**SD06A/0081 on site to the south** – Permission **granted** for New 1 and a half storey 4 bedroom dwelling, a BAF secondary sewage treatment plant, storage outbuilding and ancillary site

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works with a stone walled site entrance and vehicular access via the adjacent private distribution road leading from a new site entrance located off the existing public road.

### Other Nearby Sites

**SD06A/0078** at site to the south – Permission **granted** for A new one and a half 4 bedroom dwelling, a BAF Secondary Sewage Treatment Plant, storage outbuildings and ancillary site works with a stonewalled site entrance and a new private distribution road leading from a new site entrance located off the existing public road.

**SD06A/0079** at site to the south – Permission **granted** for A new one and a half storey 4 bedroom dwelling, a BAF Secondary Sewage Treatment Plant, storage outbuilding and ancillary site works with a stone walled site entrance and vehicular access via the adjacent private distribution road leading from a new site entrance located off the existing public road.

**SD06A/0082** at a site on Newtown Lane – Permission **granted** for a new one and a half storey 4 bedroom dwelling, a BAF Secondary Sewage Treatment Plant, separate double garage to rear and ancillary site works with a stone walled site entrance and vehicular access via the adjacent private distribution road leading from a new site entrance located off the existing public road.

**SD14A/0287** at same site as above application – Permission **granted** for retention and completion of partially constructed house previously granted under SD06A/0082. The areas of the house which deviate from that granted are as follows: the kitchen utility area to the rear of the house has been constructed 1m wider than that granted, increasing the floor area by 14.63sq.m; the courtyard area as granted between the hall/lounge and the kitchen/dining areas has been floored and roofed, increasing the floor area by 21.98sq.m; a balcony has been created within the monopitch roof to the rear of the house and is accessed from bedroom no. 2 at first floor; this does not increase the floor area; the floor area as granted equals 218.38sq.m; the additional area as constructed equals 36.61sq.m; total area to be retained and completed equals 254.99sq.m.

**SD06A/0083** at a site on Newtown Lane – Permission **refused** for new one and a half storey 4 bedroom dwelling, a BAF Secondary Treatment Plant, separate double garage to rear and ancillary site works with a stone walled site entrance and vehicular access via the adjacent private distribution road leading from a new site entrance located off the existing public road.

### Reasons for Refusal:

- Applicant's Age (14)
- Design, scale and bulk of development would be out of character and outside pattern of development.

**SD06A/0084** on site on Newtown Lane – Permission **granted** to construct a stable block to house 3 no. horses, a covered dungstead, underground water storage tank and all ancillary site

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works with a stone walled site entrance and vehicular access via the adjacent private distribution road leading from a new site entrance located off the existing public road.

**SD16A/0201** at same site as above – Permission **refused** to Construct one and a half storey house, secondary waste water treatment unit and all ancillary site works.

**SD17A/0157** at same site as above – Permission **refused** to Construct one and a half storey house, secondary waste water treatment unit and all ancillary site works.

Reasons for refusal for SD16A/0201 and SD17A/0157 were identical and can be summarised as:

- Policy H23 Objective 1
- Rural upland landscape setting
- Ribbon development
- Regional Planning Guidelines
- Appropriate Assessment

#### Family Lands in the Area (Identified in Blue lines areas on the Site Location Map)

**S00A/0345** at a site approx. 850m north-east of the site. Permission **refused** for a bungalow with 4 bedrooms, living and dining room, kitchen and garage and a bio-cycle waste water treatment system on site to deal with all sewage treatment.

**S00A/0459** at site in Montpelier – Permission **refused** for Change of use of agricultural building to residential use and alterations to same and for new single storey and two storey extensions, relocated vehicular entrance, bio-cycle sewage treatment plant and percolation area.

Reasons for refusal:

- Council policy on prevention of development in close proximity to Bohernabreena reservoir.
- Applicants do not meet criteria for local housing need;
- Ribbon development;
- Preservation of views;
- Mass and scale of proposal out of character.

**SD02B/0231** at same site as above – Permission **granted** for Restoration of existing cottage , the modification of vehicular entrance and the provision of an effluent treatment system and percolation area.

**SD07B/0184** at the same site as above – Permission **granted** for Two storey extension with single storey link structure to an existing single dwelling (a Protected Structure), comprising a

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dining and living room, entrance lobby, utility and toilet on ground floor, and two bedrooms with en suite toilet each on first floor.

**SD05A/0011** at site to east of the above site – Permission **granted** for a detached bungalow, sewage treatment facility and associated site works.

**SD21B/0565** at site to south of the above site – Pending application for single storey extension to the rear of existing detached cottage with slate roof with rooflights; 2 rooflights to existing front slate roof; internal alterations and associated site works. SDCC has sought additional information.

### **Relevant Enforcement History:**

None recorded for subject site.

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

None recorded

### **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.

#### Policy H23 Rural Housing in HA Zone

It is the policy of the Council that within areas designated with Zoning Objective ‘HA-DM’ (to protect and enhance the outstanding natural character of the Dublin Mountains Area) new or replacement dwellings will be only be considered in exceptional circumstances.

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### H23 Objective 1:

To consider new or replacement dwellings within areas designated with Zoning Objective 'HA-Dublin Mountains' (to protect and enhance the outstanding natural character of the Dublin Mountains Area) where all of the following criteria are met:

- The applicant is a native of the area; and
- The applicant can demonstrate a genuine need for housing in that particular area; and
- The development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming; and
- The development would not prejudice the environmental capacity of the area, and that it would be in keeping with the character of the mountain area.

These criteria are in accordance with the Sustainable Rural Housing Guidelines (2005), having regard to the outstanding character of the area and the need to preserve the environmental and landscape quality of this area.

### H23 Objective 2:

To generally prohibit development within restricted areas identified on the Bohernabreena/Glenasmole Reservoir Restricted Areas Map contained in Schedule 4.

Section 2.5.5 Rural Housing In HA – Liffey Valley and HA – Dodder Valley  
Policy H24 Rural Housing in HA – Liffey Valley and Dodder Valley

Section 2.5.7 Rural Dwelling Occupancy  
Policy H26 Occupancy Condition

It is the policy of the Council that conditions attached to the grants of permission for housing in Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV) areas will include the stipulation that the house must be first occupied as a place of permanent residence by the applicant and/or by members of his/her immediate family, for a minimum period of seven years or such other longer period of time as is considered appropriate.

Section 2.5.8 Rural House & Extension Design  
Policy H27 Rural House & 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.

### H27 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

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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 11.3.4 Rural Housing

#### 11.3.4 Rural Housing

##### (i) Housing Need

The Rural Settlement Strategy outlined in Chapter 2 Housing sets out the requirements to meet housing need that will be considered for housing on lands that are designated with Zoning Objective 'RU', 'HA-DM', 'HA-LV' and 'HA-DV'. For the purpose of assessing local rural housing needs criteria, the division between the High Amenity Dublin Mountain 'HA-DM' Zone and the High Amenity Dodder Valley 'HA-DV' Zone occurs at Fort Bridge, Bohernabreena with the 'HA-DM' Zone occurring to the south of the bridge and the 'HA-DV' Zone occurring to the north of the bridge.

##### (ii) Rural Housing Design

A comprehensive site analysis and character appraisal should be submitted with all applications for houses and extensions in rural and high amenity zones (see also Section 11.5.5 (i) Ecological Protection and (ii) High Amenity and Sensitive Landscapes). The analysis and appraisal should provide a rationale for the design and siting of the proposed development including form, building finishes, height, and massing based on the local and natural context. Such development should generally be low rise. The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials. Dormer extensions should be minimised and should not obscure the main features of a roof.

A minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of road in a manner that creates ribbon

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development should be avoided. Dwellings and extensions should not be located on a ridgeline or in an elevated position in the landscape. The natural slope and landcover of sites should be retained, with an appropriate tree and hedgerow planting scheme that utilises and augments indigenous planting. Traditional field and roadside boundaries, including old stone boundary walls and hedgerows, should be retained or reinstated as much as possible. Sustainable Urban Drainage measures should also be incorporated.

Driveway and parking areas should be minimised and should follow the natural slope and contours of the site with appropriate permeable materials. Modern gateways, piers and boundary walls should be avoided with the exception of the retention and reinstatement of traditional stone boundary walls.

### (iii) Wastewater Treatment

Domestic effluent treatment plants and percolation areas serving rural houses or extensions shall comply with the requirements of the Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards. Such details should be included with applications for new or replacement houses and extensions to existing dwellings where there would be an increase in demand on the treatment capacity of any existing wastewater treatment system.

Policy HCL1 Heritage, Conservation and Landscapes

Policy HCL2 Archaeological Heritage

Section 9.2.0 Landscapes

Policy HCL7 Landscapes

Section 8.1.0 Green Infrastructure Network

Policy G2 Green Infrastructure Network

Section 8.2.0 Watercourses Network

Policy G3 Watercourses Network

Section 9.2.1 Views and Prospects

Table 9.2: Prospects to be Preserved and Protected

Policy HCL8 Views and Prospects

HCL8 Objective 1

Section 9.2.3 Dublin Mountains

Policy HCL9 Dublin Mountains

Section 9.3.0 Natural Heritage Sites

Section 9.3.1 Natura 2000 Sites



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Table 9.3 Natura 2000 Sites  
Policy HCL12 Natura 2000 Sites

Section 9.3.2 Natural Heritage Areas  
Table 9.4 Proposed Natural Heritage Areas  
Policy HCL13 Natural Heritage Areas

Section 9.3.5 Non-Designated Areas  
Policy HCL15 Non-Designated Areas  
HCL15 Objective 1  
HCL15 Objective 2  
HCL15 Objective 3

Section 9.4.0 Public Rights of Way and Permissive Access Routes  
Policy HCL16 Public Rights of Way and Permissive Access Routes

Section 11.7.2 Energy Performance in New Buildings  
Section 11.8.2 Appropriate Assessment

Schedule 1: Record of Monuments and Places

Landscape Character Assessment of South Dublin County (2015)

### **Relevant Government Policy & Guidelines:**

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)**

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

**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)**

**Circular SP 5/08 – Conformity with Articles 43 and 56 of European Community Treaty (Freedom of Establishment and Free Movement of Capital) DEHLG September 2008**

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### Circular PL 2/2017 – Sustainable Rural Housing Guidelines for Planning Authorities 2005 – Local Needs Criteria in Development Plans

#### Assessment:

The main issues for consideration relate to:

- Zoning;
- National and Regional Policy;
- Sustainable Rural Housing Guidelines for Planning Authorities;
- Rural Housing Policy
- siting
- Roads & traffic;
- Landscape Character Assessment;
- Water Services;
- An Taisce
- SEA sensitivity screening;
- Screening for Appropriate Assessment.

#### **Zoning**

The subject site is located in an area with zoning objective HA-DM - 'To protect and enhance the outstanding natural character of the Dublin Mountains area in the South Dublin County Development Plan 2016-2022.

The use class 'Residential' is listed as 'open for consideration' under this zoning objective subject to council policy for residential development in rural areas, and not being above the 350m contour. (The site is not above the 350m contour).

Therefore, such proposals may be permitted only if they do not conflict with the policies and objectives of the County Development Plan (including housing needs criteria) and if they are consistent with the principles of proper planning and sustainable development and relevant Ministerial guidelines. The proposal therefore is assessed below within this context.

As per Schedule 4 (Restricted Areas for Development Glenasmole Bohernabreena) of the CDP the redline boundary of the site is located within 'areas where development is open for consideration'. The applicant has submitted a blue line boundary plan to confirm extended ownership of a wider landholding which includes some areas within 100m of a stream.

The proposed development would also be 'backland development' owing to its location to the rear of the Glenasmole National School.

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### **National and Regional Settlement Policy**

#### National Planning Framework

A number of National Policy Objectives inform assessment of rural housing, as follows:

National Policy Objective 2a sets a target for 50% of new housing to be delivered in the five cities and their suburbs.

National Policy Objective 3a requires that 40% of all new homes are delivered inside the built-up footprint of existing settlements.

National Policy Objective 3b further requires that 50% of all homes delivered in the five cities and their suburbs are delivered inside the existing built-up footprints.

National Policy Objective 15 of the National Planning Framework (NPF) supports the sustainable development of rural areas by managing the growth of areas that are under strong urban influence to avoid over-development.

National Policy Objective 19 requires that in providing for the development of rural housing, a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large town and centres of employment, and elsewhere.

National Policy Objective 19 also requires that councils facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

National Policy Objective 20 states that at Local Authority level, the Core Strategy of County Development Plans will account for the demand for single housing in the countryside.

With reference to the above, section 1.7.5 of the County Development Plan states that the Rural and High Amenity zones of South Dublin County Council are considered to be under strong urban influence for housing. The County's Rural Settlement Strategy has reflected this.

#### Regional Policy

Under Section 4.8 of the Regional Spatial and Economic Strategy 2019, Planning Authorities are required to identify areas under strong urban influence in the hinterlands of settlements and set the appropriate rural housing policy response to avoid ribbon and overspill development from urban areas.

The crux of regional policy is as follows:

- That the growth and revitalisation towns and villages should be prioritised as a viable alternative to one-off housing.

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- That urban-generated demand rural housing should be avoided.
- The rural economy, based on agriculture, forestry, tourism and rural enterprise, should be facilitated while avoiding overspill development from urban areas and urban-generated housing.

The site is located in the Dublin Metropolitan Area as designated under the Regional Spatial and Economic Strategy 2019 - 2031 (RSES) and the Dublin Metropolitan Area Spatial Plan, which forms part of the RSES.

The Settlement Strategy policy for the Eastern & Midlands Region supports provision of policy at local level that seeks to support and protect existing rural economies such as valuable agricultural lands to ensure sustainable food supply, to protect the value and character of open countryside and to support the diversification of rural economies to create additional jobs and maximise opportunities in emerging sectors, such as agribusiness, renewable energy, tourism and forestry enterprise. The policy further requires Local Authorities to manage urban generated growth in Rural Areas Under Strong Urban Influence by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements. Finally, the settlement strategy policy supports consolidation of the town and village network to ensure that development proceeds sustainably and at an appropriate scale, level and pace in line with the core strategies of the County Development Plans.

With reference to the relevant national policy objectives, section 1.7.5 of the South Dublin County Development Plan 2016-2022 states that the Rural and High Amenity zones of South Dublin County Council are considered to be under strong urban influence for housing. The County's Rural Settlement Strategy has reflected this. Policy CS5 Objective 1 further commits the Council to: "To implement the Rural Settlement Strategy contained in Chapter 2 Housing."

### **Conclusion**

The subject site is situated in an area under strong urban influence. Pursuant to the National Policy Objectives contained within 'Project Ireland 2040 National Planning Framework', and the Core Strategy and Rural Settlement Strategy outlined in the South Dublin County Council Development Plan 2016-2022, it is considered that development of the type proposed is only warranted in exceptional circumstances and this is further outlined in Policies H20 and H23 of the County Development Plan.

National and Regional housing and settlement policies militate against development of the form proposed except in exceptional circumstances. This has informed the rural housing policy in the South Dublin County Development Plan 2016 – 2022, under which this proposal is assessed below.

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### **Sustainable Rural Housing Guidelines for Planning Authorities**

The proposed development is located within a rural area, in proximity to the built up area of the Dublin Metropolitan Area and is located within an area defined as under strong urban influence as set out in the '**Sustainable Rural Housing Guidelines for Planning Authorities**' issued by the Department of the Environment, Heritage and Local Government in April, 2005. Within this context it is noted that the application site is located east of the Bohernabreena Reservoir.

### **Rural Housing Policy**

The RSES (Regional, Spatial and Economic Strategy) was adopted in 2019 and was integrated with local policy by Variation No.4 of the County Development Plan. The South Dublin County Development Plan 2016 – 2022 notes the following:

- The rural area in South Dublin County is identified as being under strong urban influence in the 'Sustainable Rural Housing - Guidelines for Planning Authorities' (2005);
- The protection of rural landscapes and of high amenity and environmentally sensitive areas is a priority of the Development Plan;
- Rural generated housing arises where the applicant is indigenous to the rural area or has close family links to the rural area or who works in a type of employment intrinsic to the rural economy, which requires the applicant to live in the rural area to be close to their rural-based employment.
- Urban generated housing arises where the applicant has no indigenous links with the rural area, currently lives and works in the urban area and wishes to live in the rural area.

Rural housing policy is laid out in Policies H20, H21, H22, H23 and H24 (H22 and H24 irrelevant to this application). This policy can be summarised as discouraging rural housing where it is considered to be urban generated and defining the criteria by which the council should assess whether a house is addressing a rural or urban demand.

It is the policy of the Council to focus housing into existing settlements and restrict housing in rural zoned areas (under Council Policy H20), and the onus is on the applicant to provide comprehensive evidence of their compliance with Policy H23.

### Exceptional Circumstances

Under Policy H23, new or replacement dwellings in this area will be only be considered in exceptional circumstances (essentially 4 criteria).

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### HOUSING (H) Policy 23 Rural Housing in HA – Dublin Mountains Zone

**It is the policy of the Council that within areas designated with Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area) new or replacement dwellings will be only be considered in exceptional circumstances.**

#### **H23 Objective 1:**

To consider new or replacement dwellings within areas designated with Zoning Objective 'HA-Dublin Mountains' (to protect and enhance the outstanding natural character of the Dublin Mountains Area) where all of the following criteria are met:

- The applicant is a native of the area; and
- The applicant can demonstrate a genuine need for housing in that particular area; and
- The development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming; and
- The development would not prejudice the environmental capacity of the area, and that it would be in keeping with the character of the mountain area.

These criteria are in accordance with the Sustainable Rural Housing Guidelines (2005), having regard to the outstanding character of the area and the need to preserve the environmental and landscape quality of this area.

Pursuant to H23, the applicants have included a cover letter which states the following:

- They are a 6<sup>th</sup> generation farmer in Bohernabreena.
- The family has been in the area and immersed in the community for almost 350 years.
- The applicant manages a flock of 120 ewes.
- The applicant is planning to expand the farm business to take on additional livestock.
- The applicant currently lives at their parents' house and is planning to get married, and requires a house to continue farming, to continue what their family 'has built over the past 350 years' and to be part of the community.
- Applicant lists their community roles and activities.
- Family donated lands for the school (applicant's great grandfather).
- Applicant attended local schools and studied Agricultural Science in UCD.
- Applicant works for an animal feed company as a Calf Researcher.
- Applicant works in Bohernabreena '85% of the time' as farmer and calf researcher.

#### Response to issues raised in applicant submission

The applicant states that they require a house to continue farming and alludes to continuing the family farming activities.

It is not evident as to why an additional house is needed to farm these lands, which have clearly been farmed for some time, and farmed by the applicant's family. No details have been provided of any recent changes in circumstances that would require the farm to be subdivided and an additional dwelling constructed. The included Site Location Map shows that the family

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lands are divided into 3 plots in the Glassamucky and Mountpelier townlands, with 2 or 3 houses already occupied on the lands (although not the subject site). The family owns two or perhaps three houses. It is not apparent that these circumstances justify setting aside Policy H20 to permit new housing in the high amenity Dublin Mountains area.

### H23 Criteria

All criteria of Policy H23 must be complied with. Objective 1 of Policy H23 contains certain criteria for new dwellings in the HA-DM area:

#### H23 Objective 1:

To consider new or replacement dwellings within areas designated with Zoning Objective 'HA-Dublin Mountains' (to protect and enhance the outstanding natural character of the Dublin Mountains Area) where all of the following criteria are met:

- The applicant is a native of the area; **and**
- The applicant can demonstrate a genuine need for housing in that particular area; **and**
- The development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming; **and**
- The development would not prejudice the environmental capacity of the area, and that it would be in keeping with the character of the mountain area."

The applicant was born in 1995 with parent's address given as Knocklyon, Dublin 16. Several applications for houses for the extended Collins family appear in the Planning History with permission being granted first in 2005. School records show that the applicant attended school in the Knocklyon/Ballycullen/Firhouse area from 2004 to 2014 before attending college in UCD.

It is considered from the details provided that the applicant was born and raised in the urban area of Dublin approx. 5km north of the site. Notwithstanding this fact, the applicant is acknowledged to have a local family and community connection and profession based in the area. It is not shown in the supporting documents that the applicant has a genuine need for housing in this particular area, or that the development is necessary for agricultural use, mountain or hill farming. Potential environmental impacts are assessed separately below.

While the Planning Authority acknowledge the close family ties, it is not considered in this instance that the applicant has demonstrated justification that would warrant the setting aside of Policy H20 where it is the policy 'to restrict the spread of dwellings in the rural 'RU', Dublin Mountains 'HA-DM'; Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones and to focus such housing into existing settlements.'

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Therefore, in accordance with Policy H20, the proposed development would further contribute to a pattern of unsustainable ribbon development along Glassamucky Road, would further erode the rural character of the area, would not be justified under Policy H23, and would set a precedent for future developments of a similar nature and would therefore be contrary to the proper planning and sustainable development of the rural area.

### **Siting, Design and Visual Impact**

The proposed dwelling is shown in two 'phases' on the submitted plans. The first phase shows a linear bungalow with one bedroom and mezzanine office/storage accommodation. The second phase shows the extension of the dwelling via a link hallway, creation of a 'H' layout, and 3 more bedrooms. It is not clear whether or not Phase 2 is proposed as part of this application.

The proposed dwelling would be centrally sited within the red line boundary area, creating a compound of approximately 0.4 Ha. An internal driveway and central area of hardstanding would provide access and parking with space indicated in the plans for 4 cars. Hedgerows would be planted to the west, north and east boundaries. Furthermore peripheral land within the site will be formed into mounds and planted with trees to provide a clear boundary with the school site to the west. The edges of the site will otherwise be planted with meadow grass.

The phase 1 house would be a linear 1-bed bungalow of 87sq.m. with mezzanine office and storage accommodation. It would have a ridge level of approx. 5.6m above ground and would be 5.7m wide and 18.1m long. Internally, it would feature a very large kitchen/living/dining area and a generous double bedroom with walk-in wardrobe and en-suite bathroom. A utility room and cloakroom are also proposed.

Phase 2 would add an additional 81sq.m. to the dwelling, with 2 large double bedrooms and a large twin bedroom. One of these bedrooms would have a walk-in wardrobe and en-suite, and an additional bathroom and store would be located in this wing. No mezzanine or attic accommodation is proposed. The Phase 2 wing would be 5.7m wide at gable ends and 14.9m long.

### Section 11.3.4 (ii) Design Criteria

Section 11.3.2 (ii) of the Plan provides for design criteria for rural dwellings.

- *A comprehensive site analysis and character appraisal should be submitted with all applications for houses and extensions in rural and high amenity zones (see also Section 11.5.5 (i) Ecological Protection and (ii) High Amenity and Sensitive Landscapes). The analysis and appraisal should provide a rationale for the design and siting of the proposed development including form, building finishes, height, and massing based on the local and natural context. Such development should generally be low rise. The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building*



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*finishes that reflect the local character of the area including vernacular buildings and traditional building materials. Dormer extensions should be minimised and should not obscure the main features of a roof.*

The applicant has not provided a Site Appraisal. The shape and form of development is not considered to be compact and simple, given the proposed layout of the site and proposed dwelling (including phase 2).

- A minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of road in a manner that creates ribbon development should be avoided.

This part of the road suffers from ribbon development due to a number of permissions for housing granted in 2005/6, and a number of older houses located in the immediate vicinity. The house would be located behind the Glenasmole National School and accessed via the present farm gate entrance onto Glassamucky Road. The proposed development constitutes ribbon development, would exacerbate the existing issues in the area, and would set a precedent for similar developments in the immediate area and in the Dublin Mountains high amenity zone.

- Driveway and parking areas should be minimised and should follow the natural slope and contours of the site with appropriate permeable materials. Modern gateways, piers and boundary walls should be avoided with the exception of the retention and reinstatement of traditional stone boundary walls.

The house is proposed to be located in the centre of a large plot (currently part of an agricultural field), with extensive screen landscaping. The parking is to be located on hardstanding within a flattened area in the centre of the site, and space for 4 cars is shown in the plans. The proposal does not include any drawings or details about the boundary treatment at the roadside although an upgrade to this entrance is described in the notices. The proposed development is not considered to comply with the above owing to the excessive size of the area given over to vehicles within the site either as an internal access route or parking area.

### H27 Design Criteria

The development is assessed under the additional criteria provided under Policy H27.

- 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

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- 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.

It is considered that the proposed development does not comply with the first and third of the above criteria to the same extent that it does not comply with criteria described above, and this relates primarily to the size of the proposed plot, and the recontouring of the land in the centre and at the periphery of the plot. Environmental and waste water impacts are assessed below.

The siting and final layout of the proposed house are unacceptable to the planning authority. In particular, the large area of agricultural land to be given over to the residential plot, and the large hard standing area proposed to be laid in the centre of this area, would not support the rural character of the area and the special character of the Dublin Mountains area. The proposed house, including phase 2, is out of character and out of scale with what is considered to be acceptable in the Dublin Mountains high amenity area.

### **Roads & Traffic**

The Roads Section report has recommended a refusal for the development. Their report reads as follows:

There is an existing field gate accessing the site. A shared recessed entrance is proposed for the house and existing agricultural field. Glassamucky Road is a rural road with a broken white line marking on the centreline. Glenasmole National School is located at the south of the proposed site. Sightlines of 150 metres with a 2.0 metre setback have been shown at the proposed entrance. Roads section notes that submitted sightlines are impeded when exiting the site due to obstruction by vegetation and are severely deficient and cannot be improved by applicant as they do not show any interest in the lands which would be required.

SDCC County Development Plan (2016-2022) sets out standards for houses in the rural area and states that 'A minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas. The application site has approx. 5m road frontage and therefore the proposed fails to provide for the required frontage.

The proposed development would result in a form of backland development, which would contravene the Development Plan. The proposal would also set an undesirable precedent for other similar backland developments in the area.

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This proposal constitutes undesirable ribbon development on a substandard rural road network, which will lead to a demand for the uneconomic provision of services and would set an undesirable precedent for further similar developments in the area.

Roads recommends refusal:

1. The generation of additional traffic turning movements at a location where the vision splays available are seriously substandard and cannot be improved to Road's standards would endanger public safety by reason of a traffic hazard.
2. The site has no public road frontage save width of driveway at shared access point. A grant of permission would set an undesirable precedent for further similar type developments in the area thereby creating an urban type of density in a rural area which would endanger public safety due to generation of additional traffic movements on a substandard rural road network.

The recommendation of refusal due to traffic hazard and precedent for backland development on the substandard rural road network is considered to be reasonable.

### Landscape Character Assessment

It is an Objective of the South Dublin County Council Development Plan 2016-2022 (HCL7-2) 'to ensure that development is assessed against Landscape Character, Landscape Values and Landscape Sensitivity as identified in the Landscape Character Assessment for South Dublin County (2015)...'. The proposed development is located in the River Dodder and Glenasmole landscape area, which has been designated as an area with a **high overall landscape sensitivity** and a **negligible landscape capacity**, meaning that the key characteristics of the landscape are highly vulnerable to development and that development would result in a significant change in landscape character and should be avoided if possible. Any increase in development in this area will have a negative impact on both the landscape value and sensitivity of this area, and would therefore be contrary to Policy (HCL7) 'to preserve and enhance the character of the County's landscapes particularly areas that have been deemed to have a medium to high Landscape Value or medium to high Landscape Sensitivity', would be contrary to HCL7 Objective 1 and Objective 2 and would be contrary to the proper planning and sustainable development of the area.

The proposed design has not had adequate regard to the sensitive landscape character of the area and it is considered that the proposed design would have an impact on the landscape character by way of the architectural form, boundary and landscape treatment, and materials.

No visual impact, arboricultural impact or landscape assessment was submitted. Any proposal for development in this Dublin Mountains area should demonstrate how the landscape character will be protected.

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A report was received from the Parks and Landscape Services/Public Realm Department which includes a number of conditions regarding a landscape plan and arboricultural impact. However, The Planning Authority considers that the application is deficient in this information and therefore recommends a refusal.

### Ecology

The site has existing mature trees and boundary hedging. A bat survey should have been undertaken and measures proposed to mitigate any impact on bats.

### **Water Services**

A report received from the Water Services Department has requested additional information regarding percolation test results, and surface water. As there are other issues with this development, this should be included in any decision to **refuse permission**.

Irish Water has reviewed the application and has stated no objection subject to standard **conditions** that all development be in compliance with Irish Water standards codes and practices. In relation to foul water, they refer to the EHO.

Unfortunately there is no report on file from the Environmental Health Officer. The applicant has submitted a Site Sustainability Report.

### **An Taisce**

An Taisce recommends a refusal as the development will create ribbon development; it does not conform with policy objectives regarding residing in the countryside on the core consideration of economic or social need; and does not comply with Policy H23 of the CDP. The Planning Authority agrees with this assessment.

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

Having regard to the nature of the proposed development, there is no real 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 site is located within the High Amenity Dublin Mountain zoned area, and is within the Bohernabreena Reservoir Catchment. The site is also located within 1km of a number of European designated sites i.e. Glenasmole Valley SAC, Glenasmole Valley pNHA, Wicklow Mountains SAC, and Wicklow Mountains SPA. Insufficient details have been submitted with respect to surface water drainage, therefore, a full and comprehensive AA Screening Report cannot be undertaken at this juncture.

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### Conclusion

Pursuant to the policies, objective and standards pertaining to rural housing development as set out in the 2016-2022 South Dublin County Council Development Plan, and in particular Policy H20, the County's Core Strategy and Rural Settlement Strategy, it is considered that the proposed development would undermine the Local Authority's policies to focus housing into existing settlements, reinforce and consolidate urban settlements, and restrict housing in rural zoned areas.

With reference to the policies contained within the National Planning Framework and the County Development Plan, the proposed development is located in an area that is under pressure for urban generated housing. Pursuant to policy H23, it is not considered in this instance that the applicant has demonstrated justification that would warrant the setting aside of Policy H20 where it is the policy 'to restrict the spread of dwellings in the rural 'RU', Dublin Mountains 'HA-DM'; Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones and to focus such housing into existing settlements.' Therefore, considering the HA-DM zoning objective, the Landscape Character Assessment and the precedent that would be established by this development in the area, it is considered that the proposed development would by itself and cumulatively, constitute the proliferation of housing in a rural area. This would further erode the rural character, compromise the landscape, lead to the demand for the uneconomic and unsustainable provision of public services and community facilities and would therefore contravene the HA-DM zoning objective, the policies and objectives of the South Dublin County Development Plan 2016-2022, the National Planning Framework, and the Regional Spatial and Economic Strategy 2019 – 2031, and would therefore be contrary to the proper planning and sustainable development of the area.

The provision of an additional dwelling in this location would result in an increase in the dwelling density of a rural area, promote ribbon development, promote undesirable site layout and design, and endanger public safety due to the generation of additional traffic movements on a substandard rural road network. Insufficient information has been provided with regards to servicing and ecological impact.

It is therefore recommended that the proposed development be **refused**.

### 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:-

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### SCHEDULE

#### REASON(S)

1. The site is located on lands subject to zoning objective HA - DM in the South Dublin County Council Development Plan 2016 - 2022. It is the policy of the Council that within areas designated with Zoning Objective HA - DM (to protect and enhance the outstanding natural character of the Dublin Mountain Area) new or replacement dwellings will only be considered in exceptional circumstances and subject to the criteria set out in Objective 1 of policy H23.

Based on the information provided, the applicant has not satisfactorily demonstrated compliance with all the criteria of H23 Objective 1, due to:

- (i) The development is not in keeping with the character of the mountain area.
  - (ii) The applicant has not demonstrated a genuine need for housing in that particular area.
- The development therefore materially contravenes the zoning objective of HA-DM 'to protect and enhance the outstanding natural character of the Dublin Mountains Area', and H23 Objective 1 of the South Dublin County Development Plan 2016 - 2022.

2. Housing Policy H20 'Management of Single Dwellings in Rural Areas', as set out in the South Dublin County Development Plan 2016-2022 states 'It is the policy of the Council to restrict the spread of dwellings in the rural 'RU', Dublin Mountains 'HA-DM'; Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones and to focus such housing into existing settlements.' Insufficient justification has been provided which would warrant the setting aside of the objectives of Policy H20 in this instance. The proposed development and development for retention would constitute urban generated housing, would contravene the objective of the planning authority and would lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed. Taken in conjunction with existing development in the area, the proposed development would give rise to an excessive density of development in a rural area lacking certain public services and community facilities and served by a poor road network. It is an objective of the planning authority, as expressed in Policy H20 of the South Dublin County Council Development Plan 2016-2022, to channel housing into 'existing settlements'. As such, the proposed development would materially contravene this objective of the Development Plan and would therefore be contrary to the proper planning and sustainable development of the area.

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3. (a) The applicant has not satisfactorily demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. The development, in the absence of any identified locally based genuine need for the house, would contravene local and national housing policy and objectives, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

(b) The site is located in the Dublin Metropolitan Area as designated under the Regional Spatial and Economic Strategy 2019 - 2025 (RSES) and the Dublin Metropolitan Area Spatial Plan, which forms part of the RSES. The Settlement Strategy policy for the Eastern & Midlands Region supports provision of policy at local level that seeks to support and protect existing rural economies such as valuable agricultural lands to ensure sustainable food supply, to protect the value and character of open countryside and to support the diversification of rural economies to create additional jobs and maximise opportunities in emerging sectors, such as agribusiness, renewable energy, tourism and forestry enterprise. The policy further requires Local Authorities to manage urban generated growth in Rural Areas Under Strong Urban Influence by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements. Finally, the settlement strategy policy supports consolidation of the town and village network to ensure that development proceeds sustainably and at an appropriate scale, level and pace in line with the core strategies of the County Development Plans.

The proposed development would represent the proliferation of further one-off housing in the Dublin Metropolitan Area and would, by itself and by the precedent it would create, prejudice the achievement of regional settlement strategy policy for the Eastern & Midlands Region.

4. Section 11.3.4 (Rural Housing) (ii) (Rural Housing Design) of the South Dublin County Council Development Plan 2016-2022 states that a minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of roads in a manner that creates ribbon development should be avoided. The site has no public road frontage save width of vehicular access at shared access ) and contravenes this objective. It is the policy of the planning authority as set out in the development plan to control urban sprawl and ribbon development. The proposed development would be in conflict with this policy because, when taken in conjunction with existing development in the vicinity of the site, it would consolidate and contribute to the build-up of ribbon development in an open rural area. This would militate against the

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preservation of the rural environment and lead to the demands for the provision of further public services and community facilities. The development would, therefore, be contrary to the proper planning and sustainable development of the area.

5. The generation of additional traffic turning movements at a location where the vision splays available are seriously substandard and cannot be improved to Road's standards would endanger public safety by reason of a traffic hazard.
6. The applicant has not provided information to support the screening out of Appropriate Assessment.




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**REG. REF. SD21A/0351**

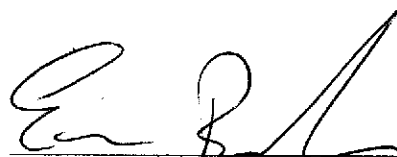
**LOCATION: Glassamucky, Glenasmole, Tallaght, Dublin 24**

  
\_\_\_\_\_  
**Jim Johnston,**  
**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:**

23/2/22

  
\_\_\_\_\_  
**Eoin Burke, Senior Planner**