

Comhairle Chontae Atha Cliath Theas

PR/0778/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0178 **Application Date:** 28-Apr-2022
Submission Type: New Application **Registration Date:** 28-Apr-2022

Correspondence Name and Address: William Donoghue & Associates Woodlands,
Rathangan, Co Kildare

Proposed Development: Alterations to the existing roof structure of existing habitable dwelling; construction of a single storey extension to the rear and side of the existing dwelling including changes to all elevations; construction of a single storey porch to the front of existing dwelling including changes to all elevations; construction of a raised patio area to the rear elevation of the existing dwelling; decommissioning of existing septic tank and installation of a wastewater treatment plant and percolation area and all ancillary site works.

Location: Blackthorn Hill, Coolmine, Saggart, Co. Dublin

Applicant Name: Jamie Goldrick

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.73 hectares.

Site Description:

The site is located in the rural location of Crockaunadreenagh Coolmine Saggart, to the South of the Redgap area in Rathcoole. The existing site contains a detached bungalow property with a hipped roof profile and also contains a stand-alone garage structure to the south of the dwelling. The site is bounded by a stone wall with mature hedgerows. The site slopes from south to north. There are sporadic dwellings in the vicinity that have a variety of architectural styles. The character of the surrounding area is rural. Long distance views are available from the site to the north and northeast. Views of the site are evident from the public road when approaching from the west and adjacent to the outside of the property's driveway.

Site visited:

3 June 2022

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Proposal:

Permission is sought for the following:

- Alterations to roof structure
- Construction of a single storey side and rear extension
- Pitched roof porch on front elevation
- Raised patio to rear
- Decommissioning of existing septic tank and installation of wastewater treatment plan and percolation area

Zoning:

The subject site is subject to zoning objective HA-DM - '*to protect and enhance the outstanding natural character of the Dublin Mountains Area*'.

Consultations:

Roads – **Additional Information** recommended

Surface Water Drainage – **No objection**

Environmental Health – No objection, **conditions** recommended

SEA Sensitivity Screening

Indicates overlap with Rural 2016 and HA-DM

Submissions/Observations /Representations

Submission expiry date – 1 June 2022

No submissions or objections received.

Relevant Planning History

SD21B/0041: Two storey split level extension to existing cottage and all associated site works.
Permission refused.

Reasons for refusal:

1. *The proposed development by reason of its excessive mass and scale would adversely impact the Rural Area and is considered to be a new dwelling rather than the extension of an existing dwelling. The development, as proposed, would contravene Policy H23, Policy H27 and the HADM zoning objective, which seeks to 'to protect and enhance the outstanding natural character of the Dublin Mountains Area' under the South Dublin County Council Development Plan 2016- 2022. It therefore is contrary to the proper planning and sustainable development of the area.*
2. *The proposed development makes unnecessary use of cut-and-fill on a site of steep topography. This approach is in contravention of Policy H9 Objective 2 of the County Development Plan and Policy H27 which relates specifically to residential developments in*

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the High Amenity Dublin Mountains area. There is scope on the site for an alternative approach to extending the subject dwelling. A grant of permission for a split level extension down the hill, in these circumstances, would not be an appropriate response to the topography of the site or the surrounding context of the high amenity Dublin Mountains area, and would be contrary to the land-use zoning objective, and, as such, the proper planning and sustainable development of the area.

3. *The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential and visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.*
4. *The applicant has failed to demonstrate that the proposal satisfies the requirements of Policy H27 of the South Dublin County Development Plan 2016-2022. In particular, it has not been shown how the proposal:*
 - *Is designed and sited to minimise impact on the landscape including views;*
 - *Is designed and sited to minimise impact on the site's natural contours and natural drainage features;*
 - *Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls;*
 - *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.*

The development, as proposed is therefore considered to be contrary to Policy H27 of the South Dublin County Council Development Plan 2016-2022 and the proper planning and sustainable development of the area.
5. *Having regard to the lack of information submitted in relation to car parking and access for the proposal on the site, the Planning Authority is not satisfied on the basis of the information submitted that the proposed development would not give rise to traffic hazard.*

SD20B/0309: Single storey extension to existing cottage. Temporary single storey dwelling for the duration of construction works. All associated site works. **Permission refused.**

Adjacent sites

SD18B/0521: Redgap, Rathcoole, Co. Dublin. SDCC **Granted Permission** for (a) ground floor kitchen extension of 20sq.m; (b) first floor extension of 39sq.m to provide an additional bedroom with walk-in wardrobe and bathroom; total area of extension to house is 59sq.m.

SD14B/0105: Vale View, Coolmine, Saggart, Co. Dublin. SDCC **Granted Permission** for Single storey extension to side of detached bungalow with tiled pitched roof to match existing.

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SD12B/0126: Redgap, Rathcoole, Co. Dublin. SDCC **Granted Permission** for Single storey extension to the rear; single storey front porch; internal alterations; amendments to existing elevations and alterations to the existing entrance; associated site works.

SD11B/0153: Crockaunadreenagh, Rathcoole, Co. Dublin. SDCC **Granted Permission** for alterations and extension to an existing detached single storey house with basement to include: lowering of existing ground floor level; provision of single storey extension to front, rear and east and west side with dormer extension at first floor to include 2 dormer windows, 2 rooflights and 2 dormer gables with windows to front with 3 dormer windows and 2 rooflights to rear; alterations to include altering existing window opes and providing new windows on all sides; external works include provision of new single storey garage to rear, widening of existing vehicular access, replacement of existing septic tank and upgrading of existing percolation area to the front and all associated site works. Significant Additional Information: reduction of projection, width, and height of two storey gable on west side of front elevation; omission of gable to east side of front elevation; provision of additional first floor dormer window to east side of front elevation; extension of first floor dormer to rear and relocation of existing front vehicular access to 10 metres west of existing access.

SD04B/0030: Lothlorien, Crockaunadreenagh, Saggart, Co. Dublin. SDCC **Granted Permission** for alterations and extensions to existing residence. Works consist of new snooker/playroom at west side with detached garage at rear. Alterations to building consists of replacing ground floor window with French doors, also replace 2 'Velux' roof lights at front with 3 new dormer windows and removal of bull eye window to eastern gable end with cantilevered bay window for light and ventilation to ensuite bathroom. Fitting out of existing converted attic as two ensuite bedrooms. Also new landscaping scheme with timber boardwalk at front, screened from road with shrubbery planting.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 2.5.0 Rural Housing

Policy H20 Management of Single Dwellings in Rural Areas

Policy H21 Rural Housing Policies and Local Need Criteria

Policy H23 Rural Housing in HA – Dublin Mountains Zone

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

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Section 2.5.6 Replacement Rural Dwellings

Policy H25 Replacement Dwellings in Rural and High Amenity Areas

Section 2.5.7 Rural Dwelling Occupancy

Policy H26 Occupancy Condition

Section 2.5.8 Rural House & Extension Design

Policy H27 Rural House & Extension Design

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 Objective 2:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 8.1.0 Green Infrastructure Network

Policy G2 Green Infrastructure Network

Section 9.1.0 Built Heritage and Architectural Conservation

Policy HCL 1- Overarching

Section 9.1.1 Archaeological Heritage

Policy HCL 2 Archaeological Heritage

Section 9.2.0 Landscapes

Policy HCL7 Landscapes

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Section 9.2.1 Views and Prospects

Table 9.2: Prospects to be Preserved and Protected

Policy HCL8 Views and Prospects

Section 9.7.0 Sites of Geological Interest

Table 9.6 County Geological Sites for Protection

Policy HCL19 Geological Sites

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

(i) Extensions

*The design of residential extensions should accord with the **South Dublin County Council House Extension Design Guide (2010)** or any superseding standards*

Section 11.3.4 Rural Housing

(i) Housing Need

(ii) Rural Housing Design

(iii) Wastewater Treatment

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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).

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

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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).

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Overcoming Previous Reasons for Refusal
- Services, Drainage, and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area subject to 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. A portion of the northwest corner of the site is zoned 'RU' (it is not apparent that development would take place in this portion of the site).

The use class 'Residential' is listed as 'open for consideration' under this zoning objective subject to accordance with Council policy for development in rural areas. With regard to Council policy in relation to rural housing and extensions to dwellings within lands subject to zoning objective HA-DM, policy H27 and H16, and H16 Objective 2, are relevant.

Residential and Visual Amenity

The issues of residential amenity in terms of the standard of accommodation and potential impact on neighbouring properties did not form a reason for refusal in the previous application. The current proposal provides for a large rear extension of approximately 49 sq.m comprising an open plan kitchen and living area. An adjoining side extension (15 sq.m) would provide for a utility room and third bedroom. A pitched roof porch would be placed on the front elevation, projecting 1.35m from the front building line, and a small side extension would be located on the east elevation serving bedroom 1. The main rear and side extension would be clad in hardwood and would have a flat roof. The finish of the existing dwelling would be upgraded to a smooth render, painted white, and the porch and smaller side extension would be finished to match. Existing windows, and new windows, would all be upgraded to grey aluclad. It is considered that the materials proposed represent a high quality and would assist in improving the sustainability and efficiency of the property. The roof of the dwelling would be altered and tiled with natural roof slate.

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The proposal would again be considered acceptable in regard to the standard of accommodation and limited impact on neighbouring properties, given its siting in relation to neighbouring properties.

It is noted that the finished floor level of the dwelling is indicated on drawings as being 276.26m. The Planning Authority questions the accuracy of this figure based on site levels provided around the dwelling which indicate levels ranging from 269.846-266.630. The applicant should be requested to submit **additional information** comprising accurate layout drawings and floor plans correctly indicating the level change between the dwelling and the site.

Overcoming Previous Reasons for Refusal

As outlined in the planning history section of this report a previous application (SD21B/0041) for an extension was recently refused permission on this site. The application was refused for reasons concerning the mass and scale of the proposal in the context of the high amenity area, the use of cut-and-fill on a site of steep topography in contravention of Policy H16 Objective 2, failure to comply with Policy H27 and the lack of information in relation to car parking and access. The main difference between the refused and current application is the following:

- A single storey extension is now proposed with a raised patio area.
- The footprint of the extension would be reduced from 143sq.m to 60sq.m.
- The primary location for extension of the dwelling would be to the north and west, with smaller bay window and porch extensions on the east and south elevations respectively.

The single storey extension removes the element of significant cut-and-fill that was previously proposed. However, a significant raised patio area would be located along the rear, east and west sides of the dwelling. While this no longer represents cutting into the landscape, it is not considered that filling in of a significant slope is appropriate given the sites zoning objective to *'protect and enhance the outstanding natural character'*. Policy H16 Objective 2 states *'the use of intrusive engineered solutions, such as cut and filled platforms, embankments or retaining walls on sites with steep or varying topography'* should be avoided. The extensions proposed would appear make use of intrusive engineered solutions to provide a level floor internally and the external patio. In this regard, the applicant should be requested to revise the proposals, better maximising the topography of the site, creating different levels to the house where necessary, or utilising flatter parts of the site to provide extended accommodation. This should be done by way of **additional information**.

The applicant has submitted documentation to comply with Policy H23, demonstrating they are native of the area. H23 sets a high threshold of criteria to overcome in relation to new or replacement dwellings as follows:

- The applicant is a native of the area; and
- The applicant can demonstrate a genuine need for housing in that particular area; and

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- 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 size of the proposed extension has now been significantly reduced, meaning the extension would represent a 134% increase in size of the dwelling from 50 sq.m to 117 sq.m. The previous extension represented a 286% increase in size and was considered to represent a replacement dwelling rather than an extension. Given the size of the works proposed, it is not considered that the works would represent a new dwelling and do constitute a residential extension and therefore compliance with H23 is no longer relevant.

The Roads Department have reviewed the application and have recommended that **additional information** is sought as follows to address the previous concerns:

1. *The applicant shall submit a revised layout with appropriate scale, showing the proposed parking arrangement for the proposed dwelling.*
2. *The applicant shall submit a revised layout with appropriate scale, showing boundary walls at both of existing vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles. If the developer intends to propose high boundary walls or pillars, they shall be consistent with the visibility splay arrangement as per TII recommendation for horizontal and vertical visibility splay.*
3. *The applicant shall submit a revised layout with appropriate scale, showing a visibility splay of 2.4m x 90m in both directions from the entrance. Sightlines should be to the near side edge of the road to the right-hand side of entrance and to the centreline of the road to the left-hand side of the entrance (when exiting).*
4. *The gradient of access shall not exceed 2.5% over the last 6 metres of approach to the public road.*

While the Roads response is appreciated, given there is an existing dwelling at the site, it is not considered appropriate to request all of the above information from the applicant. In assessing the application, it would be useful to have accurate existing and proposed site layout plans, clearly indicating all areas of landscaping and hardstanding, including levels, to assess the proposed parking arrangements for the dwelling. Layout plans and elevations should also be provided detailing all entrances to the site, noting that previous applications have indicated a second agricultural access towards the south of the site. This should be requested as **additional information**. In preparing these drawings the applicant should have cognisance of Section 11.3.4(ii) of the Development Plan which states:

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

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boundary walls should be avoided with the exception of the retention and reinstatement of traditional stone boundary walls.

Services, Drainage, and the Environment

Water Services has reviewed the application and have stated no objection to the development.

Environmental Health

The Environmental Health Officer (EHO) has reviewed the application and has stated no objection to the development. Their report recommends the following **conditions** in the event of a grant:

- 1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that:
The use of machinery, plant, or equipment (which includes pneumatic drills, generators, and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours*
 - Before 07.00 hours on weekdays, Monday to Friday*
 - Before 09.00 hours on Saturdays.*
 - After 19.00 hours on weekdays, Monday to Friday.*
 - After 13.00 hours on Saturdays.*
 - Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*
- 2. During the demolition and construction phases of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.*
- 3. The proposed wastewater treatment systems shall be located, installed, and operated in accordance with the details submitted to the Planning Authority on 28/04/2022 and in accordance with the requirements of the Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses issued by Environmental Protection Agency 2009.*
- 4. A maintenance contract for the lifetime of the treatment system shall be entered into with the suppliers of the wastewater treatment system or with an appropriate maintenance firm. Documentary evidence of an on-going maintenance agreement shall be submitted to the Planning Authority within 4 weeks of the installation of the wastewater treatment system.*
- 5. Within three months of the first occupation of the house, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the wastewater treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner, and that the polishing filter and/or percolation area is constructed in accordance with the requirements of the Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses issued by Environmental Protection Agency 2009.*

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6. *The existing septic tank must be fully decommissioned and removed from use.*

These **conditions** would be considered appropriate to ensure public health and prevent nuisance.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within the Dublin Mountain High Amenity area, with ad-hoc residential development and agricultural uses on the lands surrounding the site. The proposed development comprises a house extension.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development, and
- the consequent absence of a pathway to a European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Environmental Impact Assessment

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

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the overall design and scale of the development proposed and consultee responses, it is considered appropriate to request the following **additional information**:

- Revised proposals incorporating changing levels for the dwelling and maximising flatter areas of the site to reduce the need for raising of the land.
- Site layout and floor plans showing the correct internal finished floor levels of the dwelling. A proposed roof plan at a scale of no less than 1:200
- Existing and proposed entrance plans and elevations. Clearly stating any changes proposed to width of entrance and boundary treatments and accurate existing and proposed site layout plans, showing correct levels and areas of landscaping and hardstanding

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Recommendation

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

1. Policy H16 Objective 2 of the Development Plan 2016 – 2022 states ‘the use of intrusive engineered solutions, such as cut and filled platforms, embankments or retaining walls on sites with steep or varying topography’. While the applicant appears to have reduced the amount of cutting into the land required for the proposed works, significant raising would be required to provide a single level surface for the dwelling and proposed terrace. This is considered unacceptable by the Planning Authority and would still be contrary to Policy H16 Objective 2. In this regard, the applicant is requested to submit revised proposals, making better use of the topography of the site to provide and extension of different levels, as well as maximising flatter areas of the site to extend the existing dwelling.
2. It is not considered that the levels provided are accurate, with there being a significant discrepancy of the FFL of the dwelling being shown as 276.26m, while the ground immediately outside the house has levels ranging from 269.846-266.630. The assessment of the impact of the extension on the sloping site is a critical factor in determining the acceptability of proposals at this location. In this regard, the applicant is requested to submit revised layout and floor plans as relevant, clearly indicating accurate levels for the site.
3. The applicant is requested to submit a revised layout with appropriate scale, showing the proposed parking arrangement for the proposed dwelling, and a drawing showing boundary walls at both of existing vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, unless maintaining existing entrance arrangements. In preparing these drawings, the applicant should have cognisance of Section 11.3.4(ii) of the Development Plan which states ‘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.’

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REG. REF. SD22B/0178

LOCATION: Blackthorn Hill, Coolmine, Saggart, Co. Dublin



**Jim Johnston,
Senior Executive Planner**

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

Date:

22/6/22



Eoin Burke, Senior Planner