

# Comhairle Chontae Atha Cliath Theas

**PR/0888/22**

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

**Reg. Reference:** SD22A/0146      **Application Date:** 20-May-2022  
**Submission Type:** New Application      **Registration Date:** 20-May-2022

**Correspondence Name and Address:** Sarah Jane Kearney Cruagh Lane, Rockbrook,  
Rathfarnham, Dublin 16, D16 H294

**Proposed Development:** Four-bedroom dwelling of approximately 187 sqm on  
2 levels (ground floor and dormer attic). Roof terrace,  
sheltered external areas, new boundary wall, site  
entrance, gate, driveway with associated car parking  
spaces and turning area. 2 new wastewater treatment  
plants and associated percolation areas - one of which  
to serve the existing adjacent dwelling and all  
associated landscape and ancillary site works.

**Location:** Cruagh Lane, Rockbrook, Rathfarnham, Dublin 16,  
D16 H294

**Applicant Name:** Sarah Jane Kearney

**Application Type:** Permission

(NM)

### **Description of Site and Surroundings:**

Site Area: 0.12268 Hectares.

Site Visit: 04/07/2022

### **Site Description:**

The site of the proposed development is located on the western side of a narrow rural access road called Cruagh Lane off Cruagh Road, approximately 2.5km from the M50. Cruagh Lane is a predominately rural area in the townland of Rockbrook within close proximity to the Owendoher stream and close to the Dublin Mountains high amenity zone.

The site is bounded by hedgerows and mature trees fronting onto the laneway and the site is currently in grass with a shed to the rear (west). There is an existing dwelling adjoining the site to the south.

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### **Proposal:**

- **Four-bedroom dwelling** of approximately 187 sqm on 2 levels (ground floor and dormer attic).
- Roof terrace sheltered external areas, new boundary wall, site entrance, gate, driveway with associated car parking spaces and turning area.
- 2 new wastewater treatment plants and associated percolation areas - one of which to serve the existing adjacent dwelling and all associated landscape and ancillary site works.
- Total area of works 187sqm

### **Zoning:**

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

### **Consultations:**

Surface Water Drainage – Further information required.

Irish Water – Further information required.

Environmental Health Officer – Further information required.

Roads – Refusal recommended.

Parks – Further information required.

### **SEA Sensitivity Screening:**

Overlaps identified with:

- PFRA A 2016
- PFRA B 2016
- Rural 2016
- Within close proximity to High Amenity Dublin Mountain 2016

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

Letters of consent from occupiers of neighbouring dwellings confirming no objections.

The submissions received in support of the development have been noted and reflected in the report.

### **Relevant Planning History:**

#### *Subject*

S01B/0220 – **Permission Granted** for Extension to hallway with dormer roof over to house.

#### *Adjacent*

SD22B/0200 - Cruagh Lane, Killakee, Rathfarnham, Dublin 16 – **Permission Refused** for detached split level single storey dwelling with 'Sarnafil' standing seam mono pitched roof to include 2 'Velux' rooflights and solar panels; the replacing of existing vehicular site entrance with new

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entrance from the existing private road/laneway; installation of septic tank, percolation area, landscaping, permeable 'Grasscrete' layby and all associated site works.

SD16A/0129 – Cruagh Lane, Killakee, Rathfarnham, Dublin 16 – **Permission Refused** for construction of a detached split level single storey dwelling with Sarnafil standing seam mono pitched roof to include 2 Velux rooflights and solar panels. The replacement of existing vehicular site entrance with new entrance from the existing private road. Installation of septic tank, percolation area, landscaping and all associated site works.

SD15A/0333 - Cruagh Lane, Killakee, Rathfarnham, Dublin 16 – **Permission Refused** for construction of a detached split level single storey dwelling with Sarnafil standing seam mono pitched roof to include 2 'Velux' rooflights and solar panels, formation of new entrance to site from existing private road, installation of septic tank, percolation area, landscaping and all associated site works.

SD11B/0131 - Cruagh Lane, Cruagh, Rockbrook, Dublin 16 – **Permission Refused** for detached bungalow with a water treatment unit a percolation area, driveway, vehicular access and associated site works.

SD06A/0425 - Cruagh Lane, Rockbrook, Rathfarnham, Dublin 16 3- **Permission Granted** for detached, split level, single storey dwelling house with solar panels, installation of a Biocycle sewage treatment plant including percolation area, form new entrance and all associated site works.

### **Relevant Enforcement History**

None.

### **Pre-Planning Consultation**

PP120/20 - Construction of a new 3-bedroom house within the curtilage of the family home. The proposed house takes the form of 2 pitched-roof volumes in vernacular form arranged parallel to one another to form a 140 sq.m ground floor with dormer room in the eastern portion. The proposal would also include a small new driveway and a new gate onto the main road. The proposed works shall retain much of the existing vegetation next to the site and use new trees and hedges to conceal the volume of the house.

An email was sent to applicant on 1/2/2021 outlining key considerations and policies to be adhered to in South Dublin County Council Development Plan.

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

*Section 9.2.0 Landscapes,*

*Sets out that a Landscape Character Assessment of South Dublin County (2015) has been prepared in conjunction with the review of the County Development Plan. The Landscape Character*

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*Assessment of South Dublin County, 2015 is a separate document to be read in parallel with this Plan.*

*Landscape Character Assessment of South Dublin County (2015).*

*Heritage, Conservation and Landscapes (HCL) Policy 7 Landscapes.*

*It is the policy of the Council 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 and to ensure that landscape considerations are an important factor in the management of development.*

*HCL7 Objective 1: To protect and enhance the landscape character of the County by ensuring that development retains, protects and, where necessary, enhances the appearance and character of the landscape, taking full cognisance of the Landscape Character Assessment of South Dublin County (2015).*

*HCL7 Objective 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) in accordance with Government guidance on Landscape Character Assessment and the National Landscape Strategy.*

*Housing (H) Policy 27: 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 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):*

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*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 2.0 Rural Housing*

*Policy 16 Steep or Varying Topography Sites*

*It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.*

*Section 2.5.0 Rural Housing*

*Policy 27 Rural House & Extension Design*

*It is the 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.*

*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 2.5.7 Rural Dwelling Occupancy*

*Policy H26 Occupancy Condition*

*Section 2.5.8 Rural House & Extension Design*

*Section 11.3.4 Rural Housing*

*Section 11.3.4 (i) Housing Need*

*Section 11.3.4 (ii) Rural Housing Design*

*Section 11.3.4 (iii) Wastewater Treatment*

*Policy HCL1 Heritage, Conservation and Landscapes*

*Policy HCL2 Archaeological Heritage*

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

*Section 8.2.0 Watercourses Network*  
*Policy G3 Watercourses Network*

*Section 11.3.1 Residential*  
*Section 11.3.1 (iv) Dwelling Standards*  
*Section 11.3.1 (v) Privacy*

*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**

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

***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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### **Assessment**

The main issues for consideration are:

- Zoning and Council policy,
- Residential and Visual Amenity,
- Drainage,
- Parks,
- Environmental Health Officer,
- Roads,
- Screening for Appropriate Assessment,
- Screening for Environmental Impact Assessment.

### ***Background of Council Policy Change***

The South Dublin County Development Plan 2022 - 2028 was made by resolution by the Elected Members on June 22nd and will come into effect on August 3rd, 2022. In accordance with Section 34 (2) of the Planning and Development Act 2000 (as amended), the Planning Authority will have regard to the South Dublin County Development Plan 2022-2028 as the development plan for the area when making decisions in relation to applications from August 3rd, 2022.

In the context of the rural housing policy, the new plan has an amended policy context. In the event of further consideration of this planning application by further information, the applicant shall be required to fully set out compliance with the new Development Plan policy.

### ***Zoning and Council Policy***

The site is zoned objective 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture' in the 2016 - 2022 Development Plan.

Residential development that accords with Council policy for development in rural areas is listed as open for consideration under the 'RU' zoning objective of the application site, in accordance with Council policy for residential development in rural areas. Therefore, such proposals may be permitted only if they do not conflict with the policies and objectives of the Development Plan (including local needs criteria) and if they are consistent with the principles of proper planning and development and relevant Ministerial guidelines. The proposal is assessed within this context.

### ***HOUSING (H) Policy 20***

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.

*The applicant has stated that the only properties available in the area are prohibitively expensive. Notwithstanding this, the application site is located in a rural area and development would impact on the area's rural character.*

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### *HCL7 Objective 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) in accordance with Government guidance on Landscape Character Assessment and the National Landscape Strategy.

*The proposed development is located in the Dodder and Glenasmole Valley, which has been designated as an area with a high landscape value and sensitivity and a Landscape Capacity which is negligible. Key characteristics of the Landscape Character Area are highly vulnerable to development, and it is generally considered that development would result in a significant change in landscape character and should be avoided where possible. Any proposed development should be mitigated with careful and informed mitigation measures such as mounding and planting appropriate to the receiving environment. Mitigation measures should include a network of green and blue corridors to supplement the existing and support landscape functions, contributing to green infrastructure and enhancing the overall landscape character of the site setting.*

### *H22 Objective 1:*

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

- The applicant can establish a genuine need to reside in proximity to their employment (such employment being related to the rural community) OR

*The application states that the applicant will be working from home for the foreseeable future. The Planning Authority acknowledges this, but it is considered that the nature of employment should be clarified, including a letter from employer outlining the status and timeline of the working from home arrangement. Overall, noted that the applicant does not appear to have a genuine need by economic/ employment reasons to reside at this location.*

***or***

- The applicant has close family ties with the rural community.

*The applicant has stated that their parents reside within 10m of the proposed development site and have done so for the last 25 years. The applicant has provided evidence that written correspondence has been delivered to this address including letters from Revenue since 2008. Having regard to the foregoing, it is considered that the applicant has not satisfactorily demonstrated that they have close family ties with the rural community. Further information required.*



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### *Policy H27*

Policy H27 relates to rural houses and extensions to same to minimise visual impact on the character and visual setting of the surrounding landscape. More specifically Policy H27 Objective 1 states:

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

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and

*The application site is surrounded by natural indigenous hedgerows and mature trees that provide some coverage for the proposed development. The subject site is located in the River Dodder and Glenasmole Valley Landscape Character Assessment area and abuts the Dublin Mountains High Amenity area which aims to protect the views of the surrounding areas. Furthermore, a large proportion of the existing hedgerow and mature trees will be removed as part of the proposed development and the Planning Authority would have concerns in this regard. Further information required.*

- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and

*The proposed development requires the removal of indigenous hedgerows and mature trees. Concerns expressed in relation to proximity to watercourse. Discussed further later in report.*

- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and

*The proposed development is located on a site that slopes from the eastern part of the site at the proposed entrance (high point) to the western boundary (low point) but the relatively slight gradient should ensure the proposed development does not have an overly negative impact on the sites natural contours and natural drainage features.*

- Retains and reinstates traditional roadside and field boundaries; and

*The proposed development requires the removal of existing hedgerow and mature trees for the provision of a vehicular entrance.*

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- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and

*According to the submitted drawings, there will be a requirement for some cut and filled platforms but not to the degree that it would be of concern to the Planning Authority.*

- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; and

*A report was submitted as part of the application pertaining to the treatment of wastewater which could not be assessed as part of this report by the Environmental Health Officer as the trial holes were filled in on inspection. Further information required.*

- Would not create or exacerbate ribbon or haphazard forms of development.

*The proposed development involves the subdivision of the existing residential site. It is considered that the infill nature reduces the visual impact of the proposal on the rural area. The 2005 Rural Guidelines outline that in assessing individual housing proposals in rural areas planning authorities will in some circumstances need to form a view as to whether that proposal would contribute to or exacerbate ribbon development. Taking account of the dispersed nature of existing housing in many rural areas, areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage.*

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant,
- The degree to which the proposal might be considered infill development, and
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development

In this instance, it is considered that further information is required.

### *Conclusion*

Further information required.

### ***Residential and Visual Amenity***

#### *Residential*

The proposed development is for a split-level four bedroomed residential dwelling totalling 187sqm in a predominately rural setting. The rear elevation to the northwest will overlook a relatively dense wooded/sylvan area which lines the banks of the Owendoher Stream. The ridge height of the proposed development will sit approximately 2.7m lower than that of the existing dwelling to the

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southwest at its highest part, partially due to the topography of the site. The dwelling is located towards the front of the site near the proposed entrance on to Cruagh Lane which is the lower point. The majority of the site itself is relatively flat but rises from southeast to northwest at the front of the site and sits approximately 2m above the road level and this elevated position is likely to have a visual impact on the surrounding landscape.

The site of the proposed development forms part of the applicants' parents existing dwellings site which will require a separate vehicular entrance. Approximately 11m of existing hedgerow and mature trees will be removed in order to facilitate the proposed entrance which is considered reasonable and proportionate.

Section 11.3.4 of the Development Plan states 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*. The proposed **development has a road frontage of 27m** and as such is **not compliant** with the Development Plan standard. It is noted that this standard is linked to the consideration of ribbon development. Further information required to demonstrate the extent of existing development in the area in the context of the 2005 Rural Guidelines.

The existing dwelling to the west's front façade also has two balconies which look directly onto the roof terrace and 1<sup>st</sup> floor bedroom of the proposed which would not be considered appropriate. It should be noted that the distance from the 1<sup>st</sup> floor level rear elevation of the proposed dwelling and the 1<sup>st</sup> floor level of the existing dwelling is approximately 19.5m which would not be consistent with Section 10 of the Urban Design Manual (2009) which states *a separation distance of 22 metres should generally be provided between directly opposing above ground floor windows to maintain privacy. Reduced distances will be considered in respect of higher density schemes or compact infill sites where innovative design solutions are used to maintain a high standard of privacy*.

The Planning Authority is satisfied that sufficient privacy is maintained.

It should be noted that there appears to be a waste disposal company operating from the application site including a number of skips and trucks for their collection which would undoubtedly increase the road traffic in the area and lead to hazardous conditions for road users. There is no evidence that the use is operating with the benefit of planning permission at this address. Further information required.

It is unclear from the plans submitted as to whether the rear amenity space encompasses the entire of the grassed area (including concrete block shed) to the rear of the proposed development as indicated on the site plans or if it is an L-shaped rear amenity space as shown on other site plans submitted where part of the garden is fenced off allowing dedicated access to a new wastewater treatment unit proposed for the existing dwelling and **additional information** is required to confirm this. The use and ownership of this shed should also be confirmed by way of **additional**

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**information** as it appears to be used in conjunction with a commercial use from the photographic evidence provided.

### *Visual*

The proposed development calls for a relatively traditional design to the front elevation fronting onto the Cruagh Lane consisting of a single storey pitched roof dwelling with a rendered finish. The fenestration of the front façade consists of three small windows concentrated to the centre of the wall providing natural light to one of the three bedrooms and two ensuites with windows on either gable end providing natural light to the other two bedrooms which allows for the orientation of the bedrooms but creates a relatively blank façade.

The rear of proposed development favours a more contemporary design concept with a predominately glazed first floor dormer with a roof terrace overlooking the wooded/sylvan area. The main ground floor living area to the rear has a lean-to roof including canopy with a zinc seam finish which continues the contemporary design treatment with large picture windows and roof lights. No objection is raised to the scale and design approach of the house.

The orientation of the proposed development indicates that the rear elevation faces in a north-westerly direction and will not benefit from large amounts of daylight and as such the large, glazed areas are appropriate to maximise the greatest amount of natural light as possible. The canopy however will lead to some shadowing to the living areas. Contextually, the design concept of a traditional arrangement to the front façade with contemporary design elements to the rear is a considered approach.

### ***Drainage***

#### *Water Services*

The following was received from Water Services.

Surface Water Report: Further Information required:

1.1 Submit a report showing percolation test results for location/s of proposed soakaway as per BRE Digest 365 Standards.

1.2 Submit a drawing in plan and cross-sectional view showing design details of proposed soakaways as per BRE Digest 365 Standards.

Flood Risk: No Objection:

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

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### *Irish Water*

The following was received from Irish Water.

IW Recommendation: No Objection

IW Observations:

1 Water

1.1 Prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water. –

All development shall be carried out in compliance with Irish Water Standards codes and practices.

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul (Refer to EHO)

### *Conclusion*

The reports from Water Services and Irish Water are noted and it is considered that they can be dealt with by way of **conditions**. Notwithstanding that, the Planning Authority would have concerns regarding the potential for flooding as it is located in PFRA A and PFRA B and **additional information** would be required outlining flood mitigation measures.

### *Parks*

The following was received from the Public Realm Section:

#### Main Concerns:

- Lack of detailed landscape proposals in terms of an acceptable landscaping scheme for the proposed development
- lack of SuDS (Sustainable Drainage System) shown for the proposed development
- proximity of development ( $\leq 10\text{m}$ ) to the Owendoher River located along the western boundary of the site.

### **Parks**

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

#### Landscape Plan

The applicant has provided a landscape plan, design rationale and an outline landscape and visual impact assessment, however this plan and rationale lacks sufficient information in terms of proposed landscaping and in terms of the landscape and visual impact the proposed development will have on the receiving landscape and proposed measures to mitigate these impacts. A detailed landscape scheme along with a landscape rationale shall be provided which helps to integrate the development into the local landscape and through suitable planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure

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links. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape. The landscape plan and associated planting plan should be prepared by a suitable qualified landscape architect. Further information required.

### Existing Tree, Hedgerows and Vegetation

There are concerns with the lack of information submitted in relation to existing trees and hedgerows within the site. The applicant is requested to submit a detailed tree and hedgerow survey report for the trees within the proposed development area. This tree survey shall be undertaken by a suitably qualified arborist. The report shall provide detailed information on the condition and health of the existing trees, and it shall also clearly detail what impacts the development will have on the trees but also potentially the tree roots. Further information required.

### SuDS and Green Infrastructure

A SuDS strategy should be developed for the proposed development which takes account of quantity, quality, and amenity issues. The design of SuDS features is required to be of high quality to achieve a multifunctional space for amenity, biodiversity and surface water management. The proposed SuDS features should aid the maintenance of the existing greenfield runoff rates or potentially reduce the amount of surface water entering the piped surface water system. The current proposed drainage system needs to be developed further in order to sustainably manage surface water through a natural hydrological regime or SUDS scheme within the development. The philosophy of SUDS is an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and habitat/biodiversity enhancement. SuDS that should be considered for the SHD development include:

- Bio retention systems
- Infiltration systems
- Tree pits
- Channel rills
- Green area detention basins
- swales

Were possible in addition to the SUDS features proposed the applicant should provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.

Revised proposals to be provided by the applicant in this regard. Response should include revised layout and drawings. Further information required.

### Proximity of Development to the Owendoher Stream

The Public Realm Section would have concerns regarding the proximity of this proposed development to the Owendoher stream and for its potential to contravene Planning Policy G3

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Objective 2 of the CDP 2016-2022 - G3 Objective 2; "To maintain a biodiversity protection zone of not less than 10 meters from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities." The applicant should clearly show on a drawing a 10m set back from any proposed building to the top of the bank of this water body. Response should include revised layout and drawings. Further information required.

### Visual Impact

Given the prominent location and elevation of the proposed site it is likely that the proposed development will have a negative visual impact upon the receiving landscape. Visual Impacts of the proposed development include:

- direct impacts of the development upon views in the landscape; and
- overall impact on visual amenity.

The applicant is therefore requested to submit a Visual Impact Assessment Report including photomontages for the proposed development. In addition, the applicant should also consider mitigation measures in terms of suitable landscaping/screen planting in order to minimize the impact of the development visually. The following approaches should be considered for the site's mitigation strategy:

- i) Development should be kept back from the site boundaries to allow for boundary planting and visual barrier elements to minimise the potential impact of built form, this set back should provide space for structure and parkland scale tree planting which will provide visual mitigation along the boundaries with space to allow large trees to mature.

### Owendoher Stream & Associated Woodlands

The subject site is in the vicinity of the Owendoher Stream which has been deemed to be of 'Considerable ecological importance' by inland Fisheries Ireland (Greta Hannigan, IFI). The Owendoher is reckoned as the most important nursery and recruitment channel for salmonids in the Dodder System.

Specific Policies in the CDP 2016-2022 which relate to the protection of water courses included;

- INFRASTRUCTURE & ENVIRONMENTAL QUALITY (IE) Policy 2 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.

**IE2 Objective 9:** To protect water bodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains, within the County from inappropriate development. This will include protection buffers in riverine and wetland areas as appropriate (see also Objective G3 Objective 2 – Biodiversity Protection Zone).

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Under GREEN INFRASTRUCTURE (G) Policy 3 Watercourses Network, it is the policy of the Council to promote the natural, historical and amenity value of the County's watercourses; to address the long-term management and protection of these corridors and to strengthen links at a regional level.

**G3 Objective 2:** To maintain a biodiversity protection zone of not less than 10 metres from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case-by-case basis by the Planning Authority, based on site specific characteristics and sensitivities. Strategic Green Routes and Trails identified in the South Dublin Tourism Strategy, 2015; the Greater Dublin Area Strategic Cycle Network; and other government plans or programmes will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments, as these routes increase the accessibility of the Green Infrastructure network.

### **Green Infrastructure**

The applicant is requested to further develop green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on this existing site. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population. Relevant policies with the CDP 2016-2022 include;

- Policy G1 Overarching
- Policy G2 Green Infrastructure Network
- Policy G3 Watercourse Network

**The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following additional information be provided:**

#### **1. Landscape Design Proposals**

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.
- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.



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- iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.
- iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site
- v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development
- vi. Submit green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on this existing site. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

### **2. Tree Survey**

The applicant is requested to submit a comprehensive Tree Report to the SDCC Public Realm Section. This shall comprise of a detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist. (Additional information)

### **3. SUDS**

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- A drawing to show how surface water shall be attenuated to greenfield run off rates.
- Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drains, bio-retention tree pits, rains gardens, swales or other such SuDS.
- SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance. **ADDITIONAL INFORMATION**

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### 4. Proximity of Development to Stream along Eastern Boundary

The Public Realm Section would have concerns regarding the proximity of this proposed development to the Owendoher stream and for its potential to contravene Planning Policy G3 Objective 2 of the CDP 2016-2022 - G3 Objective 2; "To maintain a biodiversity protection zone of not less than 10 meters from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities." The applicant should clearly show on a drawing a 10m set back from any proposed building to the top of the bank of this water body. Response should include revised layout and drawings. **ADDITIONAL INFORMATION**

#### *Conclusion*

The Public Realm Section have concerns regarding the proposed development and **further information** would be required in order to fully assess the application.

#### *Environmental Health*

The following was received from the Environmental Health Officer:

#### Development Summary

This application is for a 4-bedroom property with wastewater treatment system. The application is also for the upgrading of the wastewater treatment system serving the existing family property. A site visit was carried out however, the trial hole and percolation test holes had been filled in. It was therefore not possible to inspect the test holes or confirm what the site characterization assessment had reported.

**Additional information** is required for the Environmental Health Department to adequately assess this application.

Test holes should be kept open for inspection by the Environmental Health Officer.

#### *Conclusion*

The report from the Environmental Health Officer is noted and **further information** would be required in order to fully assess the application.

#### *Roads*

The following was received from the Roads Department:

*Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.*

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### Description:

- Four-bedroom dwelling of approximately 187 sqm on 2 levels (ground floor and dormer attic)
- Roof terrace, sheltered external areas, new boundary wall, site entrance, gate, driveway with associated car parking spaces and turning area
- 2 new wastewater treatment plants and associated percolation areas - one of which to serve the existing adjacent dwelling and
- All associated landscape and ancillary site works.

### Access & Roads Layout:

Rural development.

The proposed development would be located on a substandard rural road network which lacks a public footpath, public lighting, and drainage facilities, and would be situated in an area that is saturated with one-off houses. Having regard to this, the proposed development would endanger public safety by reason of traffic hazard. The road network in the area is incapable of catering for the continuation of ribbon development and as such, the proposed development would be contrary to the proper planning and sustainable development of the area.

The site is located along a rural road with a 60km/h speed limit. The proposed entrance is situated on a straight section of road.

The minimum sightline/visibility splay required for a 60km/h road is 2.4m x 90m. The set back is not clearly shown on the drawing provided and the visibility splay is not evident.

The hedgerow is in the line of the proposed sightlines. The linear meterage of hedgerow proposed to be removed in both directions has not been detailed so that it is clear to all the amount to be removed.

Any proposed wing walls and/or boundary treatments would need to be constructed so as not to obscure the required sightlines.

Any proposed gates would need to be recessed 5m so a car can safely pull off the road if the gates are closed.

There is a requirement for a level area adjacent to a public road. The gradient of the access could not exceed 2.5% over the last 6 metres of approach to the public road.

### Car Parking:

Adequate car parking space available.

### Roads recommend refusal:

The proposed development would front onto a substandard rural road network which lacks public footpath, public lighting and drainage facilities, and would be situated in an area that is saturated with one-off houses. Having regard to this, the proposed development would endanger public safety by reason of traffic hazard. The road network in the area is incapable of catering for the

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continuation of ribbon development and as such, the proposed development would be contrary to the proper planning and sustainable development of the area.

### *Conclusion*

The content of the Roads report is noted, and it is considered that elements of the information submitted are substandard to enable full assessment. Further information is recommended.

### *Biodiversity*

The applicant has provided an Ecological Report prepared by Altemar, dated November 2021. The report outlines a series of mitigation measures and concludes that the overall impact on ecology of the proposed development will result in a long term neutral impact.

### *Appropriate Assessment*

The applicant has provided an Ecological Report prepared by Altemar, dated November 2021. The report states that no mitigation is required for the protection of designated sites and that sufficient information is provided to determine the potential for significant effects on Natura 2000 sites. In the absence of a full assessment of the treatment system by the EHO, concerns are raised in relation to the impact on the Natura 2000 sites as surface water is the key connection to Natura 2000 sites. Further information 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 and the development seeking retention. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### *Other Considerations*

#### *Development Contributions*

Residential Dwelling: 187sqm

Assessable area: 187sqm

### **SEA Monitoring**

*Building Use Type Proposed:* Residential dwelling.

*Floor Area:* 187 sqm

*Land Type:* Greenfield

*Site Area:* 0.12268Hectares.

### **Conclusion**

A number of issues remain on the proposed application, further information is required.

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### **Recommendation**

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

1. The applicant is requested to provide additional documentation demonstrating close family ties and social connection with this rural community. The information shall demonstrate the duration of the social and family connection to the area.
2. The applicant is advised that the South Dublin County Development Plan 2022 - 2028 was made by resolution by the Elected Members on June 22nd and will come into effect on August 3rd 2022. In accordance with Section 34 (2) of the Planning and Development Act 2000 (as amended), the Planning Authority will have regard to the South Dublin County Development Plan 2022-2028 as the development plan for the area when making decisions in relation to applications from August 3rd 2022. In this context, the applicant is requested to provide a report demonstrating that the proposed development is in accordance with the South Dublin County Development Plan 2022-2028, with particular reference to the Rural Housing Policy.
3. A report was submitted as part of the application pertaining to the treatment of wastewater which could not be assessed as part of this report by the Environmental Health Officer as the trial holes were filled in on inspection. The applicant is requested to reopen the trial holes prior to response to the further information to enable assessment / inspection by the EHO.
4. The applicant is advised that the Planning Authority is concerned in relation to the capacity of rural road network which lacks a public footpath, public lighting, and drainage facilities, to cater for the additional traffic. The applicant is requested to provide a rationale for the proposed development in a traffic context and address the following:
  - a). The minimum sightline/visibility splay required for a 60km/h road is 2.4m x 90m. The set back is not clearly shown on the drawing provided and the visibility splay is not evident.
  - b). The hedgerow is in the line of the proposed sightlines. The linear meterage of hedgerow proposed to be removed in both directions has not been detailed so that it is clear to all the amount to be removed.
  - c). Any proposed wing walls and/or boundary treatments would need to be constructed so as not to obscure the required sightlines.
  - d). Any proposed gates would need to be recessed 5m so a car can safely pull off the road if the gates are closed.
  - e). There is a requirement for a level area adjacent to a public road. The gradient of the access could not exceed 2.5% over the last 6 metres of approach to the public road.

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### 5. a). Landscape Design Proposals

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

vii. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.

viii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.

ix. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDS features including swales and integrated/bio-retention tree pits.

x. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site

xi. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development

xii. Submit green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on this existing site. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

### b). Tree Survey

The applicant is requested to submit a comprehensive Tree Report to the SDCC Public Realm Section. This shall comprise of a detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist. (Additional information)

### c). SUDS

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how

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the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- A drawing to show how surface water shall be attenuated to greenfield run off rates.
- Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drains, bio-retention tree pits, rains gardens, swales or other such SuDS.
- SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

### d). Proximity of Development to Stream along Eastern Boundary

The Public Realm Section would have concerns regarding the proximity of this proposed development to the Owendoher stream and for its potential to contravene Planning Policy G3 Objective 2 of the CDP 2016-2022 - G3 Objective 2; 'To maintain a biodiversity protection zone of not less than 10 meters from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities.' The applicant should clearly show on a drawing a 10m set back from any proposed building to the top of the bank of this water body. Response should include revised layout and drawings.

6. The Planning Authority would have some concerns regarding the potential for flooding as it is located in PFRA A and PFRA B. The applicant is requested to consider same and prepare a site specific flood risk assessment, if appropriate, outlining flood mitigation measures.
7. Policy H27 requires that rural development would not create or exacerbate ribbon or haphazard forms of development.

The proposed development involves the subdivision of the existing residential site. The 2005 Rural Guidelines outline that in assessing individual housing proposals in rural areas planning authorities will in some circumstances need to form a view as to whether that proposal would contribute to or exacerbate ribbon development. Taking account of the dispersed nature of existing housing in many rural areas, areas characterised by ribbon

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development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage.

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant,
- The degree to which the proposal might be considered infill development, and
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development

Please note that Section outlines that in general a road frontage of 60m is required to offset ribbon development.

In the context of the above, the applicant is required to demonstrate that the proposed development does not exacerbate ribbon development.

8. a). It is unclear from the plans submitted as to whether the rear amenity space encompasses the entire of the grassed area (including concrete block shed) to the rear of the proposed development as indicated on the site plans or if it is an L-shaped rear amenity space as shown on other site plans submitted where part of the garden is fenced off allowing dedicated access to a new wastewater treatment unit proposed for the existing dwelling. The use and ownership of this shed should also be confirmed by way of additional information.  
b). The applicant is advised that there appears to be a waste disposal company operating from the application site including a number of skips and trucks for their collection. There is no evidence that this use is operating with the benefit of planning permission at this address. The applicant is requested to clarify the situation.
9. Given the prominent location and elevation of the proposed site it is likely that the proposed development will have a negative visual impact upon the receiving landscape. Visual Impacts of the proposed development include direct impacts of the development upon views in the landscape; an overall impact on visual amenity. The applicant is therefore requested to submit a Visual Impact Assessment Report including photomontages for the proposed development. In addition, the applicant should also consider mitigation measures in terms of suitable landscaping/screen planting in order to minimize the impact of the development visually. The following approaches should be considered for the site's mitigation strategy:
  - Development should be kept back from the site boundaries to allow for boundary planting and visual barrier elements to minimise the potential impact of built form, this set back should provide space for structure and parkland scale tree planting which will



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provide visual mitigation along the boundaries with space to allow large trees to mature.

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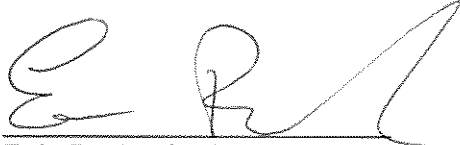
**REG. REF. SD22A/0146**

**LOCATION: Cruagh Lane, Rockbrook, Rathfarnham, Dublin 16, D16 H294**

*jjohnston*  
**Jim Johnston,**  
**Senior Executive Planner**

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

**Date:** 14/7/22

  
**Eoin Burke, Senior Planner**