

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0266 **Application Date:** 03-Jun-2022

Submission Type: New Application **Registration Date:** 03-Jun-2022

Correspondence Name and Address: Peter McGillen Burgage, Blessington, Co Wicklow

Proposed Development: Retention of existing building A1 with new direct link to existing family home providing extra living accommodation; Retention and completion of existing building B to rear North Boundary for use as private family Gym and general store; Retention of single storey shed E in side garden South for storage of equipment used by applicant in relation to his work; Retention and completion of building F located on North side of Land to accommodate the storage of Vintage Cars owned by applicant together with required storage of associated materials; Installation of new on-site treatment system to service proposed development; Completion of all ancillary works in relation to proposed development.

Location: Glenside House, Glassmucky, Bohernabreena, Dublin 24

Applicant Name: Gary McKeon

Application Type: Permission and Retention

(CS)

Description of Site and Surroundings:

Site Area: 0.5 Hectares

Site Description:

The site is located on the eastern side of the Glassmucky Road in the townland known as Glassmucky. The ground level of the site is c. 99.5 metres above O.S. Datum which drops in an easterly and north-easterly direction. The application site is irregular in plan. The site is currently under grass and comprises part of the garden of an existing 1.5 storey detached dormer dwelling. The boundary of the application site along the Glassmucky Road comprises of a fence with mature deciduous trees, which continues along the northern and eastern boundary of the application site. There is steep drop from the application site to the north which drops into a stream ravine. The character of the area is predominantly rural which has been considerably compromised due to the concentration of rural housing along the local road network.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Proposal:

- **Retention** of existing building A1 (unauthorised single storey detached garage with single storey rectangular conservatory style extension) with **new direct link** to existing family home (A) providing extra living accommodation;
- **Retention and completion** of existing building B (unauthorised small rectangular building adjoining northern boundary) to rear North Boundary for use as private family Gym and general store;
- **Retention** of single storey shed E (unauthorised) in side garden South for storage of equipment used by applicant in relation to his work;
- **Retention and completion** of building F (unauthorised and unfinished) located on North side of Land to accommodate the storage of Vintage Cars owned by applicant together with required storage of associated materials;
- Installation of new on-site treatment system to service proposed development;
- Area for **retention** is 235.8sq.m. (as stated), Area for **proposed development** is 6.7sq.m. (as stated).

It is noted that there is an existing chalet (D) shown immediately to the south of the subject site which is outlined in blue and is in the ownership of the applicant. There is no record of planning permission for this chalet. The chalet has its own vehicular access via its own separate access road and exists as an additional separate residential dwelling unit. It is noted that it appears that a considerable number of mature trees were felled to accommodate the construction of the chalet and the access road. It also appears that the site may have been subdivided to accommodate the chalet.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order



Zoning:

The application site is zoned Objective *HA-DM*, which seeks 'To protect and enhance the outstanding natural character of the Dublin Mountains Area'

It is noted that there is an objective to Protect and Preserve Significant Views to the west of the subject site on Glassmucky Road.

Consultations:

Roads Section – **No objection subject to conditions.**

Environmental Health Officer – **Additional Information** recommended.

An Taisce – Objection to the application expressed.

Surface Water Drainage – **Additional Information** recommended.

Irish Water – No objection subject to **conditions.**

Parks Department – **Additional Information** recommended.

Heritage Officer – **Additional Information** recommended (verbal report received).

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

SEA Sensitivity Screening

Indicates overlap with the following layers;

- High Amenity- Dublin Mountain 'HA-DM'
- PFRA A 2016.
- PFRA B 2016.

It is noted the subject site is located in close proximity (c.1.0km) to the Glenasmole Valley SAC (Special Area of Conservation) which is also a PNHA (Proposed Natural Heritage Area). The SAC is located c.1.0km to the east of the subject site.

It is also noted there is a Protected Structure located to the south-west of the subject site. RPS ref. 391 (Glassmucky, Group Of Farm Buildings Comprising A Two-Bay Two-Storey Farm House).

Submissions/Observations /Representations

None received.

Relevant Planning History

SD22A/0077: Retention and completion of existing building A1 with direct link to existing family home providing extra living accommodation; retention and completion of existing building B to rear north boundary for use as a private family gym and general store; retention of single storey shed E in side garden south for storage of equipment used by applicant in relation to his work; retention and completion of building F located on north side of land to accommodate the storage of vintage cars owned by applicant together with required storage of associated materials; completion of all ancillary works in relation to proposed development.

Decision: **INVALID.**

SD10B/0280: Retain indefinitely single storey conservatory to the rear (south) and 2 no. dormer windows to the front (north) of existing dwelling together with alterations to single storey detached garage and construction of separate single storey timber clad cabin. All with associated services.

Decision: **GRANT PERMISSION FOR RETENTION.**

SD10B/0210: Retain indefinitely single storey conservatory to the rear (south) and 2 no. dormer windows the front (north) of existing dwelling together with alterations to single storey detached garage and construction of separate single storey, timber clad cabin together with all associated services.

Decision: **INVALID.**

SD07A/0046: Construct 4 bed, detached dormer bungalow with waste water treatment system, widening of vehicular access and all associated site works (following invalid application Reg. Ref. SD06A/1061).

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Decision: **Withdrawn.**

SD08A/0728: Construct a four bed detached dormer bungalow with waste water effluent treatment system, widening of vehicular access and all associated site works.

Decision: **REFUSE PERMISSION.**

Reasons for Refusal:

1.. In the context of the application site's location in a rural area under strong urban influence in the Dublin Mountain Zone 'H' zone where it is policy of the South Dublin County Council Development Plan (2004) and the Glenasmole/Bohernabreena Housing and Planning Study (2002) to control the sprawl of one-off rural housing, the applicant has failed to demonstrate that the proposal would satisfy a genuine rural generated housing need and failed to demonstrate compliance with the relevant housing needs criteria. The proposed development would therefore be contrary to the Sustainable Rural Housing Guidelines for Planning Authorities (2005) in terms of policy to restrict new housing in rural areas under strong urban influence on rural generated housing and the requirement that applicants outline how their proposal is consistent with the rural settlement approach in the Development Plan.

The proposal would also generate demand for the uneconomic provision of services in a rural area in an unsustainable manner.

Thus, the development would contravene materially a development objective indicated in the Development Plan for the zoning of this land, with the objective 'to protect and enhance the outstanding natural character of the Dublin Mountain Area.

Adjacent Sites

SD22A/0084: McDonaghs Lane, Glenaraneen, Brittas, Co. Dublin.

Retention of construction of a single storey timber residential structure.

Decision: **REFUSE PERMISSION FOR RETENTION.**

Reasons for Refusal:

1. Having regard to:

(i) Zoning Objective HA-DM which seeks 'To protect and enhance the outstanding natural character of the Dublin Mountains Area' as set out in South Dublin County Council Development Plan 2016-2022,

(ii) Policy H23 Objective 1 relating to rural housing policy where it is the policy that dwellings will only be permitted on suitable sites on lands zoned Objective HA-DM where,

(a) the applicant is a native of the area and,

(b) the applicant can demonstrate a genuine need for housing in that particular area and,

(c) the development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming and,

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

(d) 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 has not demonstrated compliance with the criteria detailed in Policy H23 and has failed to demonstrate a genuine need for housing in this particular area and therefore the development to be retained would materially contravene the zoning objective for the area and the proper planning and sustainable development of the area. The application for retention has not overcome previous reasons for refusal as per Reg. Ref SD17A/0347 and ABP-300459-17 for a similar development.

2. The development to be retained would lead to a demand for uneconomic provision of services and would set an undesirable precedent for other similar developments, which would in themselves and cumulatively be harmful to the outstanding natural character and visual amenity of the surrounding Dublin Mountain area. The proposal would not accord with Policy H27 Objective 1 of the South Dublin County Development Plan 2016-2022 in that it would exacerbate ribbon or haphazard forms of development and thereby would be contrary to the proper planning and sustainable development of the area.

3. The development to be retained would endanger public safety by reason of a traffic hazard resulting from additional traffic on McDonagh's Lane from the proposed residential unit.

4. (a) The development to be retained is located in the Athgoe and Saggart Hills landscape area, which has been designated as an area with a medium/high landscape value and sensitivity and a Landscape Capacity which is negligible; 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' and would be contrary to the proper planning and sustainable development of the area.

(b) The SDCC County Development Plan Maps 2016-2022 show that there is an objective to Protect and Preserve Significant Views to the north and south of Mc Donagh's Lane where the dwelling seeking retention permission is located. The application for retention would be contrary to HCL Policy 8 of the SDCC Development Plan.

5. 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 application for retention 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

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

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.

6. Due to insufficient information submitted regarding the requisite 5 metre separation between the septic tank and the surface water soakaway the Planning Authority is not satisfied that the development seeking retention would not be prejudicial to public health.

SD17A/0347 & ABP-300459-17: Construction of a single storey timber residential structure.

Decision: **REFUSE PERMISSION FOR RETENTION.**

Retention permission refused by SDCC and Refused by An Bord Pleanála.

SD17A/0347: Reasons for Refusal

1. Having regard to:

(i) Zoning Objective HA-DM which seeks 'To protect and enhance the outstanding natural character of the Dublin Mountains Area' as set out in South Dublin County Council Development Plan 2016-2022.

(ii) Policy H23 Objective 1 relating to rural housing policy where it is the policy that dwellings will only be permitted on suitable sites on lands zoned Objective HA-DM where,

(a) the applicant is a native of the area and,

(b) the applicant can demonstrate a genuine need for housing in that particular area and,

(c) the development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming and,

(d) 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 has not demonstrated compliance with the criteria detailed in Policy H23 and has failed to demonstrate a genuine need for housing in this particular area; and therefore, the development to be retained would materially contravene the zoning objective for the area and the proper planning and sustainable development of the area.

2. The site is located in an area designated as part of the strategic Green Belt and Rural Hinterland of the Dublin Metropolitan Area under the Regional Planning Guidelines for the Greater Dublin Area 2010-2022. The settlement strategy for the Greater Dublin Area supports the delivery of a settlement hierarchy through the continuity of the policy for metropolitan and hinterland areas within the GDA. This focuses new housing within the existing footprint of the metropolitan areas and planning expansion of the footprint in conjunction with new high quality public transport investment; designation of multi-modal transport corridors providing enhanced public transport linkages serving key towns and linked investment in developing these designated towns in the hinterland area separated from each other by extensive areas of strategic green belt. The Dublin Mountains is recognised for their amenity potential and facilities, both public and private, serving and capitalising on the opportunities from the large population areas adjacent. The designation as

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

long term strategic green belt lands serve avoid loss of amenity and their future coalescence and loss of definition between rural and urban places. The proposed development would represent the proliferation of further one-off housing in the designated strategic Green Belt and Rural Hinterland of the Dublin Metropolitan Area under the Regional Planning Guidelines for the Greater Dublin Area 2010-2022 which could prejudice the sustainable achievement of the approved Regional Settlement Strategy for the Greater Dublin Area.

3.The development to be retained would lead to a demand for uneconomic provision of services and would set an undesirable precedent for other similar developments, which would in themselves and cumulatively be harmful to the outstanding natural character and visual amenity of the surrounding Dublin Mountain area. The proposal would not be accordance with Policy H27 Objective 1 of the South Dublin County Development Plan 2016-2022 in that it would exacerbate ribbon or haphazard forms of development and thereby would be contrary to the proper planning and sustainable development of the area.

4. The development to be retained would give rise to traffic hazard resulting from additional traffic on McDonagh's Lane from the proposed residential unit.

5. The development to be retained is located in the Athgoe and Saggart Hills landscape area, which has been designated as an area with a medium/high landscape value and sensitivity and a Landscape Capacity which is negligible; 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' and would be contrary to the proper planning and sustainable development of the area.

6.The gravelled hard surface and parking surfaces located adjacent to the dwelling to be retained cumulatively fragments and results in the 'loss of ecologically sensitive areas of the Green Infrastructure network to artificial surfaces' which is not in accordance with Policy G4 Objective 7 of the South Dublin County Development Plan 2016-2022.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

ABP-300459-17: Reasons for Refusal

Reasons and Considerations

1. The site is located in an area with the zoning objective HA-DM "To protect and enhance the outstanding natural character of the Dublin Mountain Area", as set out in the South Dublin County Development Plan 2016-2022 where it is the policy of the planning authority to restrict residential development, and also identified as being under urban influence in the Regional Planning Guidelines for the Greater Dublin Area 2010-2022. It is considered that the applicant does not come within the scope of exceptional circumstances outlined in Policy H23 Objective 1, as set out in the Development Plan for a house at this rural location. The development for which retention is sought would, therefore, materially contravene the zoning objective for the area and be contrary to the proper planning and sustainable development of the area.
2. It is considered that the development for which retention is sought would endanger public safety by reason of a traffic hazard because of the additional turning movements the development would generate on a substandard road at a point where sightlines are restricted in a westerly direction.

SD14B/0091& PL06S.243497: Retention of the erection of a steel clad storage shed of floor area approx. 112sq.m and all associated site works.

Decision: **GRANT PERMISSION FOR RETENTION.**

Retention permission granted by SDCC and Granted by An Bord Pleanala.

Relevant Enforcement History

S8697- Live case remains open.

Enforcement file relating to construction of structures to the rear that may require planning permission for use of land for commercial purposes.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Pre-Planning Consultation

None.

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 H22 Rural Housing in RU Zone

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

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 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

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

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Table 9.2: Prospects to be Preserved and Protected
Policy HCL8 Views and Prospects

Section 9.2.3 Dublin Mountains
Policy HCL9 Dublin Mountains

Section 9.2.4 Liffey Valley and Dodder Valley
Policy HCL10 Liffey Valley and Dodder Valley

Section 9.3.0 Natural Heritage Sites

Section 9.3.1 Natura 2000 Sites

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

Section 9.4.0 Public Rights of Way and Permissive Access Routes

Policy HCL16 Public Rights of Way and Permissive Access Routes

Section 7.8.1 Casement Aerodrome

Policy IE8 Casement Aerodrome

Section 7.8.2 Weston Aerodrome

Policy IE9 Weston Aerodrome

Section 9.7.0 Sites of Geological Interest

Table 9.6 County Geological Sites for Protection

Policy HCL19 Geological Sites

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

Schedule 1: Record of Monuments and Places

Schedule 4: Restricted Areas for Development Glenasmole Bohernabreena

Relevant Government Policy & Guidelines

Sustainable Rural Housing Guidelines for Planning Authorities DoEHLG (2005)

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

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

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

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

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 & Council Policy
- Chalet
- Landscape & Visual Impact
- Siting
- Access & Parking
- Environmental Health
- An Taisce
- Heritage
- Services & Drainage
- Parks & Landscaping
- Overcoming Previous Reasons for Refusal
- Screening for Appropriate Assessment (AA).
- Screening for Environmental Impact Assessment (EIAR).

Zoning & Council Policy

The site is zoned *Objective HA-DM*, which seeks 'To protect and enhance the outstanding natural character of the Dublin Mountains Area'

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Residential development that accords with Council policy for development in rural areas is listed as **open for consideration** under the 'HA-DM' zoning objective for the application site. Therefore, such proposals may be permitted only if they do not conflict with the policies and objectives of the Development and if they are consistent with the principles of proper planning and development and relevant Ministerial guidelines.

Residential Development is Open For Consideration in the 'HA-DM' zoning objective if it is in accordance with Council policy for residential development in rural areas and it is not permitted above 350m contour. It is noted that the SDCC Development Plan 2016-2022 Maps show that the subject site is not above the 350m contour.

The proposal must be considered acceptable with regard to landscape and visual impact and must comply with Sc2.5.8 Rural House and Extension Design and Sc.11.3.4 Design and Siting of the SDCC Development Plan 2016-2022.

The proposal is assessed against this context below.

Chalet

It is noted that there is an existing chalet (D) shown immediately to the south of the subject site which is outlined in blue and is in the ownership of the applicant. There is no record of planning permission for this chalet. The chalet has its own vehicular access via its own separate access road and exists as an additional separate residential dwelling unit. The applicant is therefore requested to confirm the planning status of the existing Chalet (D) located within the blue line boundary by way of **additional information**.

Landscape & Visual Impact

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) ...*'

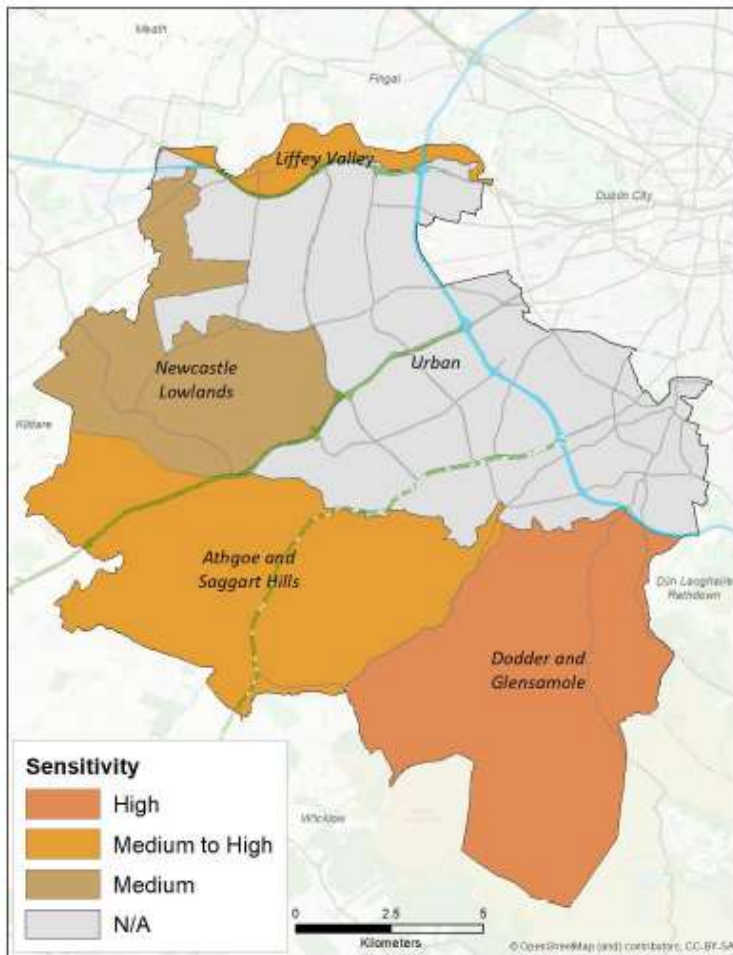
Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

6.2.1 LANDSCAPE CHARACTER AREAS- SENSITIVITY AND PRINCIPLES FOR DEVELOPMENT

Figure 37 LCA Sensitivity Map



Landscape Character Areas and Sensitivity	Map: HH	1:100,000
	Date: 2021	
	CRS: ITM WREN196	
	Data: South Dublin County Council; Copernicus DEM;	
	OSI Open Data	

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Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive’s Order

The proposed development is located in the Dodder and Glenasmole Landscape Character Area (see map above), which has been designated as an area with a high landscape value and sensitivity and a Landscape Capacity which is negligible; 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) of Section 9.2.0 Landscapes of the SDCC Development Plan 2016-2022 which seeks ‘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 would be contrary to the proper planning and sustainable development of the area.

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.

The SDCC County Development Plan Maps 2016-2022 show that there is an objective to Protect and Preserve Significant Views looking away to the west of the subject site along Glassmucky Road. As there are no Protected Views looking east towards the subject site this would not have a significant impact on Protected Views in the Development Plan Maps.

As the application seeking retention is located in such a sensitive area where the proposal may be contrary to Policy (HCL7) of Section 9.2.0 Landscapes of the SDCC Development Plan 016-2022 which seeks ‘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 may be contrary to the proper planning and sustainable development of the area

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

the applicant is requested to submit a fully comprehensive Landscape Character Assessment by way of **Additional Information**.

Siting

The unauthorised shed structures and the unauthorised extension with the direct link to the main existing dwelling seeking retention permission are located on a relatively level site. However, the topography drops slightly in an easterly and north-easterly direction.

Notwithstanding the mature trees and hedges bounding the site, the dwelling is visible from the public road.

Policy **H27** Objective 1 of the South Dublin County Development Plan 2016-2022 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*
- *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.*

Having regard to the location of the existing dwelling and the surrounding development it is considered that the extension and storage sheds to be retained could set an undesirable precedent for similar forms of development. The Dublin Mountains area is the prime natural asset of South Dublin County. Having regard to the location of the site on lands zoned Objective 'HA- DM' 'To

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

*protect and enhance the outstanding natural character of the Dublin Mountains Area', where environmental and visual sensitivity is at its highest, it is considered that the location of the extension and the sheds within this existing landholding may not be appropriate. The applicant id therefore requested to clearly demonstrate how the proposal is in accordance with Policy H27 Objective 1 of the South Dublin County Development Plan 2016-2022. It is considered this may be dealt with by way of **additional information**.*

Access & Parking

The Roads Department have issued a report recommending no objection. An extract taken from the Roads report states the following:

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.

Description

An application for the retention of storage buildings. The existing and proposed buildings should not generate an increase in traffic from the development. There are no proposals to alter the existing vehicle access, only to extend the existing driveway.

No Roads objections:

Based on the report received from the Roads Department it is considered that the application for retention would be acceptable subject to **condition**.

Environmental Health

A report issued from the Environmental Health Officer recommends **Additional Information** be requested. An extract taken from the EHO states the following:

*Development Summary: The development proposes the retention of an existing structure which was built as an extension to the residential property located here. The proposal also seeks to retain a shed like structure and two other buildings listed as a gym and commercial storage. There is also **a second domestic residence on the** site, but it is not listed as part of the retention permission application. It is proposed that TWO existing septic tanks on the site be decommissioned, and a new sewage treatment system installed. The plan indicates that there are only three bedrooms in the entire structure.*

*The site could not be accessed to inspect (to view trial holes etc.) as such **additional information** is required to properly assess this plan.*

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Decision:

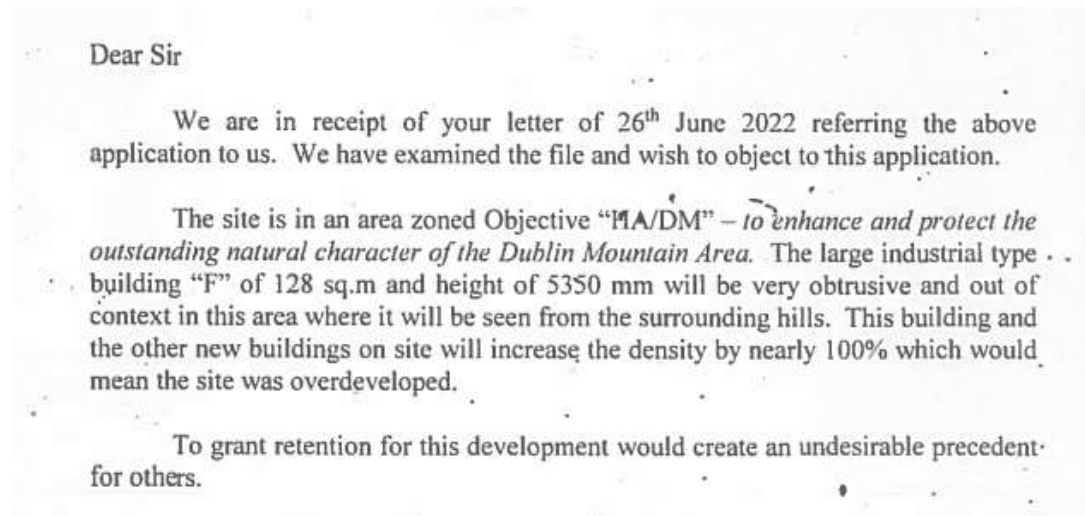
Additional Information is required to properly assess this plan. Specifically:

1. A full site visit to examine all areas of the development site must be facilitated by either the applicant or their agent.
2. A comprehensive map showing well locations and separation distances re. same. The map must also confirm what well and sewage treatment provisions are made for the other domestic residence (Chalet D) on the site.

It is considered appropriate to attach the above **additional information**.

An Taisce

An Taisce have issued a letter expressing concerns and objection to the application. An extract taken from the An Taisce letter states the following:



The concerns raised from An Taisce are noted and The Planning Authority has taken this into consideration in the assessment.

Heritage

It is noted the subject site is not located within the Glenasmole Valley SAC (Special Area of Conservation). However, the subject site is located in close proximity (c.1.0km) to the Glenasmole Valley SAC (Special Area of Conservation) which is located to the west of the subject site. A verbal report was received from the Heritage Officer outlining the following:

The Heritage Officer notes that with reference to the AA Screening report submitted it is not the surface distance to the SAC that is the issue, but it is the connection with surface water run off

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

which seeps down slope through the sand and gravel soil type present on the site and as emerges as petrifying springs (Hydrological feature) east of Glenasmole Valley that is of significant concern. The Heritage Officer recommends that a Hydrological Survey be carried out to demonstrate how chemicals and phosphates could potentially impact on the petrifying springs. The Heritage Officer also recommends that proposals for surface water management be submitted to demonstrate how the application for retention will properly manage any surface run off considering the site is being used for storing vehicles (vintage cars) and considering the maintenance and washing of these vehicles. Without a properly functioning surface water management system oils, petrol and washing detergents could potentially seep into ground water and adversely impact on same.

Geological Survey Ireland identifies the Ground Water Vulnerability on the site as being 'HIGH'. Please see screenshot taken from Geological Survey Ireland mapping below.



Based on the report from the Heritage Officer it is considered appropriate to request a Hydrological Survey be carried out and submitted to demonstrate how chemicals and phosphates could potentially impact on the petrifying springs east of Glenasmole Valley SAC. It is also considered appropriate that the applicant is requested to submit designs for a surface water management system to mitigate this impact. It is considered the above may be addressed by way of **additional information**.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

It is also noted that if surface water management features are required to mitigate the impact of the activities on the site, this may impact whether or not the development can be screened for appropriate assessment.

Services & Drainage

Surface Water Drainage have issued a report recommending **Additional Information** be requested. A report was received from Irish Water recommending no objections subject to **conditions**. An extract taken from the Irish Water report states the following:

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 EH

It is considered appropriate to attach the above conditions in the event of a grant.

An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: **Further Information Required***

1.1 Submit a report showing percolation test results for location of proposed soakaways as per BRE Digest 365 Standards. Comment on the suitability of such soakaways in respect to results of soakaways and BRE Digest 365 Standards.

1.2 Submit a drawing in plan and cross-sectional view showing design details of proposed soakaways.

Flood Risk No Objection

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Water Report: Referred to IW

Foul Drainage Report: Refer to EHO

It is considered appropriate to request the above **additional information** regarding Surface Water Drainage requirements.

Parks & Landscaping

A report was received from the Parks Department recommending **Additional Information** be requested. An extract taken from the Parks Department states the following:

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.*
- 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*

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

ADDITIONAL INFORMATION

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.

3. Landscape and Visual Impact

The applicant has provided little or no information as to the landscape and visual impact of the proposed development. The applicant is requested to provide a detailed landscape and visual impact assessment including photo montages for the proposed development. The applicant is requested to provide the following information, to enable full assessment of the visual impact:

- i. Photomontages indicating existing, as permitted and as proposed development. These should show the site and the wider area.*
- ii. Full sections through the site, north/south and east/west, indicating existing and proposed levels.*

4. 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.*

It is considered appropriate to request the above **additional information** recommended by the Parks Department.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Screening for Appropriate Assessment (AA)

Although the applicant has submitted an Appropriate Assessment (AA) screening report it is not possible at this juncture for the Planning Authority to comprehensively assess this report due to the absence of a Hydrological Survey Report. The subject site is located within close proximity to a European site (Glenasmole Valley SAC). At this juncture the Planning Authority cannot be satisfied 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.

There is a risk that surface water management features may be required to mitigate the significant impacts on the Glenasmole Valley SAC. In such circumstances, the Planning Authority could not screen out the need for a Stage 2 Appropriate Assessment. It should be noted that under s.34(12) of the Planning Act 2000, an application for retention cannot be considered where an Appropriate Assessment was required.

Screening for Environmental Impact Assessment (EIAR)

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 vulnerability of the groundwater for the area and having regard to the sand and gravel soil type for the area it is considered appropriate to request the following by way of **additional information**.

- Confirmation on the planning status of the existing Chalet (D) located within the blue line boundary and in the ownership of the applicant.
- Landscape Character Assessment to demonstrate compliance with Policy (HCL7) of Section 9.2.0 Landscapes of the SDCC Development Plan 2016-2022.
- Clearly demonstrate how the proposal is in accordance with Policy H27 Objective 1 of the South Dublin County Development Plan 2016-2022.
- Hydrological Survey Report.
- A design for a proposed proper functioning surface water management system.
- Surface Water Drainage requirements.
- EHO requirements.
- Parks requirements.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

Recommendation

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

1. The applicant is requested to confirm the planning status of the existing chalet (D) which appears to an additional separate residential dwelling unit located within the blue line boundary and which is in the ownership of the applicant. The applicant is also requested to confirm the planning status of the separate access road for the chalet that is now in situ. The applicant is also requested to confirm as to whether or not the site may have been subdivided to accommodate the chalet as it appears that the site has been subdivided. Permission for the subject development cannot be granted separately if major unauthorised development including subdivision of the site and a separate residential dwelling and access continues without being regularised.
2. Hydrological Survey / AA Screening
 - (a) The Planning Authority cannot screen out Appropriate Assessment for the development due to a lack of information relating to the groundwater connection to the Glenasmole Valley SAC and the petrifying springs (a qualifying interest of the SAC). The applicant is requested to submit a fully comprehensive Hydrological Survey Report and demonstrate the potential impact of chemicals and phosphates which on the petrifying springs in the Glenasmole Valley SAC (Special Area of Conservation), arising from the storage, maintenance and washing of vintage cars on the site. This should be incorporated into a revised AA Screening Report.
 - (b) The applicant is requested to submit a comprehensive design proposal for a surface water management and interception features to protect the ground water from any inappropriate / polluting run-off.
 - (c) The applicant is advised that, if surface water management features are required in order to mitigate the impacts on the Glenasmole Valley SAC (and not for any other purpose), the application may require a Stage 2 Appropriate Assessment. Under s.34(12) of the Planning and Development Act, 2000 (as amended), the Planning Authority cannot further consider a proposal for retention where an Appropriate Assessment is shown to have been required prior to development.
3. The applicant is requested to submit the following items:
 - (a) A full site visit to examine all areas of the development site must be facilitated by either the applicant or their agent. The applicant is requested to liaise with the Environmental Health Officer on this matter.
 - (b) A comprehensive map showing well locations and separation distances re. same. The map must also confirm what well and sewage treatment provisions are made for the other domestic residence (Chalet D) on the site.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

4. The applicant is requested to clearly demonstrate how the proposal is in accordance with Policy H23 Objective 1 of the South Dublin County Development Plan 2022-2028 (previously Policy H27 Objective 1 in the 2016-2022 CDP), and that it meets the following criteria as per that objective:
 - 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 (where in exceptional circumstance retention cannot be achieved) 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 the EPA's Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than 10) 2021 except where planning permission was granted prior to 7th June 2021 in which case the EPA's Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and
 - Would not create or exacerbate ribbon or haphazard forms of development.
5. (a) The applicant is requested to submit a report showing percolation test results for location of proposed soakaways as per BRE Digest 365 Standards. Comment on the suitability of such soakaways in respect to results of soakaways and BRE Digest 365 Standards.
(b) The applicant is requested to submit a drawing in plan and cross-sectional view showing design details of proposed soakaways.
6. The applicant is requested to submit the following information:
 - (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 is requested to 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 is requested to provide the following additional information:
 - i. The applicant is requested to 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

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

landscape.

iii. The landscape Plan should 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.

(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.

The Planning Authority notes that trees appear to have been removed on site to subdivide the site within the last 7 years. The tree survey and report should, as far as is possible, contain commentary and information relating to the trees that have been removed.

The applicant should demonstrate that new planting can restore, enhance, or mitigate the loss of trees due to the potentially unauthorised subdivision and construction of a separate residential dwelling on the site.

(c) Landscape and Visual Impact

The applicant has provided little or no information as to the landscape and visual impact of the proposed development. The applicant is requested to provide a detailed landscape and visual impact assessment including photo montages for the proposed development.

The applicant is requested to provide the following information, to enable full assessment of the visual impact:

i. Photomontages indicating existing, as permitted and as proposed development. These should show the site and the wider area.

ii. Full sections through the site, north/south and east/west, indicating existing and proposed levels.

(d) 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 should also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

should be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, 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.
- 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.

7. 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.

Comhairle Chontae Atha Cliath Theas

PR/0969/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0266

LOCATION: Glenside House, Glassamucky, Bohernabreena, Dublin 24

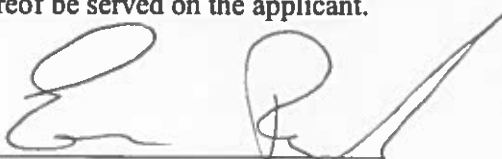


Caitlin O'Shea,
Executive Planner

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:

27/7/22



Eoin Burke, Senior Planner