

Comhairle Chontae Atha Cliath Theas

PR/1321/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0385 **Application Date:** 30-Aug-2022
Submission Type: New Application **Registration Date:** 30-Aug-2022
Correspondence Name and Address: Liam Baker 19, Aranleigh Gardens, Rathfarnham, Dublin 14
Proposed Development: Garage conversion for extended living for an additional bedroom. With new window to the front elevation
Location: Rockwood Cottage, Mount Venus Road, Woodtown, Dublin 16.
Applicant Name: Alex Morton
Application Type: Permission

(CS)

Description of Site and Surroundings

Site Area: stated as 0.2102 Hectares.

Site Description

The site accommodates an existing single storey detached structure (76sq.m.) with pitched roof located to the rear of the subject site outlined in red within the rural area (RU). The existing detached annex structure currently contains a garage, kitchen and 1 no. bedroom and has its own vehicular entrance. It is noted that there is an existing detached dwelling located in a separate site immediately to the west of the subject site with its own separate vehicular entrance.

It is noted that although the red line site boundary only includes the existing detached structure it can be seen from aerial photography that there is no boundary treatment between the detached structure and the main dwelling on the adjacent site to the west.

Proposal

The proposed development consists of the following:

- Replace the garage element of the annex with a larger kitchen area and provide for an additional second bedroom.
- Insertion of a new window to the front elevation of the existing annex.
- Total works measure c.0sq.m. as there is no increase in internal floor area.

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It is noted that the description of works in the public notices states Garage conversion for extended living for an additional bedroom.

Zoning

The subject site is subject to zoning objective 'RU': *'To protect and improve rural amenity and to provide for development of agriculture'* under the South Dublin County Development Plan 2022-2028.

Consultations

Water Services – No report received.

Irish Water – No report received

SEA Sensitivity Screening

The site is located within the following layers:

- Rural 2016.

It is noted under the South Dublin County Council Development Plan 2022-2028 Maps that the subject site is located within an area where it is an objective under the County Development Plan to protect and preserve significant views.



Submissions/Observations /Representations

None.

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Relevant Planning History

None recorded for subject site.

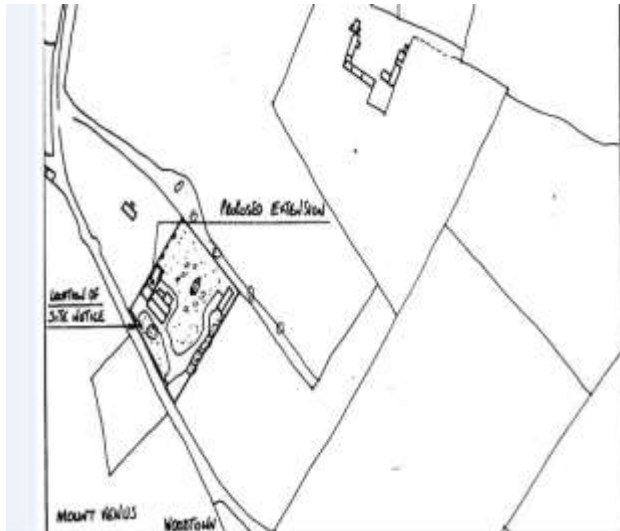
Adjacent sites

S01B/0608: Rockwood Cottage, Mount Venus Road, Woodtown, Dublin 16.

Ground floor study/conservatory, basement garage for car storage to side.

Decision: **GRANT PERMISSION.**

It is noted that this application contained the entire site including for the existing annex to the rear. It is noted the existing annex only is included for in this current application SD22B/0385.



SD05B/0577: Sherbrooke, Mountvenus Road, Dublin 16.

Construction of new pitched slated roof over existing flat roof, with 4 no. Velux roof lights; (b) proposed new attic, consisting of 1 bedroom, bathroom, walk-in-wardrobe, attic storage, and balcony area to rear; (c) internal alterations, including new staircase to proposed attic.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

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Relevant Policy in South Dublin County Council Development Plan 2022 – 2028

Section 6.9 Rural Housing Strategy

Policy H16: - Management of Single Dwellings in Rural Areas Restrict the spread of urban generated 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 in line with the Settlement Hierarchy

H21 Objective 1: - To favourably consider applications for replacement dwellings within areas designated with Zoning Objective ‘RU’ (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective ‘HA – Dublin Mountains’ (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective ‘HA – Liffey Valley’ (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective ‘HA – Dodder Valley’ (to protect and enhance the outstanding character and amenity of the Dodder Valley) where the Planning Authority is satisfied that all of the following are met:

- There is a genuine need for replacement or refurbishment of the structure;
- The roof, internal walls and external walls of the structure on site are substantially intact;
- The structure on site is a habitable dwelling and its use as a habitable dwelling has not been abandoned (for a period that exceeds 5 years);
- The structure on site is of limited value in terms of built heritage, character and visual amenity;
- The replacement dwelling would largely occupy the same footprint, scale and location of the dwelling to be replaced, save in exceptional circumstances where the Planning Authority agrees a more favourable position in the context of the development management criteria outlined under Chapter 12: Implementation and Monitoring.

Policy H23: Rural Housing and Extension Design - 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.

H23 Objective 1: Ensure that all new rural housing and extensions within areas designated within Zoning Objectives Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV);

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

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- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; Retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries;
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls;
- Would comply with 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;
- Would not create or exacerbate ribbon or haphazard forms of development

6.9.6 Rural Dwelling Occupancy

4.3.1 Components of the GI Network - Figure 4.4: Green Infrastructure Strategy Map

4.3.2 Strategic Corridor Objectives - Strategic Corridor 3: Grand Canal Corridor, Overarching Objectives

Policy GI1: Overarching GI1 Objective 4: - To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Policy GI2: Biodiversity GI2 Objective 4: - To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Policy GI4: Sustainable Drainage Systems GI4 Objective 1: - To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Policy QDP7: High Quality Design – Development General - Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

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Policy QDP11: Materials, Colours and Textures - Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy H14: Residential Extensions - Support the extension of existing dwellings subject to the protection of residential and visual amenity.

H14 Objective 1:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Policy E3: Energy Performance in Existing and New Buildings

Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.

12.3.1 Appropriate Assessment

12.3.1 Ecological Protection

12.3.2 Environmental Impact Assessment

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.1 Green Infrastructure and Development Management

12.5 Quality Design and Healthy Placemaking

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights

12.6 Housing - Residential Development

12.6.7 Residential Standards

12.6.8 Residential Consolidation

Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

12.7.4 Car Parking Standards

Table 12.26: Maximum Parking Rates (Residential Development)

12.11.1 Water Management

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South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions, including porches, side and rear extensions.

Elements of Good Extension Design

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

Section 6.8.3 Family Flats

Policy H15 - Family Flats

It is the policy of the Council to support family flat development subject to the protection of residential and visual amenities.

H15 Objective 1: To favourably consider a family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member or members subject to the criteria outlined in Chapter 12: *Implementation and Monitoring*.

Section 2.6.8 Residential Consolidation

A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

- The applicant shall be required to demonstrate that there is a genuine need for the family flat;
- The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;
- The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;
- Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;
- Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and 'that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

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Relevant Government Guidelines

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

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

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

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Sustainable Rural Housing Development Guidelines - Sustainable Rural Housing Guidelines for Planning Authorities (2005).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

Assessment

The main issues for assessment are as follows:

- Zoning and Council Policy;
- Residential & Visual Amenity;
- Services & Drainage;
- Screening for Environmental Impact Assessment (EIAR).
- Screening for Appropriate Assessment (AA).

Zoning and Council Policy

The subject site is zoned 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture.'* Residential development is listed as 'Open for Consideration' under this zoning objective subject to accordance with Council policy for residential development in rural areas.

It is considered that the existing annex which provides for a garage, kitchen and 1 no. bedroom and has its own vehicular entrance is a separate independent residential dwelling unit which does not have the benefit of planning permission. Therefore, this application cannot be assessed as a regular garage conversion to an authorised structure.

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Residential & Visual Amenity

The existing detached structure currently contains a garage, kitchen and 1 no. bedroom. This application is seeking to replace the garage element of the existing annex with a larger kitchen area and to provide for an additional second bedroom. There is no planning permission recorded for the existing annex which is an existing independent separate residential dwelling unit. As the proposed development provides for another additional bedroom this would be considered further intensification of an unauthorised use. The application does not comply with Sc.6.9.2 Rural Housing in RU Zone and does not comply with Policy H18.

Policy H18 states that:

'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) will only be permitted in exceptional circumstances where:

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

Or

(b) The applicant has close family ties with the rural community.

Therefore, the proposal should be **refused**.

Services & Drainage

No reports have been received from Irish Water or Surface Water Drainage. Notwithstanding this it is considered appropriate to attach standard drainage **conditions** in the event of grant.

Screening for Appropriate Assessment (AA)

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a house extension.

Having regard to:

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

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

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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.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential –	0sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.2102

Conclusion

Having regard to the 'RU' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2022 – 2028, and the recommendations of the South Dublin House Extension Design Guide 2010, the application would not accord with the proper planning and sustainable development of the area.

The proposal would be contrary to Policy H23: Rural Housing and Extension Design as it would create a haphazard form of development and the Planning Authority would have concerns with the proposed further intensification of the unauthorised use of the detached structure with an additional bedroom. The application does not comply with Sc.6.9.2 Rural Housing in RU Zone and does not comply with Policy H18.

Therefore, the proposal should be **refused**.

Recommendation

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

SCHEDULE

REASON(S)

1. The proposed application and provision of further intensification of the unauthorised use for the detached structure with an additional bedroom would represent a substandard independent residential dwelling unit within the overall site which is out of character with the established pattern of development in the area and is contrary to the 'RU' zoning objective which seeks 'To protect and improve rural amenity and to provide for the development of agriculture' and is contrary to the proper planning and sustainable

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development for the area.

2. In the South Dublin County Development Plan 2022 – 2028 there are three relevant policies.

Policy H16 refers to Management of Single Dwellings in Rural Areas and states: 'Restrict the spread or urban generated dwelling in the Rural 'RU' Zones and to focus such housing into existing settlements in line with the Settlement Hierarchy'.

Policy H18 refers to Rural Housing in RU Zone and states :
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) will only be permitted in the following exceptional circumstances:

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

Or

The applicant has close family ties with the rural community.

Policy H23 Objective 1 states 'Ensure that all new rural housing and extensions within areas designated within Zoning Objectives Rural (RU),.....

- 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 EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and

Having regard to the above policies and the 'RU' zoning objective which seeks 'To protect and improve rural amenity and to provide for the development of agriculture', of the South Dublin County Development Plan 2022 – 2028, the proposed development would contravene the zoning objective and the above policies and would be contrary to the proper planning and sustainable development of the area.

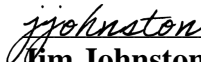
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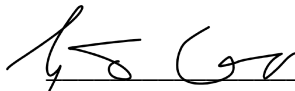
LOCATION: Rockwood Cottage, Mount Venus Road, Woodtown, Dublin 16.



Jim Johnston,
Senior Executive Planner

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

Date: 20-10-22



Gormla O'Corrain, Senior Planner