

# Comhairle Chontae Atha Cliath Theas

**PR/0087/23**

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

**Reg. Reference:** SD22B/0507      **Application Date:** 21-Nov-2022  
**Submission Type:** New Application      **Registration Date:** 21-Nov-2022

**Correspondence Name and Address:** Equation Design Meadow Lodge, Kilmacoo, Avoca, Co. Wicklow

**Proposed Development:** Changes to previously granted permission PR/0456/22; Minor elevation changes to proposed extension and entrance porch to existing house, change in flat roof finish to the proposed extension, external wall insulation to the existing house and all associated site works.

**Location:** Cnoc Mhuire, Friarstown Lower, Bohernabreena, Dublin 24

**Applicant Name:** Lynne McKeon and Seamus Foley

**Application Type:** Permission

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

#### **Site Area**

Stated as 0.1996ha.

#### **Site Description**

The application site contains a large, detached dormer bungalow with significant hardstanding for parking to the front and mature hedgerow boundaries to the side and rear. The site is located in Friarstown, on the east side of the Bohernabreena Valley, in an area with a cluster of residential dwellings of varying use, scale and design.

#### **Proposed Development**

The applicant has submitted an application for amendments to a previously granted application (17/05/2022, Application Ref: SD22B/0056). The applicant is proposing the following amendments for permission;

- An increase in height of front porch to 2912mm (128mm increase), with new proposed finish;
- New proposed finish to flat roof and proposed 1 no. rooflight;
- Changes to external finishes to include sand cement render;
- External wall insulation to existing house; and
- Alterations to permitted window glazing location and materials.

# Comhairle Chontae Atha Cliath Theas

**PR/0087/23**

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

### **Zoning**

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

### **Consultations**

Surface Water Drainage – No objections subject to standard conditions.

Irish Water – No report received.

### **SEA Sensitivity Screening**

Indicates the subject site is located within 900m of SAC – Glenasmole Valley SAC.

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

04/01/2023 closing date for submissions.

No submissions or objections received.

### **Relevant Planning History**

#### **Subject Site**

SD22B/0056, permission granted 17/05/2022 for new two storey extension to rear of existing dwelling comprising 49sq.m additional floor area at ground floor and 22.5sq.m additional floor area at first floor, including the introduction of a family flat of 90sq.m floor area within the footprint of the existing dwelling and associated internal alterations. Introduction of a new porch at existing main entrance door and new rooflight on existing pitched roof. Upgrade of existing drainage including replacement of existing septic tank.

S94A/0533, permission granted 04/10/1995 for retention of 2 agricultural buildings at rear.

#### **Adjacent Sites**

SD19B/0486, Cornaon Cottage, Montpellier, Bohernabreena, Dublin 24, permission was refused by the planning authority 18/06/2020 to demolish the existing extension to the side and rear of the existing cottage and replace with a two storey dormer extension to the side and rear of the existing cottage with a slate roof to match the existing cottage; new front porch; remove existing decayed slate roof to the existing cottage and replace with a new slated roof to match original; internal alterations; external finishes to match existing and associated site works.

Reasons for refusal broadly comprised contravening of the rural housing policy of the Development Plan. An appeal was 15/07/2020 (ABP-307604-20), and the Board overturned the planning authority's decision to refuse, and conditionally approved the application.

SD14B/0245, Friarstown Lower, Bohernabreena, Dublin 24, permission granted 05/01/2015 for the construction of a ground floor extension and re-roofing of existing family home to include first floor bedroom and family/TV room with all ancillary works.

# Comhairle Chontae Atha Cliath Theas

**PR/0087/23**

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

SD04B/0551, Cnoc Mhuire, Bohernabreena, Friarstown Lower, Dublin 24, permission granted 27/01/2005 for 3 new dormer windows to front.

S98A/0793, Friarstown, Tallaght, Dublin 24, permission refused 15/01/1999 for Conservatory/porch to the side and rear. The reason for refusal comprised; *“The proposed conservatory, having regard to its design and elevated position and its location in such close proximity to the adjoining property to the south would result in an unacceptable level of overlooking of the property to the south. The proposed development would therefore seriously injure the amenities and depreciate the value of the adjoining property and, as such, would be contrary to the proper planning and development of the area.”* An appeal was lodged to the Board 12/02/1999, and the decision to refuse by the planning authority was upheld by the Board.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None in relation to this application.

### **Relevant Policy in South Dublin County Council Development Plan 2022 - 2028**

#### **Chapter 4, 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.*

*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.*

*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.*

# Comhairle Chontae Atha Cliath Theas

**PR/0087/23**

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

### Chapter 6, Section 6.8.2: Residential Extensions

*Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.*

*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 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).*

*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; and*
- *Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and à 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 à 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 EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and*
- *Would not create or exacerbate ribbon or haphazard forms of development.*

### Chapter 11, Section 11.2.1: Sustainable Urban Drainage Systems (SuDS)

*Policy IE3: Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*

# Comhairle Chontae Atha Cliath Theas

**PR/0087/23**

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

### Chapter 12, Section 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.*

#### **Relevant Government Guidelines**

***Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas***, Department of the Environment and Local Government (2009).

***Urban Design Manual: A Best Practice Guide***, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

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

#### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council policy
- Description of development
- Residential and visual amenity
- Services, Drainage and the Environment

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

The site is subject to zoning objective 'HA-DM' - '*To protect and enhance the outstanding natural character of the Dublin Mountains Area.*' A residential use is open for consideration under this zoning objective.

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

The proposal seeks permission to increase the height of the permitted front porch to 2912mm (128mm increase), with a new proposed finish of selected powder coated aluminium; a new proposed finish to permitted flat roof to include a Paralon membrane with selected powder coated aluminium capping to the upstand; proposed 1 no. rooflight positioned in the centre of the permitted flat roof; proposed changes to the permitted external finishes will include sand cement render and the installation of external wall insulation to the existing house; alterations to the previously permitted window glazing location and proposed materials changing to aluminium double glazed.

# Comhairle Chontae Atha Cliath Theas

**PR/0087/23**

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

The amendments included above are considered minor in nature, with the majority of changes to the rear of the property. In this regard, it is not considered that these changes would have a significant impact on the residential amenity of neighbouring dwellings. The proposed alterations to the front porch would not impact on the existing driveway. In this regard, the proposed amendments would comply with the House Extension Design Guide and are considered acceptable. The proposal is therefore considered acceptable by the planning authority and a grant of permission is recommended.

### ***Services & Drainage***

Surface Water Drainage – No objection subject to standard conditions.

Irish Water – No report received.

### ***Screening for Appropriate Assessment***

The subject site is located within 1km of a European site and situated within an established rural residential area. The proposed development comprises alterations to a previously permitted application. In regard to; the small scale and domestic nature of the development; the location of the development in a cluster or rural housing between the subject site and the nearby European site; 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.

### ***Environmental Impact Assessment***

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

### ***Development Contributions***

No change in floor area. Changes are minor and comprise change of material only.

### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposed development, it is considered that, subject to the **conditions** set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0087/23**

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

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development in accordance with submitted plans and details.
  - a) The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
  - b) Permission is only for items described in the description of development in the public notices

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained and to clarify the extent of development.

2. Conditions of previous permission.

All conditions of parent permission SD22B/0056, to which this application will have effect of creating modifications to shall apply, save as may be required by the other conditions attached hereto.

REASON: In the interest of proper planning and sustainable development of the area.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0087/23**

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

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.




# Comhairle Chontae Atha Cliath Theas

**PR/0087/23**

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

**REG. REF. SD22B/0507**

**LOCATION: Cnoc Mhuire, Friarstown Lower, Bohernabreena, Dublin 24**

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

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:** 24/01/23\_\_\_\_\_

  
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**Gormla O'Corrain,**  
**Senior Planner**