

# Comhairle Chontae Atha Cliath Theas

**PR/0660/23**

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

**Reg. Reference:** SD22B/0354      **Application Date:** 03-Aug-2022  
**Submission Type:** Additional      **Registration Date:** 16-May-2023  
Information

**Correspondence Name and Address:** Edward Fitzgerald Selby Architect 122, Butterfield Avenue, Rathfarnham, Dublin 14

**Proposed Development:** Two storey extension and single storey side extension to existing dwelling, comprising of 160sq.m to ground floor and 137sq.m to the first floor, accommodating additional bedrooms and living accommodation and granny flat; Finishes to be painted sand and cement render to walls and natural slate tiles to the roof.

**Location:** The Lugg, Saggart, Co. Dublin

**Applicant Name:** Elaine & Benji O'Reilly

**Application Type:** Permission

(NM)

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

#### **Site Area**

Stated as 0.01898 Hectares.

#### **Site Description**

The application site is located in a predominately rural area in the Lugg, within close proximity to the Lugg Forest. The property is a detached, single storey dwelling with a pitched roof with an intersecting hip. The area is characterised by agricultural buildings and one-off houses.

#### **Proposal:**

The development will consist of:

- Two storey extension and single storey side extension to existing dwelling, comprising of 160sq.m to ground floor and 137sq.m to the first floor, accommodating additional bedrooms and living accommodation and granny flat.
- Finishes to be painted sand and cement render to walls and natural slate tiles to the roof.
- Total area of works 297sqm

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### **Zoning:**

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

### **Consultations:**

*Irish Water* - No report received at the time of writing.

*Water Services* – No report received at the time of writing.

*Parks* – No comment.

*Heritage Officer* – No report received at the time of writing.

*Environmental Health Officer* – Additional Information.

### **SEA Sensitivity Screening**

Overlaps with Dublin Mountains High Amenity Layer.

Abuts Section 22 Landfills Layer.

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

Cllr Shirely O'Hara supports the application and references Section 25.3 and 25.4 of CDP to be amended which suggests the applicant qualifies to develop residential accommodation at the site location.

The representation has been noted and reflected in this report.

### **Relevant Planning History**

#### *Subject Property*

S25421/25 - **GRANT LICENCE UNDER SECTION 254** - Erection of new overground fibre optic cables on existing timber poles (National Broadband Ireland)

#### *Adjacent sites:*

SD19A/0178 - The Lugg, Saggart, Co. Dublin – **Permission Refused** for single storey split level bungalow; treatment system and percolation area; new vehicular access and entrance; associated landscaping works.

SD17A/0207 - The Lugg, Saggart, Co. Dublin – **Permission Refused** for single storey split level bungalow, treatment system and percolation area, new vehicular access and entrance and associated landscaping works.

SD14A/0115 - Lughill, Saggart, Co. Dublin – **Permission Refused** for 1.5 storey dwelling, recessed entrance, effluent treatment system, percolation area and all associated siteworks.

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SD10B/0074 - Sladeview House, Lugg Hill, Saggart, Co. Dublin – **Retention Permission Granted** for retention of (1) porch as constructed to front of dwelling; (2) basement/garage conversion to living accommodation as constructed and all associated site works.

SD09A/0431 - Hilltop, The Lugg, Saggart, Co. Dublin – **Permission Refused** for detached bungalow to include a granny flat, water treatment unit with a percolation area, new vehicular access, associated site works (the complete dwelling to be used as a single dwelling unit).

### **Relevant Enforcement History**

None.

### **Pre-Planning Consultation**

None recorded.

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

*Chapter 4 Green Infrastructure*

*Section 4.1 Methodology*

*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.*

*Section 4.2.1 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.*

*Section 4.2.2 Sustainable Water Management*

*Policy GI3: Sustainable Water Management*

*Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourses. Require the long-term management and protection of these watercourses as significant elements of the County's and Region's Green Infrastructure Network and liaise with relevant Prescribed Bodies where appropriate. Accommodate flood waters as far as possible during extreme flooding events and enhance biodiversity and amenity through the designation of riparian corridors and the application of appropriate restrictions to development within these corridors.*

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*GI3 Objective 3: To promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site.*

*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.*

### *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).*

#### *6.8.3 Family Flats*

##### *Policy H15: Family Flats*

*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.*

#### *6.9.3 Rural Housing in HA – Dublin Mountains Zone*

##### *Policy H19: Rural Housing in HA – Dublin Mountains Zone*

*New or replacement dwellings within areas designated Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area) will only be considered in exceptional circumstances.*

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### *H19 Objective 1:*

*To consider new or replacement dwellings within areas designated with Zoning Objective 'HA-Dublin Mountains' (to protect and enhance the outstanding natural character of the Dublin Mountains Area) in the following exceptional circumstances where all of the criteria below are met:*

- The applicant is a native of the area; and*
- The applicant can demonstrate a genuine need for housing in that particular area; and*
- The development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming; and*
- The development would not prejudice the environmental capacity of the area, and that it would be in keeping with the character of the mountain area.*

*These criteria are in accordance with the Sustainable Rural Housing Guidelines (2005), having regard to the outstanding character of the area and the need to preserve the environmental and landscape quality of this area.*

*The above criteria to be considered alongside the need to sustain and renew established rural communities and to ensure the viability of amenity, including local schools and the need to accommodate genuine rural housing needs where they arise.*

### *6.9.5 Replacement Rural Dwellings*

*Policy H21: Replacement Dwellings in Rural and High Amenity Areas Consider applications for replacement dwellings in rural and high amenity areas where there is a genuine need for refurbishment and / or replacement.*

### *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; and*
- The roof, internal walls and external walls of the structure on site are substantially intact; and*
- 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); and*
- The structure on site is of limited value in terms of built heritage, character and visual amenity; and*

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*- 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.*

### *6.9.6 Rural Dwelling Occupancy*

#### *Policy H22: Occupancy Condition*

*Conditions attached to the grants of permission for housing in Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV) areas will include the stipulation that the house must be first occupied as a place of permanent residence by the applicant and / or by members of his / her immediate family, for a minimum period of seven years or such other longer period of time as is considered appropriate.*

### *6.9.7 Rural Housing and Extension Design*

#### *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*
- 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 EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and*
- Would not create or exacerbate ribbon or haphazard forms of development.*

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*Chapter 10 Energy*

*Section 10.2 Energy Measures*

*Policy E3 Energy Performance in Existing and New Buildings*

*Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

*Policy IE3: Surface Water and Groundwater*

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

*Chapter 12 Implementation and Monitoring*

*Section 12.3 Natural, Cultural and Built Heritage*

*Section 12.3.1 Appropriate Assessment*

*Section 12.3.3 Environmental Impact Assessment*

*Family Flats*

- 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.*

*Section 13.5.8 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.*

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

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### **Relevant Government Guidelines**

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

*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).

### **Assessment**

The main issues for assessment are

- Zoning and Council policy,
- Residential and Visual amenity
- Drainage
- Parks
- Heritage
- EHO
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

### ***Zoning***

A development consisting of a part single storey, part two storey extension is 'Open for Consideration' under zoning objective 'HA-DM' – 'To protect and enhance the outstanding natural character of the Dublin Mountains Area.', and as such would potentially be allowable subject to the relevant provisions in the County Development Plan **2022-2028**.

### ***Council Policy***

The proposed development consists of retaining approximately 117sqm of the existing 160sqm dwelling (demolishing 43sqm) and building a further 190sqm including a first-floor extension over the existing dwelling, a linear extension to the east of the existing dwelling and a family flat to the west of the existing dwelling.

Given the size and scale of the development, this can be considered a replacement dwelling and as such should conform to Policy H21 Objective 1:



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### Policy H21 Objective 1

*- There is a genuine need for replacement or refurbishment of the structure; and*

The applicant has confirmed that the property is currently used as the family home, and they have outgrown the current configuration and size of the current dwelling. The applicant has also confirmed that they require a family flat in order to home the applicant's father.

*- The roof, internal walls and external walls of the structure on site are substantially intact; and*

The applicant has confirmed that they are living at this address currently and the internal and external walls of the structure are 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); and*

As confirmed, the property has not been abandoned and is the current family home of the applicant.

*- The structure on site is of limited value in terms of built heritage, character and visual amenity; and*

The property is a single storey, concrete rendered bungalow with no apparent built heritage or architectural heritage value.

*- 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.*

The proposed development occupies a large footprint of the existing dwelling but notwithstanding this, is substantially larger overall and as such, the applicant **does not fully conform with Policy H21 Objective 1 and Additional Information should be sought to address this.**

### Policy H23 Objective 1

Furthermore, the application is required to conform with **Policy 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;*

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The proposed development requires a first-floor extension over an extended existing ground floor dwelling and the site gradient is such that this **would increase the impact on the landscape**. The existing ridge height is approximately 5.3m whereas the revised ridge height of the two-storey element would be approximately 8m. The applicant should provide revised drawings reducing the height, scale and massing of the proposed development, as **Additional Information**.

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

The proposed development is substantial in the site context and the applicant should provide a revised landscape plan including replanting schedule by way of **Additional Information**.

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

The development mostly follows the line of the existing development with minor infilling required and is therefore **acceptable**.

*- Retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries; and*

There appears to be no requirement for a change in the boundary treatment, but this should be confirmed by way of **Additional Information**.

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

There appears to be some filling required to facilitate the family flat to the west of the existing development but overall, this is considered **acceptable**.

*- 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*

No details of the proposed wastewater treatment facilities were included as part of the application and therefore, should be requested as **Additional Information**.

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

The proposed development is on an existing residential site.

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### Family Flats

- *The applicant shall be required to demonstrate that there is a genuine need for the family flat;*  
The applicant has submitted a cover letter indicating that his father is incapable of independent living and as such, **a family flat is required.**

- *The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;*

The family flat as submitted is less than 50% of the existing dwelling and is therefore **acceptable.**

- *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;*

There is no direct internal door to the family flat from the existing dwelling and **Additional Information** should be sought indicating an internal access door to the main dwelling.

- *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;*

The main access to the family flat is to the front of the property and this should be moved to the side or rear which should be demonstrated through **Additional Information.**

- *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.*

This **condition** shall be attached in the event of a grant of permission.

**Overall, Additional Information is required to address the issues relating to Policy H21 Objective 1, Policy H23 Objective 1 and Family Flats requirements as per the South Dublin County Development Plan 2022-2028.**

### *Residential and Visual Amenity*

#### *Residential*

The boundary of the application site abuts zoning area RU but is fully in zoning area HA-DM and therefore, this application shall be assessed accordingly. The property is located at the end of substandard single lane rural road close to the Lugg Forest which would not be an appropriate location for a new residential dwelling but is considered an acceptable location for an extension of an existing dwelling in this instance.

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The proposed development requires a first-floor extension above a slightly extended ground floor footprint of the existing dwelling. This would not lead to any overshadowing or overlooking of the residential unit to the northeast which is approximately 32m from the proposed dwelling which is an acceptable distance. Notwithstanding this, the ridge height of the proposed first floor element would be approximately 8m which is not acceptable in the high amenity area and a revised design should be sought by way of **Additional Information**.

The amenity space is predominately located to the east (side) of the site rather than to the rear but given the size and relatively secluded nature of the application site this is considered **acceptable**.

The existing dwelling is a 5 bedroomed home, and the proposed development is for a 6 bedroomed dwelling with a separate family flat. The family flat requires **Additional Information** in order to comply with the requirements of the CDP.

The linear extension to the east measures approximately 112sqm. This is considered to be a poor quality design response, in the context of the existing dwelling and the applicant should revise the proposed development to provide a reduced footprint, and this should be sought by way of **Additional Information**.

Overall, the proposed development would be injurious to the visual amenities of the area, considering the high amenity zoning and therefore should be revised.

### *Visual*

The material for the proposed exterior walls is cement render with a natural slate roof which is considered appropriate. The fenestration is also considered **acceptable**.

The linear extension to the east of the main dwelling is positioned at an angle, thus not in keeping with the established building line. It is noted that due to the angled positioning of the extension, the roof is predominately fully hip pitched but there is a small flat roofed area between the main dwelling and the extension which would be visually jarring. The applicant should consider following the existing building line and establishing a roof similar to the proposed family flat and this should be sought by way of **additional information**.

The overall design of the development is not considered acceptable and should be revised by way of **Additional Information**.

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### *Drainage*

No report was received from Water Services. Irish Water maps indicate that the proposed development would not be located within an unacceptable distance of any existing Irish Water infrastructure. Given the nature and scale of the development, **Additional Information** should be sought regarding SuDS and the treatment of wastewater.

### *Parks*

The Parks department had no comment on the proposed development. Notwithstanding this, it is considered appropriate that **Additional Information** is sought regarding the boundary treatments, any trees and hedgerow that are likely to be removed, a replanting schedule with indigenous species and a landscape plan.

### *Heritage*

No report was received from the Heritage Officer at the time of writing. It is deemed appropriate that **Additional Information** as outlined throughout the report is sufficient.

### *EHO*

The Environmental Health Officer requires **Additional Information**, and the following report was received:

*Development Summary: The development proposes the demolition of an existing structure and the building of a new residential structure on this site. Effectively providing two separate domestic residences. The site is currently served by an old septic tank. No information was provided with this application indicating that the existing septic tank sewage treatment system had been examined for its suitability for this development. There are a number of neighbouring properties adjacent all of which presumably are on well supply for water.*

### *Decision:*

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

*2. A comprehensive map showing well locations and separation distances re. same. Detail in the form of a written report must also be provided indicating what (if any) sewage treatment provision was made for the new domestic residence proposed and if a new sewage treatment system has been considered.*

It is considered appropriate that the **Additional Information** as sought by the EHO is requested from the applicant.

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### ***Green Infrastructure***

The subject application provides for a substantial increase in the footprint of the subject house on a site in the High Amenity Dublin Mountain area. The site is located within a Primary GI Link 5 Camac River Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is required.

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

The subject site is not located within nor within close proximity to a European site. The proposed development is located within the High Amenity Dublin Mountain area and comprises of a part ground floor, part first floor extension and family flat.

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.

### ***Environmental Impact Assessment (EIAR)***

Having regard to the modest nature of the 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.

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### *Development Contributions*

<b>Planning Reference Number</b>	SD22B/0354
<b>Summary of permission granted &amp; relevant notes:</b>	Part ground floor, part first floor extension and family flat. Total area of works 297sqm.
<b>Are any exemptions applicable?</b>	No
<b>If yes, please specify:</b>	
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	104.49
<b>% Reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€104.49
<b>Area of Development (m2)</b>	297
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	297
<b>Total development contribution due</b>	€31,033.53

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, additional information is required from the applicant to address the issues highlighted in this report.

### **Recommendation**

Request Further Information.

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### **Further Information**

Further Information was requested on 27/09/23

- An extension for response was permitted on 04/04/2023 until 05/07/2023

Further Information was received on 16/05/23

### **Consultations**

Water Services

**Clarification of additional information** recommended

### **Submissions/Observations**

No further submissions/observations received.

### **Assessment of Further Information**

The Further Information requested was as follows:

1. *The applicant does not comply with Policy H23, Objective 1 of the South Dublin County Development Plan 2022-2028 and should submit the following:*
  - *The proposed development is not designed and sited to minimise the impact on the landscape including the 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. The applicant should provide revised drawings including floor plans, site plans, elevations and cross sections reducing the height of the two storey element of the proposed development in order to preserve the visual amenities of HA-DM area.*
  - *The proposed development may have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings. The applicant should provide a revised landscape plan including replanting schedule and a full Green Infrastructure assessment including any mitigating measures to address the potential negative impact on the environment.*
  - *The applicant should confirm that the proposed development 'retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries'. The applicant should submit the intended boundary treatments that are required as part of the proposed development.*



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- *The applicant is required to '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'. The applicant should submit a comprehensive map showing well locations and separation distances re. same. Detail in the form of a written report must also be provided indicating what (if any) sewage treatment provision was made for the new domestic residence proposed and if a new sewage treatment system has been considered.*
- 2. *The proposed development does not comply with the South Dublin County Development Plan requirements regarding family flats and the applicant should submit the following:*
  - *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;*
  - *There is no direct internal door to the family flat from the existing dwelling and the applicant should provide revised drawings including floor plans indicating an internal access door to the main dwelling.*
  - *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;*
  - *The main access to the family flat is to the front of the property and this should be moved to the side or rear and the applicant should submit revised drawings including floor plans, site plans and elevations confirming this.*
- 3. *The proposed development is located in 'HA-DM' - 'To protect and enhance the outstanding natural character of the Dublin Mountains Area' and as such all development should align with this zoning objective. The proposed ground floor extension to the east is not considered acceptable and should incorporate the following alterations;*
  - *Reduced building footprint;*
  - *Omission of the angled relationship to the host property;*
  - *Redesign of the roof to omit the visually jarring flat roofed transition between the two storey and single storey elements of the proposed development. (It is noted that this design change may require amendments to bedroom 5)*

*The applicant should submit revised drawings including site plans, floor plans, elevations and cross sections demonstrating these amendments to the development*

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4. *The applicant should submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, for the written agreement of the Planning Authority. The applicant should include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:*
5.
  - *Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.*
  - *Permeable Paving*
  - *Grasscrete*
  - *Green Roofs,*
  - *Rain gardens*
  - *Swales*
  - *Permeable Paving*
  - *Grasscrete*
  - *Channel Rills*
  - *Planter Boxes water butts*
  - *Other such SuDS*

*The applicant should reference the SDCC Sustainable Drainage Explanatory Design & Evaluation Guide prior to submission.*

### **Assessment**

#### Item 1 – Policy H23 Objective 1

The applicant has reduced the appearance of the height of the proposed development from the previously proposed 2-storey house element to a revised proposal for a dormer bungalow style extension. However, ridge levels indicate the works are the same height as previously proposed. The depth of the existing bungalow has been increased by approximately 2m, affecting the height of the pitched roof, thereby resulting in an unsatisfactory, top-heavy, appearance. This is not acceptable. Section 12.6.9 'Rural Housing' states that *'The shape and form of residential development in rural and high amenity areas, including roof structures, should be **compact and simple** with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials.'* [emphasis added]. The scale and design of the development proposed are contrary to this guidance, and materially contravene H23 Objective 1 insofar as the development has not been designed to minimise its impact on the landscape, disregarding previous concerns in relation to height, and proposing similar heights as part of the revised scheme. In addition, the square extension has a hipped roof profile, inappropriately contrasting with the pitched roof of the existing dwelling. The development should be **refused** on this basis.

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The applicant has not submitted any additional information in relation to the site boundaries, or the potential impacts of the development on flora or fauna. No green infrastructure plan, or additional landscaping information has been provided. In this regard, the Planning Authority is not satisfied that the applicant is not contravening H23 Objective 1 of the Development Plan.

The applicant has addressed concerns regarding the septic tank. This is acceptable.

Based on the above assessment, the scale of the extension and works proposed are considered to be excessive. It is not considered that the applicant has provided sufficient information, or revised the scheme in any meaningful way, to address the concerns raised previously. In this regard, the development is considered to materially contravene Policy H23 Objective 1 and should be **refused**.

### Item 2 – Family Flat

The applicant has submitted revised proposals indicating an internal access for the family flat via the main hallway of the existing dwelling. In addition, access to the garden is provided via door to the rear garden, and another door is provided on the west elevation serving the hallway of the family flat. It is not considered necessary for the family flat to have two external accesses, given the unit is to be accessed via the main dwelling. A **condition** could be included in the event of a grant stating that the door on the western elevation is to be omitted and the only external access for the family flat permissible is via the southern access and internal access door.

### Item 3 – ‘Ha-DM’ Zoning

The applicant has stated that the area of the proposed extension is 289 sq.m, in addition to the existing dwelling which is 180 sq.m. These figures conflict with those given on the application form, but as these are the ones stated at additional information stage, these figures shall be used for the purposes of this assessment. When measured from drawings, these appear to be the correct figures. Based on the figures provided in the additional information covering letter, the applicant is seeking to increase the floor area of the dwelling by 160%. The family flat measures approximately 65 sq.m. This is less than 50% of the size of the original dwelling and is considered acceptable. Excluding the area for the family flat, the increase in the size of the dwelling is approximately 125%.

H20 Objective 1 of the Development Plan, while specific to rural housing in the HA – Liffey and Dodder Valley zonings, provides a useful indicator against which extensions to dwellings may be considered acceptable. Per H20 Objective 1, extensions or alterations to habitable structures in the HA-LV or HA-DV zones shall not exceed 50%.

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The current proposal to extend the existing dwelling by 160% is considered excessive, especially in the context of the size of the existing dwelling being 180 sq.m, which is significantly above the minimum standards for 4 + bedroom houses per Table 12.20 of the Development Plan (110 sq.m). In this regard, the applicant would need to significantly reduce the scale of the extension proposed for it to be considered acceptable. Given the scale of the works proposed, the development could be viewed as a replacement dwelling, rather than an extension. As stated under earlier in this report, it is not considered that the applicant has met all the criteria under H21 Objective 1 to justify the scale of the proposed works. In particular, the works, given that over 100 sq.m ground floor extension works are proposed, would significantly exceed the existing footprint of the original dwelling. This is not acceptable.

The applicant has reduced the appearance of the height of the development, proposing a rectangular pitched roof dormer bungalow, into which the original dwelling is incorporated. The maximum height of these works however remains consistent with the previous proposal. An oversized pitched roof is proposed in place of the two-storey element, creating an unbalanced appearance. This approach is not considered appropriate for the site's context. In addition, a 100 sq.m square extension is proposed at the east of the existing dwelling, with a hipped roof, at about a 45° angle to the existing property. This addition is not cohesive and is not considered appropriate.

Based on the above assessment, it is not considered that the proposal would materially contravene the sites zoning objective '*to protect and enhance the outstanding natural character of the Dublin Mountains Area*', as a result of the developments scale, design and orientation. On this basis, the development should be **refused**.

### Item 4 – SuDS

The Drainage Section have reviewed the additional information provided and have recommended that **clarification of additional information** is sought as follows:

*1.1 The applicant has not proposed any SuDS for the proposed development. The applicant is required to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems. (SuDS) features for the development.*

*1.2 The applicant shall include Sustainable Drainage Systems for the proposed development such as but not limited to the following:*

- *Permeable pavement (for example driveways and rear patios) and water butts*
- *Planter boxes with overflow connection to a public surface water sewer*
- *Swales and rill channels*
- *Grasscrete*
- *Green roofs and water butts*

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- *Raingarden with overflow connection to the public surface water sewer,*
- *Bioretention rain gardens*
- *(Water butts are additional features for SuDS but they are not considered as main features)*

*1.3 Sustainable Drainage Guide for households is available on below link: [sdcc-householders-guide-to-sustainable-drainage-suds-.pdf](#)*

*1.4 If a soakaway is proposed then submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design. Submit a drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*

- *At least 5m from any building, public sewer, road boundary or structure.*
- *Generally, not within 3m of the boundary of the adjoining property.*
- *Not in such a position that the ground below foundations is likely to be adversely affected.*
- *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- *Soakaways must include an overflow connection to a public surface water sewer.*

*1.5 The applicant shall comply with the Building Regulations - Technical guidance document - Part H in relation to all construction works involving new and existing private surface and foul water drains.*

The applicant has stated that the driveway and parking areas shall be gravelled with existing gardens retained. The only area of additional hardstanding, as well as the extension, would be a terraced patio to the rear and a stone terrace around the living area. It is not considered, given the extent of additional hardstanding as a result of the development, that the applicant has adequately offset this by the proposals. The application should be **refused** on this basis.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that the proposed development would seriously injure the amenities of the area or of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area. It is considered that the proposal would materially contravene Policy H23 Objective 1 of the Development Plan and the applicant has also failed to adequately address concerns regarding sustainable drainage systems. On this basis, the development should be **refused**.

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### **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 extension, by reason of its overall design including the proposed height, scale and massing is considered to contravene the site HA-DM' zoning objective 'To protect and enhance the outstanding natural character of the Dublin Mountains Area' and fails to comply with the requirement of Policy H23 Objective 1 of the South Dublin County Development Plan 2022 – 2028. Furthermore the proposed extension, in particular the proposed alterations to the roof profiles would not comply with Section 12.6.9 'Rural Housing' of the Development Plan which required 'The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials.' Accordingly it is considered that the development as currently designed, and with the deficiencies in information provided, would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Contrary to Policy GI4 'Sustainable Drainage Systems' of the Development Plan, the applicant has not proposed any Sustainable Drainage Systems (SuDS). Given the significant increase of floor area, at an elevated and sensitively located site, this is unacceptable and represents a serious deficiency in the application. To permit development without due consideration of appropriate SuDS would be contrary to the proper planning and sustainable development of the area.

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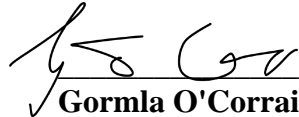
**REG. REF. SD22B/0354**

**LOCATION: The Lugg, Saggart, Co. Dublin**

  
\_\_\_\_\_  
**Colm Harte,**  
**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:** 12/06/23

  
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**Gormla O'Corrain, Senior Planner**