

Comhairle Chontae Atha Cliath Theas

PR/0898/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0465 **Application Date:** 24-Oct-2022
Submission Type: Significant **Registration Date:** 15-Jun-2023
Additional
Information

Correspondence Name and Address: Andrew Clancy 66, Meath Street, Crosstick Alley,
Co Dublin, D08 DK64

Proposed Development: The development will consist of an extension to the rear of the existing dwelling. This extension will be single storey and located at a half level above the ground floor of the existing dwelling to respect the site contours. The extension will have a four sided pitched roof with a central roof light and be linked to the existing house via a flat roofed element. This application includes for attendant works of drainage and landscaping to facilitate the above.

Location: Cottbrook, Castlekelly, Bohernabreena, Co. Dublin, D24 YY42

Applicant Name: Alida Stewart & John McGrane

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 3.89 hectares.

Site Description:

The application site contains a single storey, detached house, located in Castlekelly. The house comprises an historic cottage which appears to have been extended and renovated. The house sites on a large site, with a steep gradient, located within the Bohernabreena and Glenasmole Restricted Area, within the Dublin Mountains High Amenity zone. The surrounding area is rural in nature, with mature vegetation and limited development. The site is accessed up a steep laneway, serving approximately 4 dwellings.

Site Visited: 28/11/2022

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Proposal:

Permission is sought for the following:

- Single storey rear extension (162 sq.m) with 4-sided pitched roof and central rooflight with flat roof link to existing dwelling

Zoning:

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

Consultations:

Public Realm – No objection, **conditions** recommended

Water Services – No report received

Irish Water – No report received

Environmental Health Officer – No objection, **conditions** recommended

SEA Sensitivity Screening

SEA monitoring indicates overlap with the High Amenity Dublin Mountain 2016 layer.

It is noted that the site is also proximate to the Bohernabreena Reservoir Catchment Area, the Glenasmole Valley SAC, the Glenasmole Valley pNHA, the Wicklow Mountains SAC and the Wicklow Mountains SPA.

Submissions/Observations /Representations

Submission expiry date – 28 November 2022

No submissions or observations were received

Relevant Planning History

SD21B/0343: Installation of a septic tank (EPA standard) and a subsurface trench percolation area; decommissioning of the existing septic tank, along with attendant works. **Permission granted.**

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

PP130/21 – email consultation 20/03/2022

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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

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.

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).

6.9 Rural Housing Strategy

Section 6.9.3 Rural Housing in HA – Dublin Mountains Zone

H19 Objective 2: To generally prohibit development within restricted areas identified in the Bohernabreena / Glenasmole Reservoir Restricted Areas Map contained in Appendix 5.

Section 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.

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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 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*

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 12.3.5 Landscape Character Assessment

Section 12.3.9 Vernacular and Historic / Older Buildings, Estates and Streetscapes

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.

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Relevant Government Policy & Guidelines

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

Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, 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).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG, 2009.

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Potential Unauthorised Development
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

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

As per Appendix 5, the site is located within the restricted areas for development Glenasmole and Bohernabreena. The site overlaps with areas indicated as having slopes greater than 20% and within the 100m zone from streams. As per H19 Objective 2 and IE3 Objective 5, it is an objective of the Plan '*To generally prohibit development within restricted areas identified on the Bohernabreena / Glenasmole Reservoir Restricted Areas Map contained in Appendix 5.*' While it is acknowledged that parts of the site are located within restricted areas, as the proposal relates to the extension of an existing dwelling, it is considered acceptable to consider the development.

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Residential and Visual Amenity

An extension of 162 sq.m would be provided to the west of the existing dwelling. The extension would be accessed via hallway with steps, accounting for the change in levels as a result of the sites contouring. A large, square, single storey extension would provide for an open plan living area with kitchen, a home office/study and master bedroom with en-suite. The structure would have a largely hipped roof, with central square rooflight at the peak. The hallway connection would have a flat roof.

The existing building is comprised a number of connecting elements. What appears to be the most recent addition, at the north of the site, has a part hipped to flat roof appearance. The extension would be approximately 20cm taller than the maximum height of the existing dwelling.

From a site visit, it was clear that the site has already been dug into to facilitate the existing dwelling. This has resulted in a large bank of land immediately to the rear of the dwelling (the west).

H23 Objective 1 states that is an objective of the Council to ensure that the following relevant criteria are met in assessing all new rural extensions within areas designated within Dublin Mountain (HA-DM):

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

It is noted that the scheme generally appears to minimise, where possible, the requirement for intrusive engineered solutions however, the scale of the development is such that this cannot be avoided. It is considered that there is scope to reduce the size of the development, and the extent to which it is constructed up the slope, thereby further reducing any requirement for cut and fill solutions.

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Section 12.3.5 of the Development Plan states that proposals on sites with a steep and / or varying topography should be accompanied by a comprehensive site analysis, including character appraisal and movement analysis, concept proposal and design statement. A topographical survey should also be provided. This should be ascertained as **additional information**. A landscape visual impact assessment is also required, demonstrating views of the site from the surrounding valley area, with particular reference to protected views, included on Map 11 of the Development Plan.

Scale of Development

Section 6.9.7 of the Development Plan states that development in rural areas '*should be designed to be inconspicuous and compact in design particularly in areas of high visual amenity and with a steep topography.*' The application form states that the existing dwelling is 140sq.m and the proposed extension is 162sq.m, representing a 115% increase in the size of the main dwelling. The cumulative development would therefore provide total residential accommodation of 302sq.m, comprising 4 bedrooms and living areas. Given the sites location, this is considered excessive, and would not represent the compact extension of the existing dwelling, especially given the general objective to prohibit development in this area. Policy H20 Objective 1 states that within the HA-LV and HA-DV zoning, extensions are not to exceed 50% of the original structure. While this is not an objective of the HA-DM zoning, it is considered an appropriate guide to the level of development that might be acceptable within the high amenity area.

The proposed extension would provide an open plan living area of approximately 80 sq.m, in addition to the existing living area of the original dwelling (approximately 55 sq.m) which would be converted to a playroom. Cumulatively, the house and extension would provide approximately 135 sq.m living area, without considering floor area associated with bedrooms or the home office space. This is considered to be disproportionate when assessed against Table 5.1 of the Quality Housing for Sustainable Communities Guidelines. The table below provides an assessment of the cumulative space resulting from the proposed extension against Table 5.1 of the guidelines.

	Target Gross Floor Area	Main Living Room	Aggregate Living	Aggregate Bedroom
Guidelines	100 sq.m	15 sq.m	40 sq.m	43 sq.m
Cumulative Dev't	302 sq.m	80 sq.m	155 sq.m	56.5 sq.m
Provision in Excess of Guidelines	+202%	+433%	+288%	+31%

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The applicant should be requested to reduce the scale of the development, with reference to Policy H20 Objective 1. These alterations should be sought as **additional information**. In redesigning the extension, the applicant should have cognisance of the design and scale of the original vernacular style dwelling. It is considered that the extension could be more sympathetic of the style and proportions of the traditional building, rather than the excess scale of the proposed extension.

Potential Unauthorised Development

It is noted that the original dwelling at the site appears to be an old cottage, c.200 years old. At some point this cottage appears to have been extended, with these extensions recently undergoing renovation. It is possible that the additional living area incorporates original outbuildings, as the main elongated structure appears consistent with historic maps, accessed via MyPlan.ie. It is not clear the potential origins of the square, double height northernmost part of the building. No planning history for this part of the dwelling was found on Council records. The applicant should be requested to confirm and regularise the status of these works as **additional information**, as to permit the extension of a potentially unauthorised structure would not be in the interests of the proper planning and sustainable development of the area.

From a site visit it was clear that a single storey, detached outbuilding has been constructed up the slope away from the main house to the west. There is no planning history for this structure, with a reference not listed on the application form or found on the SDCC system. This outbuilding is not included on either the existing or proposed site layout plans. The applicant should be requested to confirm and regularise the status of this structure and include it on all relevant plans as **additional information**.

Green Infrastructure

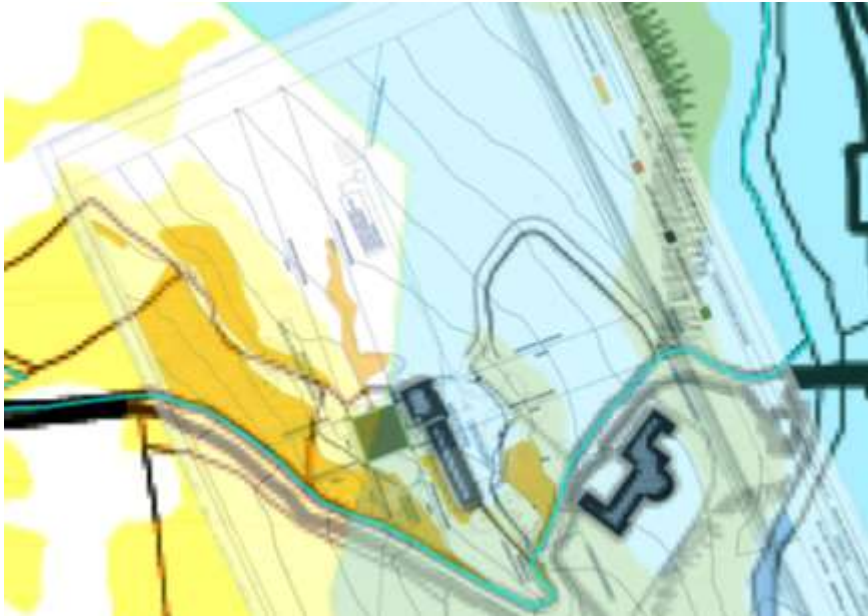
The site appears to be located within a Core Area and the Dodder River Corridor Primary GI Corridor, as per Figure 4.4 of the Development Plan. The site is also located within the 100m zone from streams and slope greater than 20% area, shown on the *'Map showing the Restricted Areas for Development Glenasmole and Bohernabreena'*, per Appendix 5 of the Plan. The site is therefore considered to be highly sensitive.

The applicant has indicated on site plans a line for the 100m zone from streams and slope greater than 20%. It is not immediately clear how these areas have been plotted. From a review of the map included at Appendix 5, it appears that a significant portion of the site is included within these areas, including the area where the extension is proposed. The below image provides an overlay of the development site and proposed extension, with the map contained in Appendix 5, highlighting the discrepancy between the applicant's submission and the provisions of the Development Plan.

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The applicant should be asked to clarify how the lines and areas on their site layout plans were plotted and address the discrepancy of the map contained at Appendix 5, as **additional information**.

The applicant does not appear to have provided any SuDS measures on site to mitigate the significant increase in hardstanding, and the impact the development would have on surface water runoff from the site. The applicant should be requested to provide **additional information** addressing these concerns.

The Public Realm section have reviewed the application and have stated no objection to the development. Their report recommends the following **conditions** in the event of a grant:

1. *Green Infrastructure*

The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:

- *Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.*
- *Indicate how the development proposals link to and enhance the wider GI Network of the County.*

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- *Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.*
- *Proposals for identification and control of invasive species where appropriate, for the site*

2. Landscape Plan

Ideally a landscape scheme shall be provided as part of the development proposals which helps to integrate the development into the local landscape and through mitigation of vegetation lost and negative visual effects, which improves local biodiversity and green infrastructure links. The Landscape Plan should be prepared by a suitably qualified landscape consultant/designer. The landscape Plan shall include details of hard and soft landscaping, in addition the applicant is requested to submit a fully detailed Planting Plan for the development.

Given the sensitivity of the site, it is considered appropriate to request these items as **additional information** to ensure the early consideration of these items.

Water Supply and Wastewater

The site is served by a septic tank and well. The Environmental Health Officer (EHO) has provided a response to the application recommending the following **conditions** are attached in the event of a grant of permission:

1. Noise

To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that:

The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours

- *Before 07.00 hours on weekdays, Monday to Friday*
- *Before 09.00 hours on Saturdays.*
- *After 19.00 hours on weekdays, Monday to Friday.*
- *After 13.00 hours on Saturdays.*
- *Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

Reason: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

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2. *Air Quality*

During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.

Reason: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.

These **conditions** are considered appropriate in the interests of public health.

While it is noted that the EHO has stated there is not additional load on the waste water treatment system, there is a concern that the additional bathroom and kitchen would impact the septic tank. The applicant should be requested to provide evidence demonstrating the ability of the permitted septic tank to cope with any additional load as a result of the extension. This should be sought as **additional information**.

Screening for Appropriate Assessment

The subject site is located within the 100m zone from streams, as per Appendix 5 of the Development Plan. This appears to provide a hydrological connection to the Bohernabreena Reservoir Catchment Area, the Glenasmole Valley SAC, the Glenasmole Valley pNHA. The site is also located proximate to the Wicklow Mountains SAC and the Wicklow Mountains SPA.

Having regard to:

- the small residential scale of the development,
- the location of the development, and
- the consequent potential pathway to a European site,

it is considered that it cannot be determined 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 screening for appropriate assessment is therefore required. This should be requested as **additional information**. The applicant must provide a Natura Impact Statement in the event that AA screening determines this is 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.

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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 development as currently proposed would be excessive in scale and sufficient information relating to the suitability of the site for development has not been provided. Therefore, **additional information** should be requested as follows:

- The size of the extension is considered excessive, and a redesign is required to bring it more in line with an acceptable scale of development at the site, given the sites sensitivities
- Given the sites characteristics having a steep and / or varying topography a comprehensive site analysis (including character appraisal and movement analysis), concept proposal and design statement as described and illustrated within the Urban Design Manual – A Best Practice Guide, DEHLG (2009) is required
- Landscape Visual Impact Assessment
- Planning status of the existing dwelling and associated structures on site.
- Clarification of the applicant's interpretation of the location of the site, with reference to the layers of Appendix 5 of the Development Plan
- Green Infrastructure Plan
- Landscape Plan
- Suitability of the sites septic tank to handled potential additional loading as a result of development
- SuDS proposals
- Appropriate Assessment Screening / Natura Impact Statement as relevant

Recommendation

Request Further Information.

Further Information

Further Information was requested on 08/12/23

- On 10/05/2023 an extension for submitting a response to the Further Information request was issued, allowing submission up to 18/09/2023.

Further Information was received on 31/05/23

On 13/06/2023 SDCC notified the applicant that the Further Information received was considered significant. The applicant re-advertised the development and submitted revised notices on 15/06/2023.

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Further Information

The Further Information requested was as follows:

- 1. The development site is located within the 100m zone from streams, as per Appendix 5 of the Development Plan. This appears to provide a hydrological connection to the Bohernabreena Reservoir Catchment Area, the Glenasmole Valley SAC, the Glenasmole Valley pNHA. The site is also located proximate to the Wicklow Mountains SAC and the Wicklow Mountains SPA. The applicant has not provided an Appropriate Assessment (AA) Screening Report or Natura Impact Statement (NIS) to determine 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. It has therefore been determined that screening for AA is required and the applicant is requested to submit this as additional information. In the event that the development cannot be screened out for AA, an NIS will need to be submitted.*
- 2. The site is zoned within the Bohernabreena / Glenasmole Reservoir Restricted Area, per Appendix 5 of the Development Plan. H19 Objective 2 and IE3 Objective 5 state it is an objective of the Plan 'To generally prohibit development within restricted areas identified on the Bohernabreena / Glenasmole Reservoir Restricted Areas Map contained in Appendix 5.' It is not considered that this precludes the applicant from developing at the site however, given the sites sensitivity, it is considered that the development as proposed is excessive in scale. Policy H20 Objective 1 restricts the scale of extension that would be acceptable in the HA-LV and HA-DV zones to no more than 50% of the original structure. This is considered an appropriate measure against which to assess the current proposal. In this regard, the applicant is requested to revise the proposal, significantly reducing the size of the proposed extension so as not to exceed the size of the current house by more than 50%. This would result in an acceptable size of development of approximately 70 sq.m. Revised plans, elevations and sections should be submitted as relevant, amending the proposal. In revising the scheme, the applicant should have regard to the existing dwellings vernacular style, and reflect this in the design of any extension. In addition, development should reflect the topography of the site, reducing the need for hard engineered solutions. The applicant should have regard to Section 12.3.5 of the Plan which states that 'Proposals should ascend the contours of the site with unique design solutions such as lower density split level housing and sloping gardens with planted boundary treatments. Where changes in ground level between buildings are unavoidable, planted banks may be utilised.'*

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3. *There are concerns about the gradient of the site and its suitability to handle additional development, given the impact of increased hard standing and the interruption of the flow of surface water runoff. Section 12.3.5 of the Development Plan states that proposals on sites with a steep and / or varying topography should be accompanied by a comprehensive site analysis (including character appraisal and movement analysis), concept proposal and design statement as described and illustrated within the Urban Design Manual – A Best Practice Guide, DEHLG (2009). Such analysis should be accompanied by comprehensive site sections and plans detailing any proposed changes in site level and demonstrating how the proposal incorporates the natural slope and drainage features of the site. The applicant has not provided this information and is requested to do so to allow a full assessment of the proposed development and its potential impacts. In compiling this information, the applicant should also undertake and submit a topographical survey of the site, to determine its suitability for development.*
4. *The applicant is requested to provide a Landscape Visual Impact Assessment of the proposed extension, when viewed from the wider area, with particular regard to views from areas indicated on Map 11 of the Plan as having protected views. A number of before and after images from various viewpoints should be provided to allow a full assessment of the impact of the development when viewed within the wider valley area.*
5. *It is not clear from a site visit and a review of the SDCC planning record the planning status of certain elements of the existing dwelling. The applicant is requested to provide clarity in relation to any additions to the original cottage and regularise this development as necessary. In addition, from a site visit it was evident that a single storey outbuilding has been constructed at the site. This does not appear to be indicated on existing or proposed site layout plans, and the planning history of this structure is also not clear. The applicant is requested to clarify this and ensure that all existing and proposed site plans include ALL structures on site.*
6. *It appears from a review of Appendix 5 of the Development Plan that the area for which development is proposed overlaps with both the 100m zone from streams and slope greater than 20% layers of the Map showing the Restricted Areas for Development Glenasmole and Bohernabreena. The applicant has indicated these areas on layout plans however, there is a discrepancy in the areas shown on the applicants submission, and the areas shown on the map contained at Appendix 5. The applicant is requested to clarify this item, updating maps as necessary or confirming how conclusions were reached on site about where these layers have been shown.*

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7. *Green Infrastructure*

The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:

- A. Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.*
- B. Indicate how the development proposals link to and enhance the wider GI Network of the County.*
- C. Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.*
- D. Proposals for identification and control of invasive species where appropriate, for the site*

8. *Landscape Plan*

Ideally a landscape scheme shall be provided as part of the development proposals which helps to integrate the development into the local landscape and through mitigation of vegetation lost and negative visual effects, which improves local biodiversity and green infrastructure links. The Landscape Plan should be prepared by a suitably qualified landscape consultant/designer. The landscape Plan shall include details of hard and soft landscaping, in addition the applicant is requested to submit a fully detailed Planting Plan for the development.

9. *The applicant was permitted a new septic tank in 2021 under SD21B/0343. The applicant has not submitted details on the suitability of this septic tank to manage the potential for additional loading as a result of the proposed extension. The applicant is requested to submit evidence that the septic tank on site is of an appropriate size to manage the cumulative load of the existing dwelling and proposed extension.*

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10. *The applicant has not provided any information regarding SuDS at the site, or any mitigating measures to address the impact on surface water attenuation and runoff as a result of the proposed extension. The applicant is therefore requested to submit the following:*

A. *a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:*

- i. Rain Gardens*
- ii. Planter boxes with overflow connection to the public surface water sewer.*
- iii. Permeable Paving*
- iv. Grasscrete*
- v. Green Roofs*
- vi. Rain gardens*
- vii. Swales*
- viii. Rills*
- ix. Water Butts*
- x. Other such SuDS*

Consultations

Public Realm

No objection, **conditions** recommended

Water Services

No objection

Submissions/Observations

No further submissions/observations received.

Assessment of Further information

Item 1 – AA Screening

An Appropriate Assessment was undertaken by the applicant which concluded that it could not be excluded that the development would likely have a significant effect on either the Glenasmole Valley SAC or the Wicklow Mountains SAC. A Natura Impact Statement (NIS) was therefore prepared and has been provided as part of the additional information response.

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The NIS submitted was prepared following a desk study of hydrology, geology and hydrogeology, given the potential impact from the development is as a result of a hydrological pathway established at the AA Screening stage. The NIS concludes that:

'as a result of the complete, precise and definitive findings... it has been concluded, beyond reasonable scientific doubt, that the Proposed Development will have no significant adverse effects on the Qis, SCIs and on the integrity and extent of Glenasmole Valley SAC and Wicklow Mountains SAC. Accordingly, the Proposed Development will not adversely affect the integrity of any relevant European sites.'

The NIS specifies a number of mitigation measures to ensure the protection of the SAC's. The findings of the NIS are accepted, and a **condition** should be included stating that all mitigation measures included within the report shall be implemented in full.

Item 2 – Revised Plans

Rear Extension

The rear extension has been **significantly reduced in size from 162 sq.m to 77 sq.m** (including the hallway access). The reduction in size of the extension is appreciated and is considered far more appropriate.

The finished floor level of the extension has increased from 218.2 to 219, reducing the amount of earthworks to level the site at this point. This is appreciated; however, it is noted that some cut and fill will still be required to facilitate the works.

The height of the extension has been reduced to approximately 3.3m, which, when viewed from the north, will appear the same height as the maximum height of the existing dwelling. The extension will largely be glazed, with some rendered elements and corrugated roofing. This design is considered to minimise the impact of the works on the landscape.

On the basis of the revised proposals, while there are still some concerns about the amount of cut and fill proposed, on balance, the rear extension is considered acceptable.

Ancillary home office structure

An ancillary home office structure is proposed to the west of the site. The home office would be approximately 20 sq.m with a finished floor level of 219.25 sq.m. From a review of the topographical survey, and other drawings provided, to achieve this finished floor level, it appears that a significant amount of cutting into the existing hillside would be required. This is unacceptable, particularly given the sensitive location of the site within the HA-DM zone.

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There does not appear to be a specific requirement to locate the home office at this part of the site. In terms of visual impact, the home office structure appears to be the most visually intrusive, given its location higher up the slope. It is considered that this structure would be more appropriately located at a lower part of the site, to the east, and should be relocated by **condition**.

Item 3 – Concept Proposal and Design Statement

The applicant has outlined how the design of the extension has been amended to site more appropriately within the landscape and serve as subservient to the original buildings on site. Furthermore, the architect has provided a response on the basis of the Urban Design Manual, noting the aspect of the extension and the requirement to enlarge the existing house to facilitate contemporary family living, in an area where the applicant has a long-standing connection. This response is noted.

Surface water drainage at the site has also been reconsidered, with a number of raingardens and other SuDS measures proposed. Both Water Services and Public Realm have reviewed the revised proposals and stated no objection. It is therefore considered that the applicant has adequately addressed this item.

Item 4 – Landscape Visual Impact Assessment

A Landscape and Visual Impact Assessment (LVIA), prepared by Áit Urbanisim + Landscape Ltd., has been prepared and submitted in response to the additional information request. The LVIA assesses the impact of the development based on 6 photomontages, prepared from protected views included within the Development Plan. This report concludes that the proposed development will have an imperceptible and neutral impact in the long term for 5 of the 6 views assessed, with 1 view determined as having no impact.

It is noted that the photomontages do not take into account long term landscaping of the site, which has been developed to further minimise impact on the landscape.

On the basis of the assessments provided, and from a review of the photomontages, it is considered that, given the scale of the development, the impact in terms of visual amenity will be minimal and therefore the development, at the scale and design currently proposed, is acceptable.

Item 5 – Retention, Regularisation and Clarification of Existing Development on Site

The site originally contained 3 interconnecting structures which the applicant has refurbished and upgraded. Part of these works included an extension of 10 sq.m and alterations to the roof profile of the northern structure. The applicant is now seeking retention of these works, and the development has been readvertised partly on this basis.

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The roof profile alteration is considered a material alteration, increasing the height of the structure and providing for an appearance of a mill type roof, rather than the previous pitch. The width of this part of the building has also been increased by 0.74m. On balance, the works are considered minor and while the appearance of the structure has been altered, it still reflects the rural character of the area. Retention is therefore considered acceptable.

The applicant has also confirmed that an existing ancillary residential structure, noted from a previous site visit, would be removed.

The applicant's response is considered acceptable and addresses the concerns raised. Retention of the existing works to the original dwelling are considered acceptable given the circumstances of the site.

Item 6 – Restricted Areas of Glenasmole and Bohernabreena

A topographical survey of the site has been undertaken and drawings have been submitted demonstrating the site circumstances and the developments response. It is noted that part of the site has very steep gradients, reducing as the site gets higher. To a certain extent the proposed development takes account of these factors.

In terms of adherence to the restricted areas map included at Appendix 5 of the Development Plan, it is noted that this map provides an overview, whereas the applicants submission provides a site-specific analysis of the land. This is considered an acceptable approach in this instance, to gain a better understanding of the sensitivities of the site, and where development may be acceptable as the impact is less than might be assumed based on the Development Plan map.

The applicant's response to this item is considered acceptable.

Items 7 & 8 – Green Infrastructure and Landscape Plan

The Public Realm Section have reviewed the additional information submitted and have stated no objection to the proposed development. Their report recommends a **condition** is included requiring the Landscape Plan and supporting Green Infrastructure and Landscape Reports to be implemented in full. This is considered appropriate to ensure full adherence with the submitted plans.

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Item 9 – Septic Tank

The applicant has revised the scheme so that there are no additional bedrooms or bathrooms proposed, thereby alleviating any additional load that could have previously been anticipated. It is therefore considered that the current septic tank is designed to cope with the occupancy of the house and is of an appropriate scale to serve the proposed development.

Item 10 – Sustainable Drainage Systems (SuDS)

Water Services have reviewed the additional information submitted and have stated no objection to the development.

The Public Realm Section have also reviewed the submission and have stated no objection, recommending a **condition** is included requiring the drainage plan to be implemented in full. This is considered appropriate to ensure full adherence with the submitted plans.

Conclusion

Based on the response to the additional information requested, it is clear that the applicant has engaged with the concerns of the Planning Authority in relation to the site's sensitivities. The scheme, as now proposed, largely addresses previous concerns in relation to scale and design and further surface water interventions have been incorporated into the landscape design. There remain concerns about the extent of some of the intrusive engineering works required to facilitate all the development, but it is considered that these concerns can be overcome by **condition**.

Other Considerations

Development Contributions

Retention:	8 sq.m
New habitable works:	77 sq.m
New non-habitable works:	20 sq.m

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Are any exemptions applicable?	Yes
If yes, please specify:	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
Is development commercial or residential?	Residential
Standard rate applicable to development:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m2)	85.00
Amount of Floor area, if any, exempt (m2)	32*
Total area to which development contribution applies (m2)	53.00
Total development contribution due	$119.10 \times 53 = \mathbf{€6,312.30}$

* Retention is always charged, the 8 sq.m for which retention is sought reduces the 40 sq.m exempt development amount.

SEA Monitoring Information

Building Use Type Proposed:	Residential extension
Floor Area:	85 sq.m
Land Type:	HA-DM
Site Area:	3.89 Hectares.

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, subject to 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. It is considered that the proposal would be consistent with Council policy in relation to extensions to dwelling houses.

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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 to be in accordance with submitted plans and details.
The development shall be retained and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 31/05/2023, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Amendments.
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments-
(a) The home office building shall be relocated within the site to a less prominent location, lower down the slope, towards the east of the site, unless an otherwise suitable location is agreed with the Planning Authority.
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Natura Impact Statement
All of the mitigation measures included within the NIS shall be implemented in full, at the appropriate stages of development and within the specified time periods.
REASON: In the interests of environmental protection.

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4. Landscaping and Green Infrastructure

A) The submitted Landscape Plan (Dwg. No. P-03) and supporting Green Infrastructure Report and Landscape Report shall be implemented in full by the applicant.

B) The submitted Drainage Plan (Dwg. No. P150) prepared by Clancy Moore shall be implemented in full by the applicant.

REASON: In the interests of visual amenity, to ensure that new development meets minimum standards for the provision of GI, in accordance with Section 12.4.2 Green Infrastructure and Development Management and other relevant policies of the CDP 2022-2028 and to prevent the increased risk of flooding and to improve and protect water quality, in accordance with relevant policies and objectives contained within the South Dublin County Development Plan 2022 - 2028.

5. Environmental Health

A) Noise

The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours

- Before 07.00 hours on weekdays, Monday to Friday
- Before 09.00 hours on Saturdays.
- After 19.00 hours on weekdays, Monday to Friday.
- After 13.00 hours on Saturdays.
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

B) Air Quality

During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.

REASON: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.

6. (a) External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

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(b) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

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Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6, 312.30 (Six Thousand, Three Hundred and Twelve Euros and Thirty Cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Act 2000 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

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NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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.

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REG. REF. SD22B/0465

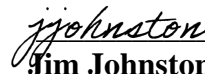
LOCATION: Cottbrook, Castlekelly, Bohernabreena, Co. Dublin, D24 YY42



Aoife O'Connor Massingham
Assistant 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: 01/08/2023


Jim Johnston,
Senior Executive Planner