

Section 2.0: Planning Policy Context

2.1 National and Regional Planning Policy Context

The following documents deal with spatial development and policy at the National and Regional levels.

The National Spatial Strategy 2002 (NSS) is a twenty year planning framework designed to deliver more balanced social, economic and physical development between the regions. It seeks to direct development to key centres in the country, including Dublin, based on good public transport and it seeks to minimise urban sprawl. The NSS seeks to strengthen the rural economy, its communities and its environmental qualities through identifying, conserving and developing the various types and combinations of strengths of rural areas. It highlights the crucial role that local villages and towns play in sustaining the rural parts of the country through the provision of housing and local services.

The NSS sees the protection of Dublin's outstanding natural setting (the Dublin and Wicklow Mountains) as vital for the continuing health of Dublin and it seeks the establishment of a 'green structure' around the metropolitan area in order to ensure that there is a distinction between the city, its supporting towns and the countryside. The strategy sets out a spatial planning framework to support sustainable rural development with the following four general objectives:

- (a) to sustain and renew established rural communities;
- (b) to strengthen the established structure of villages and smaller settlements;
- (c) to ensure that key assets in rural areas such as the natural and cultural heritage are protected;
- (d) to ensure that rural settlement policies take account of and are appropriate to local circumstances.

As a general principle, subject to satisfying good planning practice in matters of site location, positioning on sites, design and the protection of environmentally sensitive areas and areas of high landscape value, rural generated housing needs should be accommodated where they arise.

The Regional Planning Guidelines for the Greater Dublin Area (2004 - 2016) (RPG's) seek to implement the National Spatial Strategy (NSS) for the Greater Dublin Area and provide the regional context for planning in Dún Laoghaire Rathdown up

to 2016. The strategy is based on accommodating anticipated levels of economic and population growth. The Guidelines propose consolidating the urban centres located within the "Dublin Metropolitan Area" (Dublin City, substantial parts of Dún Laoghaire Rathdown, South County Dublin, south Fingal, south east Meath, north east Kildare, and north east Wicklow) with an increased emphasis on the role of public transport. According to the RPG's Glencullen, Ballybetagh and Newtown Townlands are located in the "Dublin Metropolitan Area", while Brockey and Ballybrack are located in the "Hinterland Area".

The Guidelines seek to maintain the distinction between the city and town components within the Greater Dublin Area and to protect Dublin's outstanding natural setting including the Dublin and Wicklow Mountains and the rural communities located therein. Strategic policies with respect to settlement and rural housing seek that the open countryside is kept free from development that could be more appropriately facilitated in towns and villages and that rural generated housing needs be accommodated where deemed appropriate in the open countryside having regard to good design, servicing etc.

The Sustainable Rural Housing: Guidelines for Planning Authorities (DoEHLG, April 2005) develops and expands on the key concepts and policies for rural housing as set out in the NSS. The *Guidelines* set out how Government policies on rural housing are to be implemented by Planning Authorities in the making of development plans and in the operation of the development management system. The *Guidelines* stress the need to accommodate the type and scale of development in rural areas necessary to sustain rural communities; the need to guide development to the right locations in rural areas in the interests of protecting natural and man-made assets in those areas, the need to tailor planning policies to differing types of economic, social and physical circumstances in different rural areas; and the need to manage pressure for overspill development from urban areas in the rural area closest to the main cities and towns.

The Guidelines indicate that people who are part of the rural community (rural generated housing need) should be facilitated by the planning system in all rural areas and it suggests different definitions of "rural generated housing need", including people who are an intrinsic part of the rural community, persons working full-time or part-time in rural areas, returning emigrants to rural areas and individuals with exceptional health circumstances who are required to live in a particular rural environment or close to family support.

In respect of planning applications the *Guidelines* clearly set out the role the Planning Authority has in developing and facilitating an efficient planning service for would be applicants. Similarly the Guidelines outline the need when assessing applications to safeguard, as appropriate, national and regional

roads, roadside boundaries, water quality and natural and cultural heritage. Finally the importance of the development of design guides to ensure new housing development integrates well with its physical surroundings is highlighted.

2.2 County Development Plan

In addition to the policy documents mentioned above, the Plan must be in compliance with the *Dún Laoghaire Rathdown 2004 – 2010 County Development Plan*. The County Development Plan (CDP) interprets national and regional planning policy into a specific set of policies, zonings and objectives for the County as a whole. The County Development Plan identifies the overall level of housing growth for the county and sets out a strategy for its distribution (based on high levels of access to public transport) while at the same time diverting pressure away from areas of limited capacity and where the environment is of overriding importance. The overall context for new development (including residential development) in the CDP as it relates to the Plan area is one of restraint with a strategy that resists development not related directly to the area's amenity potential or its existing use for agriculture, mountain or hill farming.

The County Development Plan states that a LAP will be prepared for Glencullen that is *"in keeping with the unique rural character of Glencullen"* and that it will be *"based on an understanding of the existing settlement, its character, the way it functions and the needs of local people"* (CDP, p.34).

Under the policy *RES18 (Control of one-off housing)* the CDP states that the Planning Authority will prepare and implement a LAP for Glencullen *"in close consultation with the residents of the area"* (CDP, p.73). It further states that the Plan will focus on issues such as *"physical and social infrastructure provision, geographical limits, settlement patterns, design and siting, protection of interests of the local population, protection of the landscape and natural environment, future economic practices, development levies, occupancy agreements etc"* (CDP, p.73).

Land Use Zoning Objective of the County Development Plan

The Dún Laoghaire Rathdown 2004 – 2010 County Development Plan contains the following Land Use Zoning Objective pertaining to the Plan area (see **Figure 2**):

Objective 'G' – To protect and improve high amenity areas.

Specific Local Objectives of the County Development Plan

The Dún Laoghaire Rathdown 2004 – 2010 County Development Plan contains the following Specific Local Objectives pertaining to the Plan area (see **Figure 2**):

Objective No. 1: To prepare a Local Area Plan for Glencullen that is in keeping with the unique rural character of Glencullen.

Objective No. 2: To establish an aquifer protection zone at Glencullen and accordingly to prohibit any development which would conflict with this objective.

Objective No. 4: To protect and conserve the Knocksink Wood proposed candidate Special Area of Conservation.

Other Objectives of the County Development Plan

The Dún Laoghaire Rathdown 2004 – 2010 County Development Plan contains the following 'Other Objectives' pertaining to the Plan area (see **Figure 2**):

- 6-Year Road Proposal: R116 Ballybrack / Pine Forest Road and Ballybetagh Road (subject to funding and design);
- Sites of Archaeological Interest (see also **Appendix 3**);
- To Protect and Preserve Trees and Woodlands;
- Proposed candidate Special Area of Conservation (Knocksink Wood);
- Proposed National Heritage Area (Ballybetagh Bog);
- Protected Structures (including Glencullen House);
- Wicklow Way;
- To Preserve Views (in the main from Ballyedmonduff Road, Ballybetagh Road, Bridge Road and Ballybrack (Pineforest) Road and Boranaraltry Lane);
- To Preserve Prospects (Three Rock Mountain from the Ballybrack (Pineforest) Road; Two Rock Mountain from the Ballybrack (Pineforest) Road; Glencullen Mountain and Valley from the Ballybrack Road; Glendoo Mountain from the Ballybrack Road).

Specific policies and objectives with regard to Glencullen

In addition to the above, the County Development Plan identifies a number of policies and objectives that specifically relate to Glencullen (also see **Figure 2**).

Policy L2: High Amenity Zones

It is Council policy to conserve and enhance existing high amenity zones and to seek to expand these and other areas

to absorb further recreational use without damaging their amenities. Within zoned high amenity areas any development not related directly to the area's amenity potential or its existing use for agriculture, mountain or hill farming shall not be permitted (CDP, p.116).

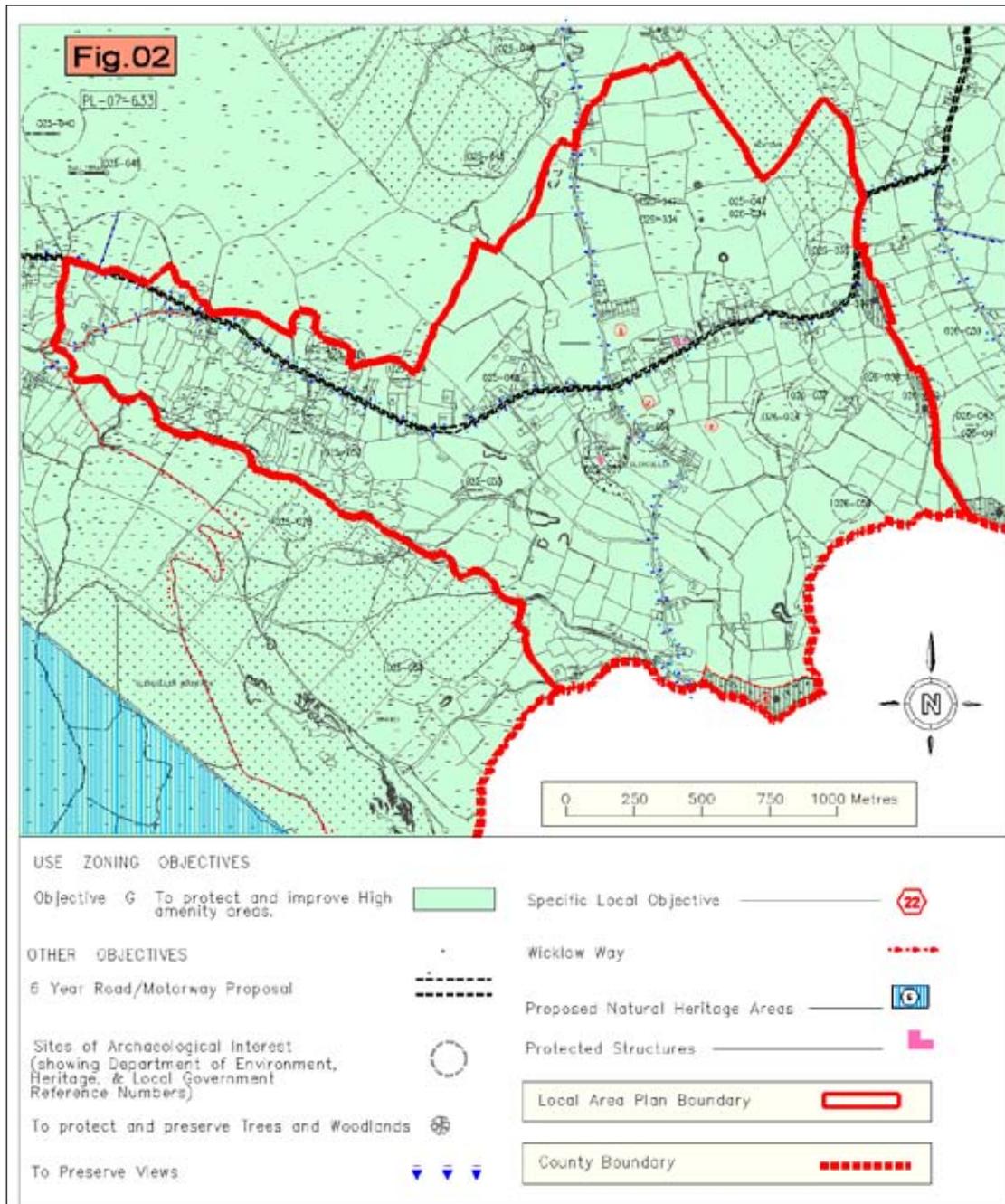
Policy RES18: Control of one-off housing

It is Council policy to:

- (a) restrict the spread of one-off housing in to the rural countryside and to accommodate local growth into

identified small villages subject to the availability of necessary services; At the same time, it is recognised that one-off housing may be acceptable where it is clearly shown that it is not urban generated and arises as a result of the needs of local people and will not place excessive strain on the services and infrastructure. It is also the policy of the Council to accommodate local growth by facilitating cluster and village development in the rural areas subject to the availability of necessary services (CDP, p.72);

Figure 2: Extract from County Development Plan



(b) Within Zoning Objective G (high amenity areas), dwellings will only be permitted on suitable sites where the applicant can demonstrate to the satisfaction of the Planning Authority a genuine need for housing in the area because their principal employment is in agriculture, hill farming or local industry and local crafts, directly related to the areas amenity potential and where the applicant is a native of the area and has close family ties with the rural community (CDP, p.72).

Land Use Zoning Objectives (Table No. 15.11)

Table No.15.11 of the *Land Use Zoning Objectives* outlines the developments which are 'permitted in principle', and 'open for consideration' with respect to Zoning Objective G (high amenity areas). These are as follows:

Permitted in principle:

Open space; travellers' accommodation.

Open for consideration:

Agricultural buildings, bed & breakfast, boarding kennels, caravan park-holiday, carpark, cemetery, church, community facility, concrete/asphalt (etc.) plant in or adjacent to a quarry, cultural use, doctor/dentist etc. (in existing premises), education, garden centre, guest house (in existing premises), home based economic activities, hospital, hotel/motel, industry-extractive, public services, recreational facility/sports club, refuse land fill/tip, residential (in accordance with Council policy for development in rural areas), residential institution (in existing premises), restaurant, rural industry-cottage, rural industry-food, shop-local, veterinary surgery (in existing premises).

Other Relevant County Development Plan Policies

According to **Policy L1 (Preservation of Landscape Character)** of the County Development Plan it is a policy objective of this Council to preserve and enhance the character of the landscape in accordance with the recommended strategies as outlined in the Landscape Character Assessment of May 2002 (CDP, p.116). The County Development Plan identifies two landscape character areas relevant to Glencullen: Landscape Character Area No.7: Glencullen Valley, and Landscape Character Area No.8: Glendoo Valley. Each Landscape Character Area is associated with specific strategies for landscape protection which need to be respected (see CDP, p.121-122) and these are:

Landscape Character Area No.7: Glencullen Valley

- This is a highly sensitive landscape which must be handled with care. Linear elongation of the existing village shall be avoided. Instead consolidation shall be encouraged.

- Building – any new development shall respect the vernacular in design, mass and scale. Development on ridges shall be avoided.
- Encouragement of tree planting of native species in low-lying area and on hills.
- The impact of coniferous plantations on the hills shall be noted and further proposals assessed.
- Existing stone walls shall be restored and maintained.
- Possible road improvement schemes shall not remove hedgerows and walls.

Landscape Character Area No.8: Glendoo Valley

- The nature of this valley landscape render it a sensitive landscape. Extensive planting of forestry would be detrimental to this landscape.
- Field patterns and stonewalls shall be conserved.
- Pylons and masts – careful consideration shall be taken of any proposals for pylon schemes to traverse the valley.

2.3 Source Protection Plan

On foot of the Specific Local Objective in the CDP to establish an aquifer protection zone at Glencullen and accordingly to prohibit any development which would conflict with this objective, the Council commissioned Eugene Daly Associates (Groundwater, Hydrological & Environmental Consultants) to prepare a 'Source Protection Plan' for the two wellfields at Glencullen. The report entitled *Source Protection Plan for the Two Wellfields at Glencullen Co. Dublin* was completed in November 2005. The Source Protection Plan area and the Source Protection Zones are shown on **Figure 3**. The key recommendations are set out below:

WasteWater Disposal

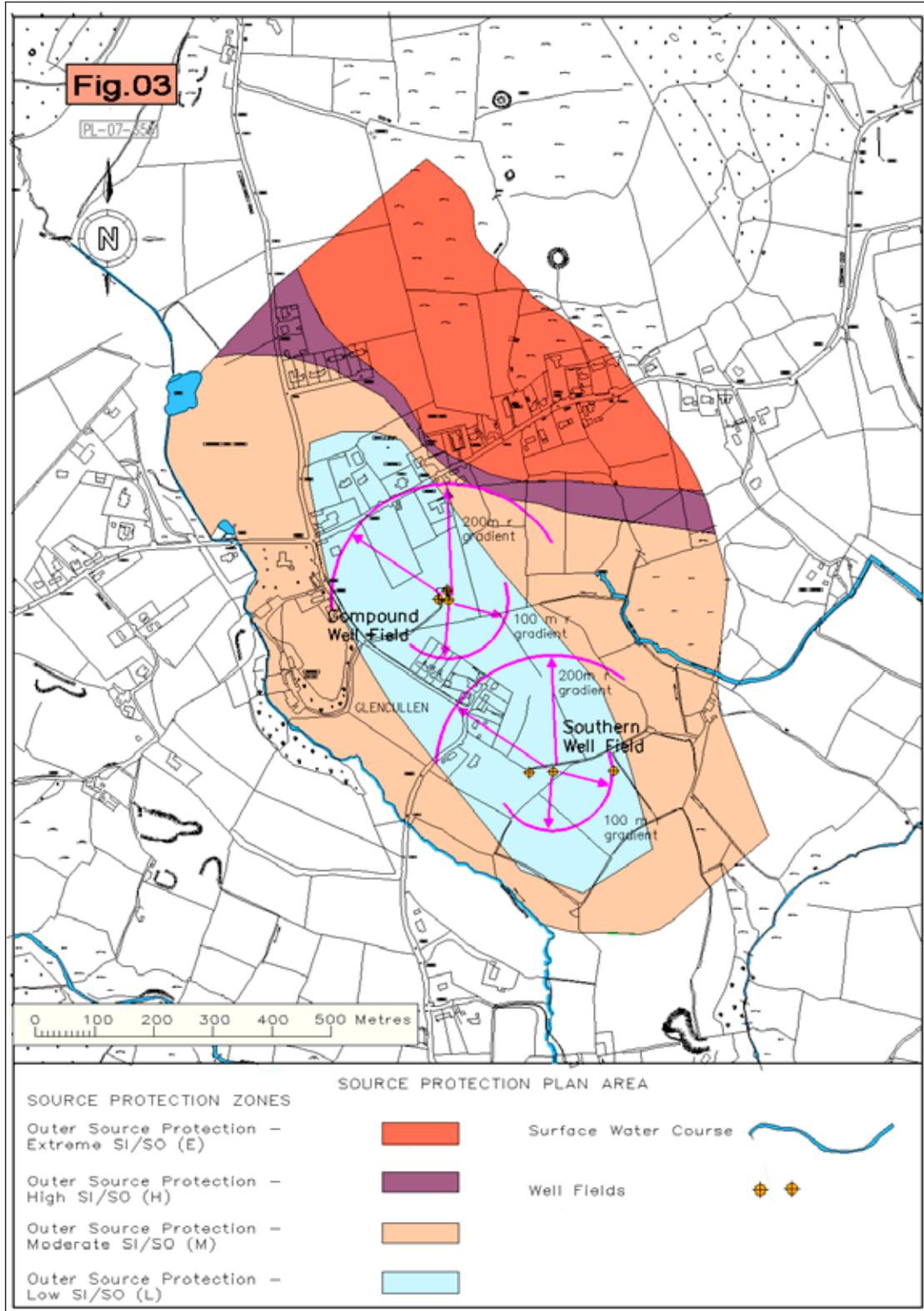
- Zones SI/SO (E and H) – As shown on **Figure 3**.

The ground covered by these zones is considered to be the recharge area for the two wellfields south of Glencullen. Waste disposal from existing development is having a significant impact on the groundwater quality of the two wellfields. No additional effluent discharges should be allowed in these area.

- Zones SI/SO (M and L) – As shown on **Figure 3**.

A limited number of small wastewater treatment systems could be permitted subject to the following conditions, which are required to protect the important groundwater sources and surface waters in this area:

Figure 3: Source Protection Plan Area



- Only single dwelling unit developments;
- Only adequately maintained treatment systems other than conventional septic tank systems, as described by the EPA, (Wastewater Treatment Manual – Treatment Systems for Single Houses, EPA (2000) as amended) are installed;
- In moderately large sites of at least 0.5 ha in area and where all of the percolation area boundaries are at least 25m from the site boundaries. This condition is required due to the low permeability of the subsoils in the area, to protect surface waters and ensure attenuation takes place within the development area.
- The boundaries of the proposed development sites should be located at least 200m upgradient or 100m down gradient of the two wellfields (this is schematically illustrated on **Figure 3**).
- That site investigations be undertaken to confirm that there is at least 6m of low permeability subsoils beneath the site and that the ground is suitable for a percolation area. The required investigations should be supervised by a hydrogeologist or geotechnical engineer with professional accreditation in Ireland.

Landspreading and Nutrient Application

- Zones SI/SO (E and H) – As shown on **Figure 3**.

No intensification of current agricultural practice or animal grazing should be permitted.

- Zones SI/SO (M and L)

These Zones are overlain by over 6m of low permeability subsoils. It is recommended that any new developments are subject to the following conditions: They are:

- No landspreading or nutrient application within 50m of a groundwater source other than that deposited by grazing animals.
- Landspreading and nutrient application should be restricted to the growing season in this area
- Landspreading and nutrient application should be avoided when soil conditions prevent infiltration or when heavy rain is forecast within 48 hours.

Further Recommendations

In addition to the control measures to be implemented via the planning system a number of additional measures, for implementation by the local authority are recommended in order to maintain and if possible improve the water quality of the groundwater sources. These are detailed in Appendix 5 of the **Environmental Report**.