**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, February 13, 2017**

**HEADED ITEM NO.6b)**

**HEADED ITEM: C. Performance and Change Management Directorate**

**REPORTS REQUESTED FROM AREA COMMITTEES**

**The following motion and report went to the Lucan Area Committee Meeting on 24th January 2017**

**Following a show of hands there was a consensus to bring the item to the full council for consideration.**

**MOTION: Councillor W. Lavelle, Councillor V. Casserly**

"That this Area Committee, noting:

* - The recent designation as Weirview Cottages as an Architectural Conservation Area;
* - The ongoing concerns in relation to the removal of vegetation and development on top of the cliff to the rear of Weirview Cottages;
* - That the Liffey Valley SAAO does not extend to the area west of Lucan Bridge;

Calls on the Chief Executive:

* - To engage with the Chief Executive of Fingal County Council with a view to preparing a joint Landscape Character Area Order, or alternative form of statutory protection, to ensure the preservation of both the landscape character and the biodiversity of the Liffey Valley in the area to the west of Lucan Bridge, including particularly the areas on top of and to either side of the cliff to the rear of Weirview Cottages;
* - To implement measures to deter and strictly control any unsightly maintenance and/or development of the areas between each of the 20 cottages at Weirview and the public road, in order to preserve, restore and enhance the visual character of the Weirview Cottages ACA."

**REPORT:**

"The Lucan Architectural Conservation Area (ACA) was extended to include Weirview Cottages in the South Dublin County Development Plan 2016-2022 (the Development Plan). These buildings are also listed in the Record of Protected Structures (RPS) in the Development Plan. Because of these designations, the buildings and their curtilages benefit from protection under Part IV of the Planning and Development Act 2000-2015. This protection includes restrictions on exempted development, for example, with the carrying out of exterior works to structures within an ACA are exempt from planning permission only where the works would not materially affect the character of the area and where the works would be consistent with the appearance of the structure itself and neighbouring structures. If this is not the case then a planning application must be made and the planning authority can assess each proposal on its merits in accordance with the policies and objectives in the Development Plan and the impact on the visual character of the ACA.

Within the Development Plan, there are a number of policies and objectives which protect ACAs. These include the following:

Heritage, Conservation and Landscapes (HCL) Policy 4 Architectural Conservation Areas: It is the policy of the Council to preserve and enhance the historic character and visual setting of Architectural Conservation Areas and to carefully consider any proposals for development that would affect the special value of such areas.

HCL4 Objective 1: To avoid the removal of structures and distinctive features that positively contribute to the character of Architectural Conservation Areas including buildings, building features, shop fronts, boundary treatments, street furniture, landscaping and paving.

HCL4 Objective 2: To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.

These policies and objectives combined with the provisions of Part IV the Planning and Development Act 2000-2015 control the type of development which is acceptable from a planning perspective between the houses and the road and ensure that the character of the terrace is protected. Potential cases of unauthorised development brought to the attention of the Council are investigated by the enforcement section. There are currently no live cases relating to Weirview Cottages.

It is an objective of the National Landscape Strategy 2015-2025 to prepare a national landscape character assessment. This is yet to be carried out, in addition to landscape character assessments at regional level. It is also an objective of the National Landscape Strategy to produce guidelines on local landscape character assessments which also remain outstanding at this time. These assessments and guidelines would provide a framework which could be used to consider whether a Landscape Conservation Area designation is appropriate for the Liffey Valley and the extent of the area which can be considered to represent a defined landscape character. This is considered particularly important given that the Liffey Valley extends across a number of counties. In their absence it is not considered appropriate to designate a Landscape Conservation Area. It is not intended at present to engage with Fingal County Council regarding the extension of the Liffey Valley SAAO or designating the area as a Landscape Conservation Area.

However, the sensitivity of this landscape is recognised in the Landscape Character Assessment contained in the Development Plan which specifies that Liffey Valley is of high value and sensitivity. Objective HCL7 of the Development Plan states that it is an objective “To protect and enhance the landscape character of the County by ensuring that development retains, protects and, where necessary, enhances the appearance and character of the landscape, taking full cognisance of the Landscape Character Assessment of South Dublin County (2015)."