
An Bord Pleanála



Inspector's Report

Development: Retention of attic conversion for storage use including dormer window and 2 no. raised rooflights to rear and permission for 2 no. velux windows to front of dwelling, 13 Ringcurran Grove, Ardbrack, Kinsale, Co. Cork.

Planning Application

Planning Authority : Cork County Council
Planning Authority Register Reference : 16/4230
Type of Planning Application : Retention Permission & Permission
Applicants : Ciaran Lankford
Planning Authority Decision : Grant subject to conditions

Planning Appeal

Appellant : Joe Thuillier
Type of Appeal : 3rd Party v. Grant
Observers : None
Inspector : Pauline Fitzpatrick
Date of Site Inspection : 04/07/16

Appendices

1. Photographs

1. SITE LOCATION AND DESCRIPTION

The Ringcurran residential estate comprises c. 55 no. detached, single and two storey dwellings in the Ardbrack area of Kinsale c. 1.5 km to the east of the town centre.

No.13 is on a corner site with a spur road along its western side to allow for potential future development of lands to the north. The site backs onto undeveloped lands to the north. The roof space of the dwelling has been converted with a large box dormer constructed to the rear elevation.

2. PROPOSED DEVELOPMENT

The proposal entails the retention of the conversion of the roof space for storage purposes and the dormer box window installed to the rear elevation with 2 no. raised rooflights serving same. Permission is also being sought for an additional two rooflights to the front elevation. The converted floorspace equates to 39 sq.m. and it is stated that it is used for storage purposes.

Note: An objection to the proposal received by the PA has been forwarded to the Board for its information. The issues raised are comparable to those cited in the grounds of appeal summarised in section 5 below.

3. TECHNICAL REPORTS

Irish Water in a report dated **07/03/16** has no objection subject to conditions.

The **Area Engineer** in a report dated **14/03/16** notes that he was contacted by the adjoining owners with concerns regarding overlooking.

The **Planner's** report dated **29/03/16** states that there is no objection to the attic conversion being retained for storage use. It is queried why such a large window is required for a storage area. It is considered to be large, imposing and overbearing and is excessive. It can be seen from the estate roads and alters the appearance of the dwelling rendering it inconsistent with neighbouring properties. The separation distance to the west would not mitigate against overlooking. To allow the former window would set an undesirable precedent. A split decision is recommended with refusal of the dormer window.

The **Liaison Officer** in a report dated **31/03/16** notes the above recommendation.

The **Senior Executive Planner** in a report dated **31/03/16** notes that whilst the box dormer is not the best in terms of overlooking and design it is considered that, due to its location to the rear, the size and orientation of the site and the fact that the dwelling is detached a grant of permission is recommended.

4. PLANNING AUTHORITY'S DECISION

The PA decided to grant permission for the above described development subject 2 conditions. Condition 2 restricts the use of the attic space for storage purposes only.

5. GROUNDS OF APPEAL

The 3rd Party appeal can be summarised as follows:

- The dormer box is overwhelming and out of character with the houses in the estate. The roof and skylights are above the apex of the existing dwelling which is located at the highest point in the Kinsale area.
- The conversion gives rise to loss of privacy which cannot be mitigated by walls or planting.
- The extension is obviously for habitable rather than storage purposes.

6. APPLICANT'S RESPONSE TO GROUNDS OF APPEAL

None received

7. PLANNING AUTHORITY'S RESPONSE TO APPEAL SUBMISSION

None received

8. OBSERVATIONS

None

9. RELEVANT PLANNING HISTORY

16/4668 (PL04.246721) – current appeal against the PA's decision to grant retention permission for attic conversion and dormer window to rear of No. 4 Ringcurran Grove.

10. DEVELOPMENT PLAN PROVISIONS

The site is within the 'existing built up area' zoning for the Kinsale Environs in the Bandon Electoral Area LAP 2015.

The County Development Plan does not have any specific reference to domestic extensions.

11. ISSUES AND ASSESSMENT

The proposal for conversion of the attic space for use for storage purposes as detailed in the application and public notices is acceptable in principle and there is no objection to the proposal to insert 2 no. rooflights to the front elevation.

In my opinion the substantive issue is the suitability of the box dormer inserted to the rear to accommodate the conversion which is subdivided internally. I note that the LAP for the area and the current Cork County Development Plan are silent with regards to domestic extension development including attic conversions. The structure as constructed, whilst set back from the eaves, extends to the ridge line with its width extending to c. 5.4 metres with a setback of approx. 0.6 metres from either side. The raised rooflights give the perception that the ridge line is breached whilst the glazing and external finishes accentuate the width of the insertion.

In the context of the scale and massing of the dwelling the said insertion constitutes a significant and material change to the roof of the dwelling and is clearly out of proportion. By reason of the location of the dwelling on a corner site the box dormer is visible from the adjacent estate road and footpath and is visually dominant in views available and is out of character with the pattern of development in the immediate vicinity.

While I accept that the adjoining properties are already overlooked by the 1st floor windows in the rear elevation of the dwelling I would suggest that the perception of overlooking and loss of privacy is heightened by such a visually dominant addition.

In view of the spur road separating the appeal site from the appellant's property to the west (which may facilitate future access to the lands to the north) I would submit that the concerns regarding overlooking are not as pertinent but still arise.

I have serious concerns that the box dormer to the size and scale developed, if allowed, would set an undesirable precedent for similarly scaled and inappropriately designed attic conversion development. I note that there is a concurrent appeal for retention of a dormer window to the rear of No.5.

In my opinion the retention of the said box dormer window would detract from the character of the established residential area to such a degree as to render it unacceptable. The reduction in the size of the box dormer whereby it is setback from both the ridge line with further setback from the sides, so as to allow it to appear subsidiary to the main roof profile, with appropriate external finishes that complement the existing ridge tiled roof, only, should be countenanced.

AA – Screening

Having regard to the location of the site on zoned and serviced lands and the nature and scale of the proposed development no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

11.0 RECOMMENDATION

Having regard to the documentation on file, the grounds of appeal, a site inspection and the assessment above I recommend that a split decision be issued. I recommend that permission to retain the dormer window and two raised rooflights be refused and that permission be granted for the retention of the conversion of the attic space for storage purposes and the proposed rooflights to the front elevation.

Refusal of Retention Permission for the dormer window and two raised rooflights for the following reasons and considerations.

REASONS AND CONSIDERATIONS

It is considered that, by reason of its size and design, the dormer window to be retained would materially alter the roof of the existing dwelling, would be at variance with the established pattern of development in the area and would be visually incongruous. Furthermore, the proposed development would seriously injure the amenities of the adjoining property, by reason of overlooking and loss of privacy, and

would set an undesirable precedent for similar type development in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Grant permission to retain the conversion of the attic for storage purposes and permission for two rooflights to the front elevation be granted for the following reasons and considerations subject to conditions:

REASONS AND CONSIDERATIONS

Having regard to the nature and extent of the development for which permission to retain is being sought and to the additional rooflights for which permission is being sought, it is considered that the proposed development, subject to the compliance with the conditions set out below, 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.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The converted attic space shall not be used for habitable purposes.

Reason: In the interest of clarity

Pauline Fitzpatrick
Inspectorate

July, 2016