



An
Bord
Pleanála

Inspector's Report PL04.246854.

Development	Demolish a dwelling and construct a new dormer bungalow at Weavers Point, Crosshavenhill, Crosshaven, Co. Cork.
Planning Authority	Cork County Council.
Planning Authority Reg. Ref.	16/04602.
Applicant(s)	Aidan Barry.
Type of Application	Planning permission.
Planning Authority Decision	Grant permission.
Appellant(s)	Thomas Curtin.
Type of Appeal	Third party versus decision.
Observer(s)	None.
Date of Site Inspection	29 September 2016.
Inspector	Stephen Rhys Thomas.

1.0 **Site Location and Description**

- 1.1. The appeal site is located at Weavers Point, a small linear settlement of houses overlooking the coastline at the entrance to Cork Harbour, and to the east of Crosshaven. The immediate area and north of the public road is characterised by terraces of two storey houses which date from the early 1950s, set at a height back from the road with vehicular access to the rear. The terraces have a narrow plan, with a gable roof profile and terraced or sloped front gardens with pedestrian access only. To the south of the public road are located bungalows which are mostly single storey or dormer to the rear. Each house is set on its own large plot, which slopes noticeably down from the public road.
- 1.2. The appeal site comprises a single storey bungalow of modest dimensions, with a steeply pitched hipped roof profile. The bungalow is in poor condition and the gardens are un-kept.
- 1.3. The appeal site is set down lower than the level of the public road and consequently lower than the terraced houses to the north. The terraced houses and the location of the appellant's property have distant views over and between the roofs of the existing bungalows below to Cork Harbour to the south.
- 1.4. Appendix 1 contains photographs of the site and surrounds.

2.0 **Proposed Development**

- 2.1. Permission is sought for:
 - The demolition of the existing single storey bungalow on the site.
 - The construction of a 191 sq.m. replacement dormer house with on site parking.

3.0 **Planning Authority Decision**

3.1. **Decision**

The Planning Authority decided to grant permission subject to 11 conditions, relevant conditions are summarised below:

- Condition 1, that the dwelling should be in accordance with revised house plans submitted 23 May 2016.
- Condition 3, that finished floor levels should be in accordance with revised plans.

3.2. **Planning Authority Reports**

3.2.1 Planning Report

Basis for the planning authority decision. Report includes:

The initial Planner's report noted the character of the area and the relative scale and bulk of the replacement dwelling. Additional information was requested to reduce the scale and massing of the roofscape, by at least 1 metre in order to better integrate the proposal with surrounding dwellings, along with other technical issues to do with an ESB pole and an alternate window position to preserve neighbouring privacy.

The second Planner's report noted that the applicant had submitted plans which reduce the overall height of the dwelling by 420mm together with the other minor issues requested. This amendment was considered to be acceptable and permission was recommended.

3.3. **Other Technical Reports**

Area Engineer – no objections to the proposed development subject to standard technical conditions.

3.4. **Third Party Observations**

A third party submission was made on the planning application. Issues raised are common to the grounds for appeal. The issue of interference with views was raised but this is not referred to in the appeal.

4.0 **Planning History**

4.1. There is no relevant planning history for the appeal site.

4.2. Nearby site – dwelling 30 metres to the west.

4.2.1 **Planning register reference 14/04171**, 26 March 2014, permission refused for a first floor granny flat extension which would have resulted in an approximately 8 metre high roof ridge height as viewed from the public road. Three reasons were given, the most relevant reason to this appeal, relates to its height, form, scale and design which would have an overbearing impact on neighbouring properties, would be out of character with the pattern of development in the vicinity and would seriously injure the visual and residential amenities of neighbouring properties, particularly by reason of overbearance.

5.0 **Policy Context**

5.1. Development Plan

5.2. **Cork County Development Plan 2014**

5.2.1 Section 14.3.3. Within predominantly built up areas, development proposals normally involve infill development, redevelopment or refurbishment or changes of use. It is important to recognise that this is part of the cycle of development or redevelopment in settlements that contributes to the character of towns. In many ways, this is more sustainable than continually encouraging growth to concentrate only towards undeveloped areas.

5.2.2 Scenic Route S59 (Roads between Crosshaven and Myrtleville, Church Bay, Camden, Weavers Point and Fountainstown) passes to the front of the site.

5.3. Carrigaline Electoral Area Local Area Plan 2011 (Second Edition January 2015)

5.3.1 The appeal site is within the Crosshaven and Bays Settlement Boundary.

5.3.2 Development Boundary Objectives

Objective Number DB-01 Paragraph (c). Any new development in the Bays area will be restricted to low density development, principally individual dwellings, infill development or the appropriate redevelopment or refurbishment of existing dwellings provided satisfactory sewage disposal arrangements can be made.

5.3.3 Section 5.2.23. Scenic route S59 is described as the R612 regional road and Local roads between Crosshaven and Myrtleville, Church bay, Camden, Weavers Point and Fountainstown. This route is considered scenic because of its many views of Cork Harbour and the sea and its coastal landscape in general.

Appendix 1, relevant location and zoning maps.

6.0 Natural Heritage Designations

Cork Harbour SPA is located in the wider area of the subject site.

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The proposed building is excessive, its higher and wider, when compared to neighbouring dwellings.
- Questions why the proposal is so high and so wide.

7.2. **Planning Authority Response**

None.

7.3. **First Party Response**

The applicant's agent submitted a response to the third party appeal and outlines the following:

- The appellants sketch is inaccurate as it shows an upper ridge height of 46.70 which is incorrect as the original drawings submitted with the application detailed 45.70.
- All levels shown on the sketch are incorrect as revised drawings were submitted to the Council on 23 May 2016, with reduced ridge heights (upper ridge height 45.32).

7.4. **Observations**

None.

8.0 **Assessment**

8.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantial issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Design
 - Height and scale

- Views and residential amenity
- Appropriate Assessment

8.2. Design

8.2.1 **Height and scale** - The appellant, who is located at St Brigid's Terrace to the north is concerned that due to the height and scale of the proposed replacement dwelling it will be out of character with adjacent dwellings.

8.2.2 The dwellings on the lower, southern side of the public road are set below the level of the road and are of a variety of styles, single storey and dormer dwellings with gable, hipped and mansard roofs. The overall height of the proposed dwelling was a concern of the planning authority and was addressed by a request for further information and ultimately reduced by 420mm. In a response to the grounds of appeal, the first party submitted drawings to the Board on the 11 July 2016, which show the highest roof ridge height above the road level of approximately 6 metres. The drawings submitted to the Board are the same drawings submitted to the planning authority on the 23 May 2016 and which detail a 420mm reduction in overall height of the proposed dwelling. Given the reduction in overall height, the variety of house heights and roof profiles in the vicinity and the downward sloping nature of the appeal site, I do not anticipate that the construction of the amended dwelling will be out of character with other dwellings in the vicinity and is therefore acceptable from a visual amenity perspective.

8.2.3 **Views and residential amenity** - With reference to the Cork County Development Plan and the LAP, I note that there is an objective to promote a scenic drive. Scenic Route S59 (Roads between Crosshaven and Myrtleville, Church Bay, Camden, Weavers Point and Fountainstown) passes to the front of the site. Given the variety and differing scale of dwellings along this portion of the proposed scenic drive, I do not anticipate that the amended house design proposed will detract from a stated objective of the Council. In any case, the views from the public road in front of St

Brigid's Terrace towards the countryside and the sea beyond the appeal site are interrupted by the variety of roof types and profiles.

8.2.4 Given the revised design, overall height and location of the proposed dwelling, it is not anticipated that there will be any impact upon residential amenity.

8.3. **Appropriate Assessment**

8.3.1 Cork Harbour SPA is located in the wider area of the appeal site to the north. In this context and having regard to the nature and scale of the development it is proposed to construct as part of an established village environment served by public foul water services, 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.

9.0 **Recommendation**

I recommend that permission be granted, subject to conditions for the reasons and considerations as set out below.

10.0 **Reasons and Considerations**

10.1 Having regard to the provisions of the Cork County Development Plan 2014-2020, the Carrigaline Electoral Area Local Area Plan, 2011, to the nature and scale of the proposed dwelling house, and to the pattern of development in the area, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 23 day of May 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwelling and garage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. Front boundary walls shall be 1200 millimetres in height and shall be suitably capped and finished in a material that matches the external finish of the dwelling.

Reason: In the interest of residential and visual amenity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in 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 made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Stephen Rhys Thomas
Planning Inspector

12 October 2016