



An  
Bord  
Pleanála

## Inspector's Report PL.28.247836

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<b>Development</b>	House.
<b>Location</b>	Glendale Road, Glasheen Road, Clashduff, Cork.
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	16/36988
<b>Applicant(s)</b>	Ashley Gyves
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	As above
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	8 <sup>th</sup> March 2017
<b>Inspector</b>	Kenneth Moloney

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## 1.0 Site Location and Description

- 1.1. The subject site is located within a cul-de-sac within an established suburban housing estate and the predominant character of the housing estate is 2-storey semi-detached houses.
- 1.2. The appeal site is a tight urban infill site that is currently vacant. The size of the appeal site is approximately 0.0123ha (0.030 acres).
- 1.3. The appeal site is enclosed by a boundary wall on its eastern side a gable elevation of the house on both its northern and western side and a vehicular access on its southern side.
- 1.4. The houses that adjoin the northern and western boundary of the site form part of Clashduv Villas, which is a small neighbouring residential cul-de-sac.

## 2.0 Proposed Development

- 2.1. Planning permission is sought for the construction of a two storey detached dwelling.
- 2.2. The overall floor area of the proposed house is 67 sq. metres. The proposed floor plan comprises of ground floor living area and two bedrooms at first floor level.
- 2.3. The proposed development includes amenity space situated to the immediate north and west of the proposed house.
- 2.4. The proposal also includes a car parking space situated to the immediate south of the proposed house.
- 2.5. The proposed external finish is to comprise of brickwork at ground floor level and plaster finish at first floor level.
- 2.6. The proposed development will be served by the public water mains and public sewer.

Additional information was sought in relation to (a) submission of revised proposals in relation to design, layout and scale, and (b) details of inadequate sightline provision.

### 3.0 Planning Authority Decision

3.1. Cork County Council decided to **refuse** planning permission for the following reason;

Having regard to the provisions of Paragraph 16.59 of the Cork City Development Plan, 2015, the layout, orientation, proposed design/ scale of the proposed dwelling and the inadequate provision of private amenity space, it is considered that the proposed development would result in the overdevelopment of this constricted site, would fail to provide appropriate residential amenities for future residents and would seriously injure amenities of properties in the vicinity by reason of overshadowing and overbearing impact as well as overlooking of private amenity open space. The proposed development would also negatively affect the character of the area and be contrary to both the provisions of the Cork City Development Plan, 2015 in relation to infill development and the proper planning and sustainable development of the area.

### 3.2. Planning Authority Reports

3.2.1. The main issues raised in the SEP's report are as follows;

#### Senior Executive Planner

- The subject site is extremely narrow.
- The rear elevation has no windows.
- Internal floor area is insufficient having regard to the document 'Quality Housing for Sustainable Communities' (2007).
- The proposed private open space provision is inadequate.
- The majority of the private open space provision is overlooked by no. 7.
- The remainder of the site offers poor orientation.
- The design of the proposed house is out of character with the local area.
- The proposed development will have an overbearing impact on the rear garden of no. 1 Clashduv Villas and the proposal will overshadow the first floor window closest to the intervening boundary.

- The proposed design would be visually jarring when viewed from the roadside.
- The proposed design overlooks the private rear gardens of adjoining properties.
- Roads Engineer seeks additional information in relation to sightline provision.

3.2.2. Area Engineer; - Additional information sought in relation to sightline provision.

3.2.3. Environment; - No objections.

3.2.4. Drainage; - No objections.

### 3.3. **Third Party Observations**

There are two third party submissions and the issues raised have been noted and considered.

## 4.0 **Planning History**

- L.A. Ref. 11/34851 – Permission **refused** for the erection of a dwelling as the proposal would result in overdevelopment of the site and would seriously injure amenities of properties in the vicinity by reason of overshadowing and overbearing impact.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

Cork City Development Plan, 2015 – 2021, is the operational Development Plan. The appeal site is zoned Z0 4 'Residential, Local Services and Institutional Uses'. The objective of this land-use is 'to protect and provide for residential uses, local services, institutional uses, and civic uses, having regard to the employment policies outlined in Chapter 3'.

Part C – Chapter 16 sets out guidance in relation to residential development.

Paragraph 16.59 sets out guidance in relation to ‘Infill Housing’.

## 5.2. NATIONAL GUIDELINES

### Sustainable Residential Development in Urban Areas, 2009

The Guidelines promote higher densities in appropriate locations. A series of urban design criteria is set out, for the consideration of planning applications and appeals. Quantitative and qualitative standards for public open space are recommended. In general, increased densities are to be encouraged on residentially zoned lands, particularly city and town centres, significant ‘brownfield’ sites within city and town centres, close to public transport corridors, infill development at inner suburban locations, institutional lands and outer suburban/greenfield sites. Higher densities must be accompanied in all cases by high qualitative standards of design and layout.

### Sustainable Urban Housing: Design Standards for New Apartments, Dec. 2015

These guidelines provide recommended guidance for internal design standards, storage areas and communal facilities, private open spaces and balconies, overall design issues and recommended minimum floor areas and standards.

## 5.3. Observations

None.

## 6.0 Appeal

6.1. The following is the summary of a third party appeal submitted by Clement O’Sullivan, Architectural and Engineering Services, on behalf of Ashley Gyves;

- A pre-planning consultation suggested that a single storey house would be more acceptable to address issues.

- It is submitted that following a reconsideration the two-storey house was maintained as all the buildings to the area are two-storey in height.
- It is considered that the single storey house type was out of character with the local area.
- A single storey two-bedroom house on the subject site would not allow for sufficient space for car parking provision and private open space provision.
- The revised information was submitted to the Local Authority who did not respond.
- It is submitted that the applicant is in need of housing at the moment and the proposal provides an alternative use to a vermin invested site.
- It is submitted that the proposal is consistent with paragraph 16.58 (Single Units inc Corner and Garden Sites) and paragraph 16.59 (infill housing).
- In relation to private open space provision the proposed development provides 46.63 sq. m. which is 1.37 sq. m. less than the required 48 sq. m.
- The private open space provision for a two-bedroom house in the city centre is 30 sq. m. and it is submitted that should the design be altered by moving the proposed building 200mm south then 48 sq. m. could be achieved.
- It is contended that the solar gain in the east and west far exceeds the solar enjoyment from the west.
- There are no plans to for windows with security bars.
- It is noted that the Senior Planner acknowledges that the site is restrictive but in need of development.
- It is noted that there are no objections from the Roads Department, Irish Water, Drainage and Environment Departments.
- It is submitted that the applicant grew up in the local area, attended local national school, and played for St. Finbarr's GAA.
- In conclusion the proposed development is in harmony with the existing estate and will develop a redundant infill site. The proposed development complies with paragraph 16.59 and 16.58 of the 2015 City Development Plan.
- The proposed materials and design reflects the existing building.

- The proposal provides adequate amenities, is not overbearing or overshadowing.
- The proposal provides safe access and egress to the site.
- The proposed development will enhance the security and provisions of the site and the area.

6.2. The following is the summary of a response submitted by the local authority;

- The Senior Executive Planner was covering for the Southside Senior Executive Planner initially.
- The Senior Executive Planner initial recommendation was refusal which was overruled by the Senior Planner.
- The Senior Executive Planner denies refusing to meet with the applicant to discuss revised plans.

## 7.0 **Assessment**

- Principle of Development
- Access
- Impact on Established Residential Amenities
- Residential Amenities for Future Occupants

### 7.1. **Principle of Development**

The proposed development site is zoned for residential development and the proposed two-storey house is consistent with this zoning objective. The proposed development would be consistent with the recommendations of the Guidelines for Planning Authorities, 'Sustainable Residential Development in Urban Areas', 2009, as these guidelines recommend increasing residential densities in inner suburban / infill sites.



Having regard to the location of the proposed development which is a suburban location I would consider that the principle of residential development would be acceptable provided that the proposal has adequate residential amenity, adequately safeguards the residential amenities of the adjoining properties would not result in a traffic hazard, and would be in accordance with Paragraph 16.59 'Infill Housing' of the Cork City Development Plan, 2015 – 2021.

## 7.2. **Access**

The submitted drawing entitled '*site location map sight lines*' illustrates that the proposed vehicular entrance has a sightline provision of 13.7m in a northern direction and 39 metres in a southern direction. Both of these sightlines are from 2 metre set back distance from the edge of the public road. Although these sightline provisions are generally limited I would consider that the context of the vehicular entrance is an important consideration. The vehicular entrance is located adjoining a cul-de-sac where there is a very limited traffic flow and therefore, in my view, the proposed entrance is unlikely to impact on any established traffic.

I would note the report from Roads Design which concludes that the proposed sightlines are acceptable given restricted traffic flow in the existing cul-de-sac.

Overall I would conclude that the proposed development would not endanger public safety by reason of traffic hazard due to the limited traffic flow on this existing cul-de-sac.

## 7.3. **Impact on Established Residential Amenities**

The subject site is a restricted site in terms of size, shape and in terms of its relationship with adjoining properties. The site has a narrow depth and measures on average 6m – 6.5m deep throughout the site. The adjoining property to the north has a two-storey gable façade facing onto the appeal site and the adjoining property to the west has a two-storey gable façade facing onto the appeal site.

I would note that the proposed house maintains the established front and rear building line of no. 1 Clashduv Villas. I would consider having regard to orientation and layout of the proposed house that it would not significantly impact on the established residential amenities of no. 1 Clashduv Villas however the eastern elevation of the proposed house is situated approximately 8 metres from the rear garden of two existing houses on the opposite side of the public road. The two-storey height of the proposed house would result in overlooking into the rear gardens of these properties and would also result in perceived overlooking. This level of overlooking, in my view, would reduce the level of privacy of these established residential properties on the opposite side of the public road and would therefore seriously injure the established residential amenities.

#### 7.4. **Residential Amenities for Future Occupants**

In terms of residential amenities that the proposed house would offer future occupants I would consider a number of amenity factors are important considerations and these include;

- private open space provision
- floor areas
- aspects / orientations

The private open space provision for the proposed house is approximately 44.5 sq. metres. Table 16.7 of the Cork City Development Plan sets out minimum requirements for private open space standards and the private open space requirement for a single house ranges from 30 – 48 sq. metres depending on whether the subject site is classified as city centre or suburban site. I would consider that having regard to the local context and the established housing types in the local area that the appeal site is a suburban site. As such it is my view that the private open space provision for the proposed two-storey house is inadequate and would offer a poor level of residential amenity for future occupants.

The rear boundary of this garden adjoins a two-storey gable wall and the side boundaries are adjoined by public areas. The rear garden is potentially overlooked by the front elevation of the two-storey house at no. 1 Clashduv Villas. I would acknowledge that there is a small narrow private space between the western elevation of the proposed house and the adjoining property to the west. This space is effectively a side entrance and the width of the entrance measures between 1.8m and 1.18m. I would not consider that this space to the side of the house is part of the overall rear garden. Overall I would consider that the quality of the private open space provision is poor due to potential overlooking and its north facing aspect.

In relation to the floor area of the proposed development I would note that the proposed house has a floor area of approximately 67 sq. metres. I would acknowledge that both the City Development Plan, 2015 – 2021, and the Sustainable Urban Housing: Design Standards for New Apartments, Dec. 2015, recommend minimum floor area for apartments but not for houses. The minimum floor area for a two-bedroom apartment is 80 sq. metres in the City Development Plan and the minimum floor area for a two-bedroom apartment in the national guidelines is 73 sq. metres. I would consider that the floor area of 67 sq. metres for the proposed house is substandard and would offer a poor level of residential amenities for future occupants given this suburban location.

I would note that the aspect and orientation of the proposed house is south / north facing which is generally acceptable given the restricted nature of the site. However, the proposed eastern elevation has ground floor windows serving habitable rooms and these windows face directly onto the public footpath which is not desirable as there will be no defensible space for the future residents. In addition, this house type, with habitable rooms facing directly onto the public footpath would be out of character with the established built pattern in the local area.

## 8.0 Recommendation

- 8.1. I have read the submissions on the file, visited the site, had due regard to the County Development Plan, and all other matters arising. I recommend that planning permission be refused for the reasons set out below.

## 9.0 Reasons and Considerations

1. The proposed residential development by virtue of inadequate private open space provision and inadequate internal floor area would be contrary to the DoEHLG Guidelines 'Sustainable Urban Housing: Design Standards for New Apartments', 2015, and the Cork City Development Plan, 2015 – 2021, and would set an undesirable precedent for similar type of development in the area. The proposed development would therefore set an undesirable precedent in the area, seriously injure the residential amenity of the area and would, therefore be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed house which is situated on a restricted site and by reason of its layout and orientation would overlook established residential amenities situated to the east of the appeal site, would be visually obtrusive, and would seriously injure the residential amenities of adjoining properties. As such the proposal would detract from the amenities of adjoining properties, would be out of character with, and fail to respect the established pattern of development in the vicinity, and would set an undesirable precedent for similar type of development in the area. The proposed development would, seriously injure the residential amenity of the area and would, therefore be contrary to the proper planning and sustainable development of the area.

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Kenneth Moloney  
Planning Inspector

4<sup>th</sup> April 2017