



An
Bord
Pleanála

Inspector's Report PL.28.248943

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| Development | Permission to construct an extension to rear of an existing dwelling and all associated site works. |
| Location | 3 Hillview Terrace, Cross Douglas Road, Cork. |
| Planning Authority | Cork City Council |
| Planning Authority Reg. Ref. | 17/37422 |
| Applicant(s) | Laura Finn |
| Type of Application | Permission |
| Planning Authority Decision | Grant |
| Type of Appeal | Third Party |
| Appellant(s) | Gerald Fitzgibbon and Others |
| Observer(s) | None |
| Date of Site Inspection | 26 th September 2017 |
| Inspector | Kenneth Moloney |

Contents

| | |
|---|----|
| 1.0 Site Location and Description | 3 |
| 2.0 Proposed Development | 3 |
| 3.0 Planning Authority Decision | 3 |
| 3.2. Planning Authority Reports | 3 |
| 3.4. Third Party Observations | 4 |
| 4.0 Planning History..... | 4 |
| 5.0 Policy Context..... | 4 |
| 5.1. Development Plan..... | 4 |
| 6.0 The Appeal | 5 |
| 6.2. Applicant Response | 6 |
| 6.3. Planning Authority Response | 6 |
| 6.4. Observations..... | 6 |
| 7.0 Assessment..... | 7 |
| 8.0 Recommendation..... | 11 |
| 9.0 Reasons and Considerations..... | 11 |
| 10.0 Conditions | 11 |

1.0 Site Location and Description

- 1.1. The subject site is located off the Cross Douglas Road within the southern inner suburbs of the Cork City.
- 1.2. The subject property is a mid-terrace 2-storey dwelling.
- 1.3. The existing rear garden is narrow, however the garden is relatively deep.
- 1.4. All neighbouring houses have a single storey structure to the rear of their respective properties which adjoin a two-storey return.
- 1.5. The neighbouring property, no. 4, has a long single storey extension to its rear.

2.0 Proposed Development

- 2.1. The proposed development consists of the construction of an extension to the rear of a dwelling.
- 2.2. The proposal involves the demolition of an existing kitchen annex.
- 2.3. The proposal includes the construction of a two-storey extension to the rear of the existing dwelling.
- 2.4. The proposed two storey extension extends out approximately 3.4 metres from the original rear wall and the width of the two-storey extension is approximately 4.7 metres.
- 2.5. The overall height of the proposed two-storey extension is approximately 5.5 metres and the roof is flat in design terms.
- 2.6. The design of the proposed two-storey extension is contemporary in character .

3.0 Planning Authority Decision

- 3.1. Cork City Council decided to grant planning permission subject to 6 conditions. The conditions are standard for the nature of the development proposed.

3.2. Planning Authority Reports

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

- The proposed two-storey extension will extend out 3.7m from the existing two-storey structure.
- The proposal will have rear windows overlooking the rear of the property but will not have side windows overlooking the adjoining properties no. 2 and no. 3 Hillview Terrace.
- Principle of the extension is in accordance with the zoning objective.
- The key issue is the impact of the proposal on the character of the dwelling and on residential and visual amenities.
- The provisions of paragraph 16.72 regarding overlooking, overshadowing, finishes etc are noted.
- The proposal is acceptable in terms of scale and impact and would respect the form and character of the main dwelling.

3.2.2. Area Engineer; - No objection subject to conditions.

3.3. There is a submission from Irish Water who have no objections to the proposed development.

3.4. **Third Party Observations**

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

4.0 **Planning History**

No relevant planning history.

5.0 **Policy Context**

5.1. **Development Plan**

The operational Development Plan is the Cork City Development Plan, 2015 – 2021.

The appeal site is zoned '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.

Section 16.72 sets out guidance in relation to domestic extensions.

6.0 The Appeal

6.1. The appeal was submitted by **Gerry Fitzgibbon** (1A Hillview) and others. Mr. Fitzgibbon includes his submission lodged to Cork City Council which raises the following issues;

- The proposal will have a negative visual impact.
- The proposal will have a negative impact on the character of the area.
- The proposal is highly intrusive and will overlook adjoining amenities.
- The design, bulk and massing is inappropriate.
- The proposal is out of scale and character with the local area.

6.2. The appeal also includes a submission from **Roger and Margaret Deasy** (no. 4 Hillview Terrace) who submit the following;

- The proposal will reduce the amount of light entering our property especially at ground floor level.
- The proposal is inconsistent with Part D Paragraph 16.72 of the City Development Plan, 2015 – 2021.
- It is submitted that the proposed flat roof is inconsistent with paragraph 16.32 of the Cork City Development Plan, 2015 – 2021.
- It is submitted that there are errors in the planning report which include stating that two people from Hillview Terrace have objected to the proposal, whereas three persons have objected to the proposed development.

6.3. The following is an appeal submission by **Catherine Cremin**(no. 5 Hillview).

- The proposal is significantly out of character and will not enhance the terrace.
- The proposal will dominate this uniform terrace as neighbours will experience a loss of light.
- It is considered that this extension could set a precedent and will effect light entering properties.
- It is submitted that the proposal is unsightly and overbearing.
- It is submitted that none of the residents have been considered in this matter.
- The residents have no objection to a single storey extension.

6.4. **Applicant Response**

The following is the summary of a response submitted by the applicant's agent;

- It is submitted that the development granted permission is respectful of the neighbouring properties and is of a high design quality in the interests of proper planning & sustainable development.
- The Board are requested to grant permission.

6.5. **Planning Authority Response**

None

6.6. **Observations**

None

7.0 Assessment

- Principle of Development
- Impact on the character of the area
- Impact on established residential amenities

7.1. Principle of Development

The appeal site is zoned '*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*'.

I would note from the submitted plans and my site inspection that the existing house is relatively small in terms of floor area compared to a modern two-storey house. I would acknowledge that in order to facilitate modern family living needs that an extension, of some degree to the original house would generally be acceptable in principle.

Section 16.72 of the Cork City Development Plan, 2015 – 2021, sets out guidance in relation to domestic extensions. I would note that the principle features of Section 16.72 of the Cork City Development Plan, 2015 – 2021, which are of relevance to the proposed development include designing domestic extensions to ensure that;

- They follow the pattern of existing building in the area.
- They are constructed with similar windows and finishes to the existing building.
- Their roof form shall be compatible with the existing roof form and character.

- Traditional pitch roofs are recommended given the low maintenance required.
- Care to be taken to ensure that the extension will not overshadow windows, yards or gardens, or have windows in flank walls which will reduce the privacy of adjoining properties.

I would acknowledge, having regard to the submitted drawings, that the flat roof design would be inconsistent with guidance offered in Section 16.72 of the Cork City Development Plan.

I would consider that the principle of the proposed development is acceptable provided that it would not adversely impact on the character of the terrace in design terms or the established residential amenities.

7.2. **Impact on Residential Amenities**

In considering the potential impacts of the proposed two-storey extension on established residential amenities I will firstly consider the overall scale of the proposed extension.

The existing kitchen annex at no. 3 Hillview extends out approximately 1.7 metres from the original rear building line of the two-storey house. It is proposed to demolish the existing kitchen annex and the proposed two-storey extension will extend out approximately 3.4 metres in total from the original rear wall. Therefore the net increase at ground floor level will be 1.7 metres and the net increase at first floor level will be 3.4 metres.

The width of the proposed two-storey extension extends the full width of the rear garden and therefore is adjacent to the garden boundary wall on either side of the appeal property. The neighbouring property (i.e. no. 4 Hillview) to the immediate south has a single storey extension to the rear which is longer than any established kitchen annex extension in the immediate area.

The potential impacts on established residential amenity from the proposed development might include;

- overlooking
- overshadowing
- reduction in light
- visual impact

In terms of overlooking concerns the proposed two-storey extension does not include any gable windows and therefore overlooking concerns are not likely. The proposed extension includes a rear first floor window however there is an established first floor window in situ at no. 3 Hillview Terrace.

In terms of overshadowing implications I would note that the rear garden of the appeal property is south east facing. No. 2 Hillview is located to the immediate north of the appeal site and this property has an existing single storey extension to the rear. The proposed two-storey extension will extend out beyond the rear extension of no. 2 Hillview by approximately 1.7 metres. I would accept that in general terms that this depth is not a significant amount, however given the narrow rear gardens, and also having regard to the fact that the proposed extension will extend the full width of the garden I would conclude that the potential impact, in my view, would be significant on the residential amenities of no. 2 of Hillview Terrace. The neighbouring property to the south, i.e. no. 4 Hillview Terrace, is not likely to experience any significant impacts in terms of overshadowing having regard to its orientation in relation to the proposed development. The proposed two-storey extension is a flat roof design and this would, in my view, minimise the overshadowing compared with an apex roof. In this regard I would consider a departure from the City Development Plan guidance under paragraph 16.72 would be acceptable.

Having regard to the scale of the proposed extension and its proximity to the neighbouring boundaries to the south and north it is likely that the proposed development will reduce the amount of available light on adjoining properties. However it is questionable whether this reduction in light would seriously injure established residential amenities.

In addition and having regard to the narrow rear gardens serving the existing terraced houses I would conclude that the proposed two-storey extension would have a visual impact from the rear garden of no. 2 Hillview Terrace and no. 4 Hillview Terrace. This visual impact would be most prominent on the residential amenities of no. 2 Hillview Terrace given that there is no set back of the proposed extension with the boundary of no. 2 Hillview Terrace.

Overall I note that the proposal will potentially reduce some light to the immediate neighbouring properties and is likely to have an overshadowing impact on no. 2 Hillview Terrace, and will be visible from neighbouring rear gardens and most prominently from no. 2 Hillview Terrace. However the proposal will not result in any additional overlooking. I would recommend a condition to the Board, should they favour granting permission, reducing the depth of the first floor extension to address concerns in relation to overshadowing and visual impact on adjoining residential amenities. In conclusion therefore I would conclude that the proposal would be acceptable, subject to a condition outlined in the second schedule, and would not seriously injure established residential amenities.

7.3. **Impact on the Character of the area**

The proposed extension two-storey extension, which is contemporary in character, is located to the rear of the existing two-storey house and as such is unlikely to impact on the character of the local area or the streetscape.

The subject property is not a protected structure nor is it located with a designated ACA. Overall I would consider that the proposed development would not unduly compromise the architectural character of the area.

8.0 Recommendation

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

9.0 Reasons and Considerations

Having regard to the zoning objective of the appeal site in the City Development Plan, 2015 – 2021, and the extent of the proposed development, it is considered that subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area and would be in accordance with the proper planning and sustainable development of the area

10.0 Conditions

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

Reason: In the interest of clarity.

2. The proposed development shall be modified as follows:
 - a. The depth of the first floor extension shall be reduced by 0.5 metres.

Revised drawings showing compliance with the above requirement shall be submitted to the planning authority for written agreement prior to the commencement of development.

Reason: In the interest of protecting residential amenities of the local area.

3. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

4. 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 and to ensure a proper standard of development.

5. The house to be used as a single dwelling unit.

Reason: In the interest of clarity.

6. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

7. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.

This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of amenities and public safety.

Kenneth Moloney
Planning Inspector

13th October 2017