



An
Bord
Pleanála

Inspector's Report ABP-300436-17

Development	Construction of a storey and a half type dwelling with vehicular access and parking both for this dwelling and an existing dwelling on the site.
Location	"Woodville", Ceanncora Lawn, Boreenmanna Road, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	17/37487
Applicant(s)	Paula & Tom Hayes
Type of Application	Permission
Planning Authority Decision	Grant, subject to 14 conditions
Type of Appeal	Third Parties -v- Decision
Appellant(s)	Paul & Cathrina O'Donovan Daniel & Eleanor O'Shaughnessy
Observer(s)	None
Date of Site Inspection	22 nd March 2018
Inspector	Hugh D. Morrison

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.1. Development Plan.....	5
5.2. Natural Heritage Designations	5
6.0 The Appeal	5
6.1. Grounds of Appeal	5
6.2. Applicant Response	7
6.3. Planning Authority Response	8
6.4. Observations	8
6.5. Further Responses.....	8
7.0 Assessment.....	8
8.0 Recommendation.....	14
9.0 Reasons and Considerations.....	14

1.0 Site Location and Description

- 1.1. The site is located on the cul-de-sac known as Ceanncora Lawn, which lies off Boreenmanna Road (R852), an east/west regional road that serves the south eastern inner suburbs of Cork City. This site is situated on the eastern side of Ceanncora Lawn, beyond which lies the GAA's Pairc Ui Rinn. It occupies a central position between a bungalow under construction to the north and an existing one to the south. A line of mature conifer trees mediates the transition from the residential cul-de-sac to the said sports stadium. The western side of Ceanncora Lawn is composed of 3 pairs of two-storey semi-detached dwelling houses. There is a two storey detached dwelling house at the entrance to this cul-de-sac, opposite the bungalow under construction, and another one at its head, set within its own grounds. A footpath accompanies the western side of Ceanncora Lawn and double yellow lines run along its eastern side. There is no formal turning head at the southern end of this cul-de-sac.
- 1.2. The site itself is of elongated rectangular form. It extends over an area of 0.05 hectares. At present this site accommodates a bungalow over its southern portion, which is accompanied by a garden over its central and northern portions. Separate vehicular and pedestrian access is available to the site. It is bound on its western side by a mature hedgerow and on its eastern side by a concrete post and panel fence.

2.0 Proposed Development

- 2.1. The proposal would entail the construction of a one and a half storey dwelling house in the northern portion of the site and the provision of a vehicular access for both this dwelling house and the existing bungalow in the central portion. In conjunction with these accesses, two car parking spaces would be provided for the proposed dwelling house, and one car parking space would be provided for the existing bungalow.
- 2.2. The proposed dwelling house would provide three-bedroom accommodation over a floorspace of 159.78 sqm. It would have half dormer windows in the front and rear

elevations. All the elevations would be finished in smooth painted plaster under a slated double pitched roof.

- 2.3. The proposal would also entail the removal of the existing hedgerow on the site and the construction of a predominantly 1m high block wall and piers in a position set back by 600mm from the site boundary to facilitate the widening of the roadway to the cul-de-sac.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of further information, permission was granted subject to 14 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information addressed the accessibility of the proposed parking spaces and the apportionment of space for parking and garden to serve the existing bungalow.

3.2.2. Other Technical Reports:

- Road Design: Following receipt of further information, no objection.
- Drainage: No objection.
- Environment: No objection, subject to standard conditions.
- Irish Water: No objection. Standard notes cited.

4.0 Planning History

The site:

- 08/33358: Proposed construction of a two storey dwelling: Refused at appeal (PL28.232678) for the following reason:

Having regard to the restricted size and configuration of the site and the pattern of existing residential development in the area and the scale and design of the

proposed two-storey dwelling on the site, it is considered that that the proposed development would constitute over development of the site and would seriously injure the amenities of the area and of residential properties in the vicinity and would be contrary to the proper planning and sustainable development of the area.

Adjoining site to the north:

- 15/36264: Demolition of existing dwelling and construction of a new single storey dwelling: Granted at appeal (PL28.245910), subject to conditions including one pertaining to public footpath provision.

5.0 Policy Context

5.1. Development Plan

Under the Cork City Development Plan 2015 – 2021 (CDP), the site is shown as lying within an area that is subject to Zoning Objective Z04, “To protect and provide for residential uses, local services, institutional uses, and civic uses.” Residential development is addressed in Chapter 16 of this Plan.

5.2. Natural Heritage Designations

Cork Harbour SPA (site code 004030) and Great Island Channel SAC (site code 001058)

6.0 The Appeal

6.1. Grounds of Appeal

(a) Paul & Cathrina O’Donovan of Ceanncora House, Ceanncora Lawn

Objection is not raised to the principle of development on the site, but to the following cluster of inter-related issues:

- Attention is drawn to the narrowness of Ceanncora Lawn, a cul-de-sac with no turning head, which is accompanied on its western side by a public

footpath and on its eastern side by a hedgerow, which sometimes overhangs the carriageway, and double yellow lines.

- Significant on-street parking is generated by existing residents, visitors, and those in attendance at the nearby Pairc Ui Rinn. Such parking poses difficulties for passing traffic, sometimes resulting in reversing manoeuvres onto Boreenmanna Road (R852), notwithstanding the availability of only poor sightlines.
- Despite recent planning applications, the Planning Authority has failed to widen Ceannacora Lawn. The current proposal would add to existing traffic and so existing difficulties would be accentuated. If granted, then a condition forbidding on-street parking should be attached.

(b) Daniel & Eleanor O'Shaughnessy of 2 Ceannacora Lawn

- Attention is drawn to the appeal case that was previously refused on the site. The reasons then cited remain relevant.
- The site is narrow and the proposed dwelling would appear cramped on it. Amenity space would be restricted and, notwithstanding a purported increase under further information, unsatisfactory.
- Elsewhere on the eastern side of the cul-de-sac existing dwellings are single storey. Thus, the introduction of a one and a half storey dwelling would be out of character with the streetscape.
- The submitted vehicle tracking drawings do not show how two cars could access and egress the site satisfactorily. Furthermore, they assume that on-street parking opposite would be exact, i.e. consistently parallel and close to the kerbside, conditions that, in practise, do not always pertain. At present, traffic congestion occurs on this cul-de-sac and so the proposed dwelling would exacerbate this situation.
- The proximity of the proposed dwelling to the dwelling houses opposite at Nos. 1 and 2 would lead to overshadowing and overlooking.

6.2. Applicant Response

The applicants outline and elaborate upon the following principles that informed the redesign exercise for the site in the wake of the Board's previous refusal:

Site specific house design:

- This design reflects that of existing dwellings on Ceanncora Lawn, while having regard to relevant DoHPLG Guidelines, i.e. minimum floor areas would be met.
- The ridge height was reduced by 1.5m to mitigate overshadowing of dwelling houses opposite.
- The dwelling was re-orientated to reflect the existing building line, which parallels the cul-de-sac.
- A separation distance of 14.36m would exist with the dwelling houses opposite, sufficient to mitigate overlooking.

Site coverage and overall development:

- The footprints of the existing and proposed dwellings on the site would aggregate to give a site coverage factor of 38%, which, given the infill nature of the site and its inner suburban location close to public transport links, would be satisfactory.
- The proposal would entail the setting back of the front boundary wall to the site by 500 mm to facilitate the widening of the cul-de-sac.
- Revised plans submitted as further information show the existing dwelling accompanied by one instead of two car parking spaces, with a corresponding increase in amenity space.
- The density of the proposal would be comparable with that exhibited by other dwellings on Ceanncora Lawn and, again, it would be appropriate for the site's aforementioned location.

Traffic congestion, parking and accessibility:

- Attention is drawn to DoHPLG advice entitled "Recommendations for Site Development Works for Housing Areas" (1998), which states that 6m is an

appropriate width for residential streets, contracting to 5.5m in the case of cul-de-sacs that are less than 60m long. Consequentially, the aforementioned 500 mm contribution would ensure that the carriageway ranges between 5.5m and 6m.

- DoHPLG Guidelines recommend that new dwellings be accompanied by 1 or 2 off street car parking spaces, with the lower number being appropriate on infill/brownfield sites close to bus corridors. At present, existing dwellings on the cul-de-sac would be served by one space each and the proposed one would be served by two spaces, thereby according with these Guidelines.
- The submitted auto-track plans demonstrate that, with the increased width of carriageway, both proposed accesses could be utilised satisfactory in the presence of on-street parking opposite.
- Attention is drawn to the absence of objection from Road Design.

6.3. Planning Authority Response

None.

6.4. Observations

None.

6.5. Further Responses

None.

7.0 Assessment

7.1. I have reviewed the proposal in the light of national planning advice, the CDP, relevant planning history, the submissions of the parties and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use and streetscape,
- (ii) Amenity,

- (iii) Development standards,
- (iv) Traffic, access, and parking,
- (v) Water, and
- (vi) AA.

(i) Land use and streetscape

- 7.2. The site lies within a residential cul-de-sac known as Ceanncora Lawn, which is zoned Z04 “Residential, Local Services and Institutional Uses”. Within this zone, residential uses are appropriate and so the development of this site to provide an additional dwelling house would prompt no, in principle, land use objection.
- 7.3. At present the streetscape of Ceanncora Lawn is in two contrasting halves. Thus, on the western side it is composed of pairs of two-storey semi-detached dwelling houses of similar design and appearance and sharing a common front building line, while on its eastern side it is composed of a hedgerow and a line of mature conifer trees, between which lie the existing bungalow on the site. A further bungalow to the south of the site is partially exposed to the roadway and to the north a new bungalow is nearing completion. The planning history of the site indicates that the Board previously refused permission (PL28.232678) for a new two storey dwelling house on this site on the grounds of over development and loss of amenity.
- 7.4. Under the current proposal, the aforementioned hedgerow would be removed and replaced by a predominantly 1m high block work wall, which would be erected in a recessed position some 600mm back from the roadway. Behind this wall a one and a half storey dwelling house would be constructed.
- 7.5. The proposed dwelling house would be higher than the existing and proposed bungalows adjacent to it. The submitted plans employ a Temporary Bench Mark (TBM). Thus, the finished floor and ridge levels of the existing bungalow on the site are shown as being 1.263m and 5.030m, respectively, while the equivalent levels for the proposed dwelling house would be 0.550m and 7.070m. The slight rise in the cul-de-sac in a southerly direction would ease somewhat the difference in the heights of these two dwellings. However, it would still be 2.040m. (The distance between these dwellings would be 19.98m).

- 7.6. The plans for the bungalow nearing completion on the adjoining site to the north do not employ a TBM. They show that the height of the ridge above the finished floor level would be 4.875m. This would compare with the equivalent proposed height of 6.530m, i.e. 1.655m. Given that these dwellings would be 9.148m apart, any mitigation by virtue of a slight rise in the cul-de-sac would be minimal.
- 7.7. I am concerned that the height discrepancy that the proposed dwelling house would introduce to the eastern side of Ceanncora Lawn, in conjunction with the elongated form of this dwelling house, would cause it to appear out of scale with adjacent bungalows. The dwelling house would thus be a discordant addition to the streetscape.
- 7.8. Appellant (b) shares my aforementioned concern. The applicant has responded to this this by drawing attention to the differences between the current proposal and its predecessor. Thus, the front elevation of the former would address the cul-de-sac, whereas the latter would have had a gabled side elevation abut this cul-de-sac. Furthermore, the ridge height of the former is 1.5m lower than that of the latter.
- 7.9. I acknowledge that the revised proposal for the site is a more attractive design in streetscape terms than the previous one and that its ridge height would be lower. That said, the currently proposed ridgeline would still be appreciably higher than comparable ones on the eastern side of Ceanncora Lawn and the greater expanse of the front elevation facing onto this cul-de-sac would increase its streetscape presence.
- 7.10. I conclude that the proposed dwelling house would, due to its height and scale, be an anomalous and incongruous addition to the streetscape, which would detract from the visual amenities of the area.

(ii) Amenity

- 7.11. The proposed dwelling house would be sited in a position whereby it would lie 9.148m due south of the side elevation of the bungalow nearing completion to the north. This elevation has a large habitable room opening within it, which overlooks and facilitates access to the only garden that would serve this dwelling. Some overshadowing would result from the construction of a dwelling on the current site. However, the specification of a one and a half storey dwelling house would lead to a

greater degree of overshadowing than would arise *ceteris paribus* from a single storey one.

- 7.12. The proposed dwelling house would be sited in a position whereby it would lie 14.36m away from the corresponding pair of two storey semi-detached dwelling houses opposite. This dwelling house be sited a minimal distance behind a 1m high wall, whereas the existing ones opposite have conventional front gardens. The ground and first floor habitable room windows on the left-hand side of the proposed front elevation would correspond directly with existing habitable room openings opposite. Overlooking and a loss of privacy would thus be likely to ensue.
- 7.13. The applicant considers that the aforementioned scenario is one that is to be expected in a location such as that of Ceanncora Lawn. This location is an inner suburban one and the subject site is an infill one. In these circumstances, I consider that the design of any new dwelling should be respectful of the receiving context. In my view the proposed dwelling house, unlike the bungalow nearing completion to the north, falls short in this respect.
- 7.14. I conclude that the proposed dwelling house would, due to its size and design, fail to safeguard sufficiently the residential amenities of the area.

(iii) Development standards

- 7.15. The proposed dwelling house would provide 3-bed/5-person accommodation over two floors. Under the Quality Housing for Sustainable Communities: Best Practice Guidelines, this dwelling house would comply with the relevant floorspace and dimension standards in Table 5.1 of these Guidelines.
- 7.16. Under Table 16.7 of the CDP, the amount of private open space that should accompany the proposed dwelling house is 60 – 75 sqm, if it is considered to be a suburban area, or 30 – 50 sqm, if it is considered to be an inner urban area. As I consider that the location to be an inner suburban one, in the region of 60 sqm would be an appropriate minimum.
- 7.17. The stated areas of private open space for the proposed dwelling house would be 42 sqm to the north and 85 sqm to the south. The latter figure would however include the footprint of two car parking spaces and so, in practise, c. 26 sqm would be available as open space. Thus, the total would be 68 sqm. Quantitatively, compliance would, thereby, be achieved. Qualitatively, the absence of a southerly

aspect from the northern space would limit its utility and the presence of a low boundary wall and a wide ungated access to the car parking spaces would render the southerly space open and thus deficient in privacy.

7.18. The existing bungalow on the site would be accompanied by 76 sqm on its northern side. (Only the floorspace of this bungalow has been made explicit, i.e. 79 sqm. I have therefore assumed that it is a two-bed dwelling and so under Table 16.7, a minimum of 48 sqm of private open space would be required). However, this area would include the footprint of a single car parking space and so, in practice, c. 36 sqm would be available as open space. This space would be on the northern side of the car parking space and so it would have a southerly aspect. Nevertheless, the presence of a low wall and ungated access would again render it deficient in privacy. Thus, in both quantitative and qualitative terms the open space envisaged for the existing bungalow would be sub-standard.

7.19. I, therefore, conclude that, whereas the proposed dwelling house would afford a satisfactory standard of internal amenity to future occupier, its external standard of amenity would be unsatisfactory.

(iv) Traffic, access, and parking

7.20. The appellants draw attention to the narrowness of Ceanncora Lawn and the absence of a turning head from the southern extremity of this cul-de-sac. They express concern that existing congestion, caused by on-street parking and difficulties attendant upon turning movements, would be exacerbated by the proposal.

7.21. The applicant has responded by drawing attention to the additional width of carriageway that would be made available under the proposal and to the vehicle tracking drawings submitted under further information, which illustrate how the proposed off-street parking spaces could be accessed and egressed in the presence of cars parked on-street on the opposite side of the cul-de-sac.

7.22. I consider that the traffic that would be likely to be generated by the addition of one more dwelling to Ceanncora Lawn would not make a significant difference to traffic levels on this cul-de-sac. The aforementioned access and egress movements would be facilitated by wider than normal entrances and they would be eased by exact parking patterns opposite, which, as the appellants point out, may not always be present.

- 7.23. Figure 4.55 of the Design Manual for Urban Roads and Streets (DMURS), the standard carriageway width for local streets is 5 – 5.5m. The majority of Ceanncora Lawn has a width of 5.2m and under the proposal this would increase to 5.8m over the length of the site's western boundary. At the entrance to Ceanncora Lawn, there is a 4m wide pinch point. Under PL28.245910, this pinch point would remain although a footpath would be provided on its eastern side as part of the provision of the bungalow, which is presently under construction.
- 7.24. Figure 4.34 of DMURS specifies a minimum footpath width of 1.8m. The precedent set by PL28.245910 points towards footpath provision rather than widening of the carriageway. However, given the presence of on-street parking opposite the current site, as distinct from the site to the north, I consider that if the development potential of the site is to be realised then off-street parking would need to be facilitated and so the widening of the carriageway is the more appropriate option to pursue. In these circumstances, wherein there would no footpath, the specification of overly wide entrances does not warrant objection.
- 7.25. Under Figure 16.1 of the CDP, the site lies within Zone 3 and so, for the purpose of residents' car parking, the proposed dwelling house should be accompanied by 2 off-street car parking spaces and the existing one by 1 off-street car parking space (Table 16.8). (Visitor parking is also cited at a rate of 0.25 spaces per dwelling. However, for a single dwelling infill site I do not consider this to be meaningful). Under the current proposal, these standards of provision would be met.
- 7.26. I conclude that the traffic that would be likely to be generated by the proposal would be capable of being accommodated within Ceanncora Lawn and that the proposed access and parking arrangements for the site would be satisfactory.

(v) Water

- 7.27. The site is fully serviced with respect to water supply and foul and surface water drainage. Details of SuDS methodologies have not been submitted. These could however be conditioned.
- 7.28. With respect to flood risk, the OPW's relevant PFRA (Figure No. 2019/MAP/38/A) and the OPW's flood maps web site do not identify any specific flood risk as pertaining to the site.

(vi) AA

- 7.29. The site is neither in or near to a Natura 2000 site. It is a fully serviced urban site. Accordingly, no Appropriate Assessment issues would arise as a result of its development as proposed.
- 7.30. Having regard to the nature and scale of the proposed development and the proximity to the nearest European site, 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.

8.0 Recommendation

- 8.1. That the proposal be refused.

9.0 Reasons and Considerations

The proposed one and a half storey dwelling house would, due to its height and scale, be out of character with the single storey dwelling houses on the eastern side of Ceanncora Lawn and so its addition to the streetscape would be discordant. The size, siting, and design of this dwelling house would cause it to have an unnecessarily severe impact upon the amenities of residential properties in the vicinity, in terms of overshadowing and overlooking. Additionally, the layout of the site would be deficient in terms of the quantity and quality of amenity space that would be provided. Accordingly, the proposed dwelling house would seriously injure the amenities of residential properties in the vicinity of the site and the development would fail to afford a satisfactory standard of amenity to existing and future occupiers of this site. It would, thus, be contrary to the proper planning and sustainable development of the area.

Hugh D. Morrison

Planning Inspector

6th April 2018