



An  
Bord  
Pleanála

## Inspector's Report ABP-300437-17

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<b>Development</b>	Retention of dormer window structure to rear of roof structure.
<b>Location</b>	2 Glenthorn Villas, Gardiner's Hill, St. Luke's, Cork
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	17/37585
<b>Applicant(s)</b>	Declan Field
<b>Type of Application</b>	Retention permission
<b>Planning Authority Decision</b>	Grant, subject to 1 condition
<b>Type of Appeal</b>	Third party -v- Decision
<b>Appellant(s)</b>	Sean Daly & Adah Lynch
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	22 <sup>nd</sup> March 2018
<b>Inspector</b>	Hugh D. Morrison

## 1.0 Site Location and Description

- 1.1. The site is located in the north eastern inner suburbs of Cork City on Gardiner's Hill, a predominantly residential neighbourhood. This site lies on the southern side of Gardiner's Hill at a point where it meets Ashburton Hill around a small grassed and treed green. It accommodates a two-storey mid-terrace dwelling house, known as Glenthorn Villas. This terrace is one of several terraces of two storey dwelling houses, which enclose the said green.
- 1.2. The site extends over an area of 0.013 hectares and the dwelling house upon it has a floorspace of 93 sqm. This dwelling house has been recently renovated and extended to the rear by means of a single storey extension. It is served by front and rear gardens.

## 2.0 Proposed Development

- 2.1. The proposal seeks the retention of an extension to the rear roof plane. This extension is sited on the upper LHS of this plane, in a position where it abuts a brick chimney that straddles the ridgeline of the applicant's dwelling house and that of the adjoining appellants' dwelling house. The extension is clad in slate and its slightly sloping roof contains a rooflight. (There is another rooflight in the upper RHS of the rear roof plane, which is not the subject of this proposal). This extension facilitates the creation of headroom in conjunction with the provision of shower/w.c. off the converted roofspace.

## 3.0 Planning Authority Decision

### 3.1. Decision

Retention permission was granted subject to one standard condition.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

Given the modest nature of the proposal and the absence of any conservation designations or residential amenity impacts, no objection raised.

#### 3.2.2. Other Technical Reports:

- Roads Design: No objection.
- Irish Water: No objection.

## 4.0 Planning History

E7815: The development is the subject of an enforcement enquiry.

## 5.0 Policy Context

### 5.1. Development Plan

Under the Cork City Development Plan 2015 – 2021 (CDP), the site lies within an area that is subject to the Zoning Objective “To protect and provide for residential uses, local services, institutional uses and civic uses, having regard to employment policies outlined in Chapter 3.” Paragraph 16.72 addresses dormer extensions.

### 5.2. Natural Heritage Designations

Cork Harbour SPA (site code 004030)

Great Island Channel SAC (site code 001058)

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The appellants begin by describing the development which has taken place and its chronology. They then cite the following grounds of appeal:

- The dormer structure has changed the shape of the rear roof plane in a manner that is out of keeping with the character of the dwelling house and the associated terrace.

- The aforementioned concern is most pronounced with respect to its impact upon a recently restored chimney stack, which is shared between the applicant and the appellants' adjoining dwelling houses. Thus, the dormer structure has been attached to this stack by means of a fibreglass finish.
- No precedents exist either on the terrace or within sight of this terrace of a structure such as that proposed for retention.

The appellants have critiqued the case planner's report as follows:

- Contrary to what is stated, the subject development can be seen from public areas, indeed it can be seen from four such areas (cf. to submitted map and photographs). Under Paragraph 16.72 of the CDP, where such visibility occurs, box dormers are to be refused.
- While the dwelling house is not a protected structure and it does not lie within an ACA, brick chimney stacks are a strong architectural feature in the area and so the said use of fibreglass, as a non-traditional material, is inappropriate. Furthermore, its use compromises the restoration works that have been carried out to the chimney stack in question.

## 6.2. Applicant Response

The applicant begins by setting out why he considers that the subject development is in compliance with Paragraph 16.72 of the CDP. In relation to its visibility from public areas, as this development is not a traditional style box dormer, it is not obtrusive and so any concern in this respect is misplaced. He then responds to the grounds of appeal as follows:

- Attention is drawn to the absence of any conservation designations, to the minor nature of the subject development, and to the high specification of refurbishment carried out to the dwelling house in its entirety.
- The applicant states that the restoration of the chimney stack was undertaken by him with a financial contribution from the appellants.
- Precedents exist in Gardiner's Hill and elsewhere in the city for the subject development.

- The appellants' chronology is contested and their specific requirement that the dormer structure be set back from the chimney stack by 150 mm was refused on the basis that it would be impracticable.

The applicant also draws attention to another dwelling house that he has refurbished nearby at 4 Thorne Hill Terrace, the absence of objection from other neighbours, and to the delay in the timing of the appellants' objection to the Planning Authority.

### 6.3. **Planning Authority Response**

No further comments to make.

### 6.4. **Observations**

None.

### 6.5. **Further Responses**

None.

## 7.0 **Assessment**

7.1. I have reviewed the proposal in the light of 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) Planning policies,
- (ii) Visual amenity, and
- (iii) AA.

### **(i) Planning policies**

7.2. The site lies within an area that is zoned Z04, residential, local services, and institutional uses, in the CDP and so residential uses are appropriate in this zone.

7.3. The dwelling house on the site is not a protected structure and it does not lie within an Architectural Conservation Area (ACA). Accordingly, it is not the subject of any formal conservation designations.

7.4. The CDP addresses extensions under Section 16.72. While the proposal is not a conventional dormer window, it is analogous to the same. Thus, the following extract from the said Section is of some relevance:

*Dormer extensions should not obscure the main features of the existing roof, i.e. should not break the ridge or eaves lines of the roof. Box dormers will not be permitted where visible from a public area.*

7.5. I conclude that, insofar as the CDP is relevant to the assessment of the proposal, visual amenity is the issue that falls to be considered.

**(ii) Visual amenity**

7.6. The rear roof plane of the subject dwelling house has a 38-degree pitch and it is clad in blue slate. This plane has been extended in on its upper LHS by means of a structure that is 2m long, 0.75m high to its “eaves”, and a maximum of 0.9m deep. This structure has a virtually flat roof at 11 degrees, within which there is a rooflight. Its front and side faces are clad in blue slate and the roof is clad in felt. The north-western corner of the structure abuts a brick chimney that straddles the ridgeline and the party wall between the applicant’s and the appellants’ dwelling houses. A small amount of fibre glass has been applied to the base of the chimney in the vicinity of this abutment.

7.7. The subject dwelling house is the middle one of three terraced dwelling houses that are known as Glenthorn Villas. To the rear of this terrace and on elevated ground to the south lies the residential cul-de-sac known as Merrion Court. To the south east, again on elevated ground, lies the residential cul-de-sac known as Brian Dillon Crescent. Views of the extension in question from public, as distinct from private vantage points, are not available from the former cul-de-sac and views from the latter are restricted to the gap between the end of terrace dwelling houses Nos. 11 and 12 in the north-western corner of this cul-de-sac. To the north east on Ashburton Hill, there is a view of the extension through a gap in the roofscapes between Thorne Hill Terrace and Glenthorn Villas. To the south west, within the vicinity of No. 88 Merrion Court there is another view, which the appellants’ have recorded, but which I was unable to confirm on-site.

7.8. I consider that, while the extension is not a particularly sympathetic addition to its host roof plane, given its modest size and self-effacing cladding, its presence is

relatively innocuous. Furthermore, as views of this extension from public vantage points are from something of a distance, limited in their nature and extent, and experienced, in practise, as fleeting, I do not consider that any appreciable harm is inflicted upon the visual amenities of the area. Accordingly, the concern of Section 16.72 with respect to visibility is one that is allayed.

7.9. I conclude that the proposed retention of the extension to the rear roof plane would be compatible with the visual amenities of the area.

**(iii) AA**

7.10. As the proposal pertains to the extension of a rear roof plane only, no Appropriate Assessment issues arise.

## 8.0 Recommendation

8.1. That retention permission be granted.

## 9.0 Reasons and Considerations

Having regard to the provisions of the Cork City Development Plan 2015 – 2021, it is considered that the proposed retention of the extension to the rear roof plane to the mid-terrace dwelling house at No. 2 Glenthorn Villas would be compatible with the visual amenities of the area and so it would accord with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be retained in accordance with the plans, particulars and specifications lodged with the application.

**Reason:** In the interest of clarity.

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Hugh D. Morrison  
Planning Inspector

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9<sup>th</sup> April 2018