



An
Bord
Pleanála

Inspector's Report ABP-301032-18

Development

Demolish an existing dwelling house, construct a new dwelling house and detached domestic garden shed, form a new road entrance for vehicular access and on-site car parking and all other associated site works.

Location

Crosshavenhill, Crosshaven, Co. Cork.

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

17/6857

Applicant(s)

Michael & Elizabeth Malone

Type of Application

Permission

Planning Authority Decision

Grant, subject to 7 conditions

Type of Appeal

Third parties -v- Decision

Appellant(s)

Finbarr & Sandra Wrenne
Ciaran O'Connor

Observer(s)

None

Date of Site Inspection

30th May 2018

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located on the western slopes of Crosshavenhill, some 0.6 km to the east north-east of Crosshaven town centre. This site lies on the northern side of Point Lane/Graball Bay, which is a local road that runs on roughly an east/west axis over Crosshavenhill. It presently accommodates a bungalow and it is situated in a residential area that is composed of a great variety of detached dwelling houses, i.e. bungalows, dormer bungalows, one-and-a-half-storey houses and part single/part two storey houses.
- 1.2. The site itself is of regular shape and it extends over an area of c. 0.08 hectares. The bungalow on this site has been extended to the side and to the rear (total floorspace 75.8 sqm) and it is accompanied by front, side, and rear gardens. This bungalow is served by a detached garage (18 sqm), which is accessed via a short drive-in from Point Lane, and a garden shed (16 sqm).

2.0 Proposed Development

- 2.1. Under the proposal, the existing bungalow and garden shed would be demolished and a replacement two-bedroomed dwelling house (106.6 sqm) and garden shed (24.9 sqm) would be constructed. The existing garage would be retained.
- 2.2. The proposed dwelling house would be sited in a recessed position with respect to the existing one. Thus, its southern portion would be sited over the northern portion of the existing footprint. The proposed garden shed would be sited in the north-eastern corner of the site.
- 2.3. The proposed dwelling house would be of rectangular form under a straight gabled double pitched roof. The roof planes would be set at an angle of 37.5 degrees and the attic space would have a useable 2.4m clearance height over its central portion. A pair of Velux windows would be inserted in the front roof plane. The majority of the elevations would be finished in render, although the expanse of the southern front elevation and the western side elevation would be relieved by cedar cladding. The roof would be clad in slate.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of further information, permission was granted subject to 7 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information was requested with respect to the specification of a single vehicular entrance, a front boundary wall with a maximum height of 900 mm, an updated location plan, and a reduction in the height of the proposed shed to no more than 2.5m.

3.2.2. Other Technical Reports:

- Irish Water: No objection, standard observations.
- Engineering: Following receipt of further information, no objection, subject to conditions.

4.0 Planning History

- 04/6882: Demolition of existing dwelling house and construction of a pair of two-storey semi-detached dwelling houses and associated site works:
Refused at appeal PL04.212684 on the grounds of visual intrusion/out of character and overlooking/loss of residential amenity and inadequate plans.
- PPS 17/462: Pre-application consultation.

5.0 Policy Context

5.1. Development Plan

Under the Bandon and Kinsale Municipal District Council Local Area Plan 2017 (LAP), Crosshaven is identified as a key village and the site is shown as lying within the development boundary around the town and in an existing built up area. The

Cork County Development Plan 2014 – 2020 (CDP) addresses development in existing built up areas under Sections 14.3.1 – 6. The importance of respecting existing character is cited.

5.2. Natural Heritage Designations

Cork Harbour SPA (site code 004030)

6.0 The Appeal

6.1. Grounds of Appeal

(a) Finbarr & Sandra Wrenne of “St. Antony’s”, The Hill

- The ridge height of 6.595m of the proposed dwelling house would not align with adjacent development on a site of comparable elevation.
- Under 04/6882, two dwelling houses proposed for the site were refused on the grounds of over-development with heights of 5.7m and 6.885m being factors.
- The proposed attic of 58.5 sqm would lend itself to subsequent conversion.
- The proposed dwelling house would appear obtrusive within its immediate context.

(b) Ciaran O’Connor of “Clontarf”, The Hill

The appellant begins by reviewing the planning policies on infill development and the planning history of the site and other sites within the vicinity, e.g. the planning history of “Iona” is set out, wherein proposals for a dormer bungalow and a one and a half storey dwelling house were refused.

The appellant seeks the modification of the proposal. He cites the following grounds of appeal:

- The pattern of development on The Hill is one of low-level dwelling houses that reflect the tiered contours of the hillside. The proposal would, due to its height and resulting scale, represent a departure from this pattern.

Furthermore, the footprint of the proposed dwelling house would exceed that of the existing one and so it would constitute over-development of the site.

The western gabled elevation of the proposal would be particularly dominant within views looking up The Hill and so it would fail to be “sensitively and appropriately scaled and designed”.

- The convertibility of the attic means that the proposal is effectively for a two storey dwelling house. The clearance required to achieve this option means that the height of the resulting ridge would be 6.595m, compared to the 4.487m that would be exhibited by the adjacent bungalow, which is presently under construction.

Under 04/6882 and PL04.212684, the Board’s inspector expressed the view that a single storey dwelling house would be appropriate for the site. This view remains valid.

The proposal, as submitted, would lead to overshadowing of the appellant’s dwelling house with a consequent loss of daylight and sunlight. The extent of this loss is quantified by an assessment, which accompanies the appellant’s grounds of appeal.

Consequently, a lower ridge height, e.g. by 1.7m, for the proposed dwelling house would be appropriate.

6.2. **Applicant Response**

None

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 the CDP, the LAP, 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 development standards,
- (ii) Streetscape
- (iii) Amenity,
- (iv) Access,
- (v) Water, and
- (vi) AA.

(i) Land use and development standards

7.2. Under the LAP, the site lies within the development boundary around Crosshaven and in an existing built up area. Objective ZU 3-1 of the CDP addresses development within such areas and it advises that the continuation of existing land uses is appropriate.

7.3. The proposal would entail the redevelopment of the site to essentially replace one dwelling house with another one. Accordingly, continuity of land use would be assured.

7.4. *Prima facie* the proposed dwelling house would be laid out to provide accommodation that would be biased towards day time usage. The explanation for this may relate to the potential that the attic would afford to be converted for habitable use in the future. The appropriateness or otherwise of this layout is one that I will revisit in the conclusion to my report once other subjects of relevance to the attic have been discussed.

7.5. I conclude that there is no land use objective to the proposal.

(ii) Streetscape

- 7.6. The site lies on the northern side of Point Lane/Graball Bay, a residential street that rises in an easterly direction. The existing dwelling house on the site has a slab level of 100.39m OD. The nearest ones to the west and to the east have slab levels of 99.80m OD and 100.39m OD. Appellant (b)'s dwelling house "Clontarf" lies to the north of this latter dwelling house and it has a slab level of 104.30m OD. The ridgelines of each of these dwelling houses are, variously, 104.92m, 104.22m, 105.45m, and 110.85m OD. Thus, the slab levels rise, consistently, in an easterly/north-easterly direction and, if the first one is excluded, then the remaining three ridgelines rise consistently, too.
- 7.7. Under the proposal, the slab and ridgelines of the replacement dwelling house would be 100.10m and 106.70m OD, respectively. This dwelling house would thus be higher than the dwelling houses on either side of the site. Its siting and orientation would invite a comparison with, especially, the dwelling house to the east, which is presently under construction and nearing completion. The difference in ridgeline heights would be 1.25m. Consequently, the proposed dwelling house would be appreciably higher than the neighbouring dwelling house to the east and so it would depart noticeably from the pattern of dwelling houses, which rise in step with that of the accompanying residential street.
- 7.8. The appellants draw attention to the anomaly that the proposed dwelling house would introduce to the streetscape. They also draw attention to the steeper roof pitch that lies behind this anomaly, a pitch that would facilitate the future conversion of the attic discussed under the first heading of my assessment.
- 7.9. I consider that the aforementioned pattern of the streetscape should be respected by the proposed replacement dwelling house on the site. Accordingly, the ridgeline should be no higher than that of the neighbouring dwelling house to the east. This outcome could be secured by conditioning a reduction in the roof pitch from 37.5 degrees to 25 degrees, a pitch that would still be compatible with a slate cladding.
- 7.10. I conclude that the proposed dwelling house would be compatible with the character of the existing streetscape and hence the visual amenities of the area, provided its ridgeline is no higher than that of the neighbouring dwelling house to the east.

(iii) Amenity

- 7.11. Appellant (b) resides in “Clontarf”, the dwelling house that lies to the east of the rear garden to the existing dwelling house on the site and at a higher level. He expresses concern that the proposed replacement dwelling house would adversely impact upon his dwelling house, due to an increase in late afternoon overshadowing during winter months and associated losses of daylighting and solar gain. He identifies the increased ridge height of the proposed dwelling house as being the main factor resulting in this impact and he estimates that if the said height were to be reduced to 105m OD then it would be negated.
- 7.12. I note that the nearest corners of the rear (western) elevation of the appellant’s dwelling house and the rear (northern) elevation of the proposed dwelling house would be 17.7m apart on an east/west axis and that the slab level of the former at 104.30m OD would be only a lower than the ridgeline of the latter at 106.70m OD by 2.4m. As the existing dwelling house on the site is sited further forward and has a ridgeline height of 104.22m OD, it is more discrete when viewed from the appellant’s residential property than the proposed dwelling house would be. I note, too, that the proposed garden shed was revised at the further information stage to reduce its visibility.
- 7.13. I consider that the adverse impact identified by the appellant would not lead to a significant loss of residential amenity. Likewise, the greater prominence of the proposed dwelling house would not do so either.
- 7.14. I conclude that the proposal would be compatible with the residential amenities of the area.

(iv) Access

- 7.15. Under further information, the applicant revised the proposed access arrangements for the site to ensure that there would only be one vehicular access to the redeveloped site, i.e. the existing one to the garage would be closed and a new one formed at the eastern end of the frontage onto Point Lane. The proposed new vehicular access would be gated and accompanied on its western side by a hedgerow that would be maintained at a maximum height of 900 mm.
- 7.16. A paved forecourt would be laid out in front of the proposed dwelling house. This forecourt would provide two off-street car parking spaces with associated

manoeuvring space, thereby affording the opportunity for all access/egress movements to be undertaken in forward gear. It should be paved with permeable materials.

7.17. I conclude that the proposed access and parking arrangements for the site would be satisfactory.

(v) Water

7.18. The proposal would be serviced by the public mains and the public sewer. Surface water would discharge to a soak pit and an Aco-drain or similar would intercept surface water flowing onto the local road.

7.19. The OPW's draft PFRA (Figure No. 2019/MAP/28/A) for Cork City shows the site as lying within an area, which is not the subject of any identified flood risk. Likewise, the OPW's flood maps website does not show any flood events either on the site or within its vicinity.

7.20. I, therefore, conclude that the proposal would be capable of being satisfactorily serviced and that the site would not be the subject of any identified flood risk/event.

(vi) AA

7.21. The site is an urban one which is served by the public sewerage system. The proposal would entail the construction of a single replacement dwelling house only. Accordingly, I do not consider that any significant effects upon the Conservation Objectives of the Natura 2000 sites in Cork Harbour would arise.

7.22. Having regard to the nature and scale of the proposal, the nature of the receiving environment, and the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Conclusion and Recommendation

8.1. I conclude that, while the proposal would be compatible with the residential amenities of the area, it would be harmful to visual amenity, insofar as its excessive height relative to the neighbouring dwelling house to the east would cause it to depart from the pattern of consecutively rising heights in an easterly direction. I,

therefore, consider that this proposal should be conditioned to replicate the height of the dwelling house to the east. The resulting reduction in height would inevitably remove the option of converting the attic to habitable use in the future and so the need may arise for the internal layout of the dwelling house to be revised. A condition would provide the latitude for this to be undertaken. The reduction would also have the effect of easing any impact upon the residential amenities of the area.

8.2. I recommend that the proposal be permitted.

9.0 Reasons and Considerations

Having regard to the Cork County Development Plan 2014 – 2020, the Bandon and Kinsale Municipal District Council Local Area Plan 2017, and to the pattern of development in the area, it is considered that, subject to conditions, in particular, the lowering of the height of the proposed ridgeline, the proposal would be compatible with the visual and residential amenities of the area. Access, parking, and servicing arrangements would be satisfactory and no Appropriate Assessment issues would arise. The proposal would thus accord with the proper planning and sustainable development of the area.

10.0 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 9th day of January 2018, 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. The proposed development shall be amended as follows:
 - (a) The ridgeline shall be lowered to a height no higher than that of the adjacent dwelling house to the east, i.e. 105.45m OD.

(b) Any revisions to the internal layout of the ground floor, as a consequence of the non-availability of the attic for future conversion to habitable use, shall be made explicit.

Revised drawings showing compliance with these requirements 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling and the accompanying forecourt shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The paving materials to the forecourt shall be permeable.

Reason: In the interest of visual amenity and sustainable development.

4. Water supply and drainage arrangements, including the attenuation and 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 sustainable development.

5. 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.

6. (a) Prior to the commencement of occupation of the proposed dwelling house, the existing access to the garage on the site shall be permanently blocked up.

(b) The proposed wall along the front boundary to the site shall not exceed 900mm in height.

Reason: In order to safeguard the western sightline from the site exit, in the interest of road safety.

7. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwelling house without a prior grant of planning permission.

Reason: In the interest of residential amenity.

Hugh D. Morrison
Planning Inspector

12th June 2018