



An  
Bord  
Pleanála

## Inspector's Report ABP-302212-18

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<b>Development</b>	Extensions to side and rear of house and alterations to front, side and rear
<b>Location</b>	44 Westcourt Heights, Coolroe, Ballincollig, County Cork
<b>Planning Authority</b>	Cork County Council
<b>Planning Authority Reg. Ref.</b>	18/5220
<b>Applicant(s)</b>	Laura & John Goodwin
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Split Decision
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Laura & John Goodwin
<b>Date of Site Inspection</b>	20 <sup>th</sup> November, 2018
<b>Inspector</b>	Kevin Moore

## **1.0 Site Location and Description**

1.1. No. 44 Westcourt Heights is located within an established residential estate at the northern end of Ballincollig in County Cork. It comprises a detached two-storey house with front and rear gardens. There is a detached two-storey house immediately to the south of the site with a small domestic shed abutting the party boundary wall. Other housing in the immediate vicinity comprises two-storey detached and semi-detached units.

## **2.0 Proposed Development**

2.1. The proposed development would comprise:

- The construction of a first floor extension to the side of the house,
- A single-storey extension to the rear of the house, and
- Alterations to the front, side and rear of the house.

The proposal would provide an additional gross floor area of 32.206 square metres. It would include a new dining room to the rear, internal layout changes and elevational changes at ground floor level and an additional bedroom and an extension to an existing bedroom at first floor level on the southern side of the structure.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

On 9<sup>th</sup> July, 2018, Cork County Council decided to grant permission for the construction of a single storey extension to the rear of the house and alterations to the front, side and rear and to refuse permission for a first floor extension to the side of the house for reasons relating to impact on residential and visual amenities.

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The Planner noted the policy context of the site and the Area Engineer's report. There were concerns about the proposal's impact on the property to the south. It was noted that the existing house on the site was in a higher position than the house to the south. The proposed location of the new two-storey element was considered to result in an overbearing and imposing elevation when viewed from the rear garden of the adjoining property to the south and it was considered that this would affect the amenity and impinge on the private amenity space of that property and would set a precedent. It was also considered that retaining the existing separation distances between the side elevation of No. 44 and No. 39 and the rear elevations of houses to the south looked better visually. It was further stated that the two-storey element was only increasing the size of existing rooms and that it should be omitted. There was no objection to the remainder of the development. A refusal of permission for the first floor side extension was recommended and a grant of permission for the remainder of the development was recommended subject to conditions.

The Senior Executive Planner concurred with the Area Planner's recommendation.

### 3.2.2. Other Technical Reports

The Area Engineer recommended that permission be granted subject to conditions.

## 4.0 Planning History

I have no record of any previous planning application or appeal relating to this site.

## 5.0 Policy Context

### 5.1. Ballincollig Carrigaline Municipal District Local Area Plan 2017

#### Zoning

The site is zoned 'Existing Built-Up Area'

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of the first party appeal may be summarised as follows:

- The appellants consulted with the owner of No. 43 before applying for permission and the owner was very supportive of the extension.
- No bedroom or bathroom windows overlook her private amenity space.
- Many houses in the estate have constructed a first floor extension, including No. 80 across from the site.
- Constructing a first floor extension and modernising the house would be more visually pleasing when compared with its current outdated 1970s design and would compare well with No. 80.
- Contrary to what the Planner has stated, the proposal will include a new room and will extend an existing room. This is important as the appellants are extending their family and current room sizes are not appropriate for purpose.

### 6.2. Planning Authority Response

I have no record of any response to the appeal from the planning authority.

## 7.0 Assessment

- 7.1. I note the first party appeal relates solely to the proposed first floor extension to the side of the existing house and not to the overall proposed development. I am satisfied that the development of the remainder of the proposed development, comprising the single-storey extension to the rear, alterations to the front, side and rear, and the internal alterations, would result in no particular concerns in relation to impacts on neighbouring properties. These components of the overall development can reasonably be determined to be in accordance with the proper planning and sustainable development of this residential area.
- 7.2. With regard to the proposed side extension, I first note that the principle of such development appears to have been accepted within this estate, the nearest example

being directly across the road from the appeal site at No. 80. Thus, there is clearly a precedent for such development in this estate. Indeed, it could not reasonably be argued that the proposed development, in this context, would detract from the streetscape, as has been determined by the planning authority.

- 7.3. With regard to the impact of such a development, I note that the existing house includes a ground floor component that extends to, and protrudes above, the boundary with No. 43, i.e. the dwelling to the south. The proposal would allow for a new additional bedroom to the front and the expansion of an existing room to provide a larger bedroom to the rear at first floor level and would not simply comprise the expansion of existing rooms as was understood by the planning authority. The design of the proposal ensures that there would be no increased overlooking of the neighbouring property to the south, with a single landing window being provided on the southern side elevation. The Board will note that there is an existing landing window on the southern elevation of the house at first floor level. The proposed extension would bring the first floor component approximately 2.75m closer to the property to the south. The separation distance between these dwellings would remain at just under 9 metres. I note that the proposed development would be sited immediately north of No. 43 and would have no adverse impact on that property by way of overshadowing. While I note that No. 44 is located on slightly higher ground behind No.43, I cannot accept that the proposed first floor extension would be so overwhelming that it would constitute an addition that could be construed as one that would have an overbearing impact on No. 43. I further acknowledge that there is no record of any concerns raised by the occupants of No. 43 in terms of any likely adverse impact on the amenities of that residential property.
- 7.4. Having regard to the precedent for development of this nature within the estate, the lack of any adverse impact of the proposed development on the amenities of neighbouring properties in the form of loss of privacy and overshadowing, and the lack of any likelihood of any harmful overbearing impact resulting from the proposed first floor extension, it is considered that the proposed extension to the side, together with the remainder of the proposed development, would be acceptable in terms of the proper planning and sustainable development of this residential area.

Note: Having regard to the nature and scale of the proposed development and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 8.0 Recommendation

8.1. I recommend that permission is granted in accordance with the following reasons, considerations and conditions.

## 9.0 Reasons and Considerations

Having regard to the compatible design and limited scale of the proposed development and the separation distances between the proposed development and neighbouring residential properties, it is considered that the proposed development would not adversely impact on the residential amenities of adjoining properties or the visual amenities of the area and would otherwise be in accordance with the provisions of the current Ballincollig Carrigaline Municipal District Local Area Plan. The proposed development would, therefore, 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 in accordance with the plans and particulars lodged with the application, 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.

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2. The external finishes of the proposed extensions shall be agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

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3. 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.

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Kevin Moore  
Senior Planning Inspector

26<sup>th</sup> November 2018