



An
Bord
Pleanála

Inspector's Report 302678-18.

Development	Single storey side and rear extension to dwellinghouse.
Location	22 Spring Hill, Carrigeen Park, Ballinlough, Cork
Planning Authority	Cork City Council.
Planning Authority Reg. Ref.	1837824.
Applicants	Deborah and Alice Forde.
Type of Application	Permission.
Planning Authority Decision	Permission with conditions.
Type of Appeal	Third Party.
Appellants	1. Leslie- Ann Hayes 2. Mary Waters
Observer(s)	None.
Date of Site Inspection	29 th November 2018.
Inspector	Derek Daly.

1.0 Site Location and Description

- 1.1. The proposed site is in an established residential estate in the southeastern suburb of Ballintemple of Cork city. The site has frontage onto western side of Carrigeen Park which has predominately two storied semi-detached dwellings.
- 1.2. On the site is an existing two storied semidetached dwelling. To the north of the site is other semi-detached dwelling 21 Carrigeen Park. To the south are a pair of semi-detached dwellings nos. 23 and 25 Carrigeen Park. This boundary is largely defined by a wall approximately 2 metres in height. The rear boundary of the site adjoins another semi-detached property 13 Carrigeen Park.
- 1.3. The site has a stated area of 0.026 hectares.

2.0 Proposed Development

- 2.1. The proposed development as submitted to the planning authority on the 20th of March 2018 was for a single storey extension to the side and rear of a dwelling house.
- 2.2. The extension which is flat roofed was proposed to extend from the front elevation to approximately 10 metres into the rear garden area. It is indicated as 2879mm in width at the front elevation extending to a maximum width of 4760mm at the rear. The height of proposed extension is 3000mm.
- 2.3. It is indicated that the extension was to be integral part of the family home and not intended for use as a granny flat. External access to the extension is indicated as via the rear garden and there is no internal connection between the proposed extension and the existing dwelling indicated.
- 2.4. The overall gross floor area of the proposed development is stated as 48m². The existing dwelling is stated as having a gross floor area of 95m².
- 2.5. Further information was submitted on the 15th of August 2018 which amends the proposed development and reduces the floor area to less than 20m². The development as submitted will extend from the front to the rear of the existing dwelling and will not extend onto the rear garden area. It is also indicated that it is

proposed to provide for an internal access from the existing dwelling to the proposed extension.

3.0 Planning Authority Decision

3.1. Decision

The decision of the planning authority was to grant planning permission subject to 9 conditions.

Condition of note include;

- Condition no 2 requires agreement on elevations;

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report dated the 10th of May 2018 refers to

- Policy context in relation to the city development plan.
- Submissions received.
- An assessment of the issues including principle of the development and policy and it is considered that in principle the proposal is acceptable.
- There are it is indicated issues in relation to the development in terms of the internal layout proposed and the relationship of the extension and the existing dwelling.
- Further information was recommended.

A subsequent planning report dated the 3rd of September 2018 having considered the further information recommends permission.

3.2.2. Other Technical Reports:

Environment report dated the 20th of April 2018 indicates no objections.

Roads Design Report dated 4th of May 2018 indicates no objections.

Drainage report dated the 20th April 2018 indicates no objections. A subsequent report dated the 28th of August 2018 indicates no objection.

3.2.3. Other submissions

Third party submissions were received referring to issues of impacts on foundations, subsidence, loss of daylight, loss of residential amenity and issues of drainage.

Irish water in a submission dated the 27th of April 2018 requested further information to clarify matters relating to location of underground services. A subsequent report dated the 30th of August 2018 indicates no objection to the proposed development.

4.0 Planning History

Planning history relating to the site.

P.A. Ref. No.04/28347

Permission granted for the demolition of an existing storage area and to erect two stores and a single storey dwelling.

5.0 Policy Context

5.1. Development Plan

5.1.1. Cork City Development Plan 2015-2021.

The site is zoned ZO 4 Residential, Local Services and Institutional Uses.

Chapter 16 of the plan relates to development management and outlines standards in relation to development.

Paragraph 16.72 specifically refers to residential extensions and paragraph 16.74 to family flats/granny flats.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The appellant Leslie-Ann Hayes with an address 24 Carrigeen Park in a submission dated the 1st of October 2018 refers to;

- Reference is made to inconsistencies in the drawings submitted.

- Reference is made to the initial and subsequent submissions and concern that the applicant will be able to build a new extension to the rear of the house which would be exempt if constructed with an area of less than 40m².
- No contiguous elevations were submitted as requested.
- Issues in relation to impact on day lighting are indicated.
- The development would be overdevelopment, would be visually obtrusive and out of character with the area.

6.1.2. The appellant Mary Waters with an address 25 Carrigeen Park in a submission dated the 1st of October 2018 refers to;

- Reference is made to inconsistencies in the drawings submitted.
- Reference is made to the initial and subsequent submissions and concern that the applicant will be able to build a new extension to the rear of the house which would be exempt if constructed with an area of less than 40m².
- No contiguous elevations were submitted as requested.
- Issues in relation to impact on day lighting are indicated given the appellant's small garden.
- The development would be overdevelopment, would be visually obtrusive and out of character with the area.

6.2. **First Party Response**

- The applicant in a submission dated the 25th of October 2018 refers to;
- The applicant has moved home to live with her elderly mother.
- The height of the garage is increased to comply with the building regulations.
- The increase of 600mm will have minimal impact on adjoining neighbours.
- It was no possible to provide a contiguous section of the adjoining properties as access was not permitted.
- Photographs indicate no impact to the appellants' properties.

6.3. **Planning Authority Response**

The planning authority in a response dated the 11th of October 2018 indicates that the planning reports address the concerns raised in the appeal.

7.0 **Assessment**

7.1. The proposed development as initially submitted provided for a single storied extension at the side and to rear of the original dwelling with a floor area of approximately 48m². A revised proposal was submitted with a reduced floor area of less than 20m². The revised proposal was submitted to address matters raised by the planning authority relating to internal connectivity between the existing dwelling and the proposed extension and in relation to issues raised by Irish Water regarding constructing over a sewer.

7.2. Principle of development.

The principle of the development which is an extension to the floor area of an existing dwelling is acceptable. The revised proposal as submitted addresses matters relating to whether it is an extension and integral to the existing dwelling rather than a separate dwelling unit and issues relating to the public sewer. In this regard I consider the amended proposal to be acceptable. For the purpose of this assessment I will address the revised proposal.

7.3. Matters raised in the appeal.

In relation to impact on adjoining properties raised by the third party appellants there is an existing boundary along the common boundary. It is not proposed to remove this boundary and the extension will be inside of the party wall on the applicants' site.

The proposed development will result in an increase in the height of the wall for approximately 8.5 metres by a height of over a metre, but the increased height is to north of the appellants' houses and rear gardens primarily along the boundary with 23 Carrigeen Park and no impact will arise in relation to loss of light. The boundary along site 24 Carrigeen Park will remain unaltered by the revised proposal.

Issues are raised in relation to future extensions in the context of the provisions of the planning regulations as they apply to extensions to dwellings. A further extension

in the future may occur but is not relevant to this appeal and I also do not consider it necessary or appropriate to de-exempt development on the site.

I do not consider that the development would be overdevelopment given the scale proposed and the site area available, I do not consider that the proposed development in particular the amended proposal would be visually obtrusive or would be out of character with the area.

7.4. Other matters

Appropriate Assessment

Having regard to the nature and scale of the proposed development and nature of the receiving environment together with 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.

EIAR Screening Determination

Based on a preliminary examination of the nature, size or location of the development there is no real likelihood of significant effects on the environment and EIA is not required.

8.0 Recommendation

8.1. I recommend that permission be granted.

9.0 Reasons and Considerations

Having regard to the nature of the proposed development; its location within an established residential area and the scale and nature of the development proposed it is considered that subject to it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience and 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 and as amended by the further plans and particulars submitted on the 15th day of August 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 external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. 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.

5. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

Derek Daly
Planning Inspector

3rd December 2018