



An
Bord
Pleanála

Inspector's Report ABP-302879-18

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| Development | Permission for the demolition of existing rear sun-room and construction of single storey extension to rear of semi-detached dwelling and associated site works. |
| Location | 20 The Heathers, Classes Lake, Coolroe, Ovens, Co. Cork. |
| Planning Authority | Cork County Council |
| Planning Authority Reg. Ref. | 18/06129 |
| Applicant(s) | Paul & Maeve Cotter |
| Type of Application | Permission |
| Planning Authority Decision | Grant |
| Type of Appeal | First Party |
| Appellant(s) | Paul & Maeve Cotter |
| Observer(s) | None |
| Date of Site Inspection | 16 th January, 2019 |
| Inspector | A. Considine |

Site Location and Description

The site the subject of this appeal is located within a large sub-urban housing estate to the west of Cork City, and on the western area of the Ballincollig district. The large estate comprises a number of residential areas and house types and the Heathers comprise two storey semi-detached houses located to the northern area of the wider Classes Lake development. The house overlooks an area of open space and wooded area with the River Lee beyond. The house lies in a north-south orientation with the rear garden facing south.

The site has a stated area of 0.027ha. The house has an existing stated floor area of 107.3m². The existing finishes on the house include brick to the northern elevation with marble chip render to the side and rear. The A roof has concrete roof tiles and uPVC windows.

On the date of my inspection, I could not gain access to the rear of the property. The appellant has submitted a number of photographs for reference.

Proposed Development

The application to Cork County Council was for the demolition of existing rear sun-room and construction of single storey extension to rear of semi-detached dwelling and associated site works all at 20 The Heathers, Classes Lake, Coolroe, Ovens, Co. Cork.

The proposed development seeks the demolition of the existing sun-room, with a stated floor area of 9.5m² and construct a single storey extension with a floor area of 31.5m². The proposed extension will house a dining room and a sunken garden room. The overall proposed height of the extension will rise to between 3.5 and 3.75m and will include a flat roof.

The proposed finish on the extension will include a smooth plaster finish, aluminium windows and doors with a mastic asphalt to the proposed flat roofs.

Planning Authority Decision

Decision

The Planning Authority, decided to grant planning permission for the proposed development, subject to 8 conditions. The Board will note the following condition:

2. The design of the proposed extension shall be amended in the following respects:

the length/depth of the extension (garden room element) shall be reduced by 1m from 5.6m to 4.6m when externally measured and there shall be no west facing windows on the western elevation of this part of the extension and before any development commences, or at the discretion of the Planning Authority, within such further period or periods of time may nominated in writing, revised drawings (plans and elevations including a western elevation) making provision for the above requirements shall be submitted to and agreed with the Planning Authority.

Reason: In the interests of visual amenity.

Planning Authority Reports

3.2.1. Planning Reports

The Planning Officers report formed the basis of the planning authoritys decision to grant permission. The report considered that the proposed extension would negatively impact on neighbouring properties by reason of the length of the extension and the height of the proposed chimney. It was concluded that these elements of the extension would be visually incongruous and overbearing when viewed from properties to the east and south. The report accepts that the proposed development is acceptable subject to compliance with a condition to reduce the length/depth of the extension. No Appropriate Assessment is included.

3.2.2. Other Technical Reports

Area Engineer: No objection subject to compliance with conditions.

Prescribed Bodies

None.

Third Party Observations

None.

Planning History

The following is the relevant planning history associated with the subject site:

11/4558: Permission granted permission for the construction of a single storey extension to the side of the existing semi-detached dwelling and associated site works

Adjacent site to west:

17/5004: Permission granted for the construction of a single storey extension to the rear and side of an existing two storey dwelling and all associated site works.

Policy Context

Development Plan:

- 5.1.1. The Cork County Development Plan, 2014 is relevant.
- 5.1.2. The site is located within an Existing Built Up Area within the Ballincollig Carrigaline Municipal District Local Area Plan 2017.

Natural Heritage Designations

The site is not located within any designated site. The closest Natura 2000 site are the Cork Harbour SPA (site code 004030) and the Great Island Chanel cSAC (site code 001058) which lie over 15km to the east of the site.

The Appeal

This is a first party appeal against the inclusion of condition no. 2 of the grant of permission.

Grounds of Appeal

The grounds of appeal are summarised as follows:

- The proposed development does not impact on neighbours.
- There is no overlooking of adjoining properties.
- The proposed extension is modest and the condition will reduced the area by 20%.
- There were no third party objections.
- The proposed development is consistent with the zoning objective for the site as identified in the LAP.

Planning Authority Response

The PA has not responded to this first party appeal.

Observations

None

Assessment

Having undertaken a site visit the Board will note that I could not gain access to the rear of the property. Having regard to the context of the subject site within a residential area, the nature and scale of the proposed development as well as the existing and permitted development in the area, I consider that the main issues arising can be assessed under the following headings:

1. Principle of the development
2. Condition 2 of Cork County Councils decision to grant permission.

3. Appropriate Assessment

Principle of Development:

The development before the Board provides for the demolition of the existing sun room to the rear of the house, and the construction of a single storey extension. The proposed development will result in the provision of a dining room and garden room with a stated floor area of 31.5m². I consider that the scale of the proposed extension is modest and if permitted, adequate private open space will be retained to serve the house. Having regard to the current residential use of the property, it is considered that the principle of the proposed residential extension is acceptable.

Condition 2 of Cork County Councils decision to grant permission.

7.2.1. Condition 2 of the Planning Authority's grant of permission states as follows:

2. The design of the proposed extension shall be amended in the following respects:

the length/depth of the extension (garden room element) shall be reduced by 1m from 5.6m to 4.6m when externally measured and there shall be no west facing windows on the western elevation of this part of the extension and before any development commences, or at the discretion of the Planning Authority, within such further period or periods of time may be nominated in writing, revised drawings (plans and elevations including a western elevation) making provision for the above requirements shall be submitted to and agreed with the Planning Authority.

Reason: In the interests of visual amenity.

The Planning Officer considered that the proposed extension would impact on the adjacent properties as it would extend beyond the existing extension of the house to the west, and as it would be higher, would potentially impact on the adjacent houses to the south and east by reason of being visually incongruous and overbearing.

7.2.2. I have considered the above assessment, together with the development as proposed and while I was unable to gain access to the rear of the property on the date of my inspection, the first party appellant has submitted photographs of the rear

of the property. There are also photographs available in the Planning Authority assessment. I would not consider that the development if permitted will have any significant impact on the existing amenities of the adjacent residences. The overall height of the proposed extension is comparable to both the sunroom to be removed to accommodate the proposed development as well as the permitted extension to the house to the west of the subject site.

- 7.2.3. I note no objections to the proposed development and am satisfied that the design is acceptable and appropriate to the subject site. Having regard to the existing boundaries of the site, I am generally satisfied that the development will have no impact in terms of overbearing or overlooking, and I would agree with the appellant that the scale of the extension is modest.

Appropriate Assessment

Having regard to the nature of the site, being a developed residential site, together with the minor nature and scale of the works proposed, 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.

Recommendation

I recommend that planning permission be granted for the proposed development for the following stated reasons.

Reasons and Considerations

Having regard to the provisions of the current Cork County Development Plan, 2015-2021, the existing established residential use, the pattern of existing and permitted development in the vicinity and having regard to the information submitted as part of the planning application together with the information submitted in the appeal, the Board is satisfied that, subject to compliance with the following conditions, the proposed development generally accords with the policy requirements of the relevant plans as it relates to residential extension, would be acceptable and would not injure the existing visual and residential amenities of properties in the vicinity of the site. It

is concluded that the development, would be acceptable in terms of the proper planning and sustainable development of the area.

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 13th day of August, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. 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.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, shall be erected on the site/within the rear garden area, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling.