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Bord  
Pleanála

## Inspector's Report ABP-303389-19

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<b>Development</b>	Construction of a single storey extension to side and rear of dwelling, alterations to all elevations and associated site works.
<b>Location</b>	No. 15 Rossbrook, Model Farm Road, Cork.
<b>Planning Authority</b>	Cork City Council.
<b>Planning Authority Reg. Ref.</b>	1838016.
<b>Applicants</b>	Michael Kelleher & Therese Archdeacon.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant with conditions.
<b>Type of Appeal</b>	Third Party.
<b>Appellant(s)</b>	Michael & Patricia O'Callaghan.
<b>Observers</b>	None.
<b>Date of Site Inspection</b>	27 <sup>th</sup> March 2019.
<b>Inspector</b>	Dáire McDevitt.

## **1.0 Site Location and Description**

1.1 No. 15 Rossbrook is a two-storey detached house within an established residential estate to the south of Model Farm Road on the west side of Cork City. The site is flanked by existing two-storey detached houses.

## **2.0 Proposed Development**

2.1 The proposed development would comprise the provision of a ground floor extension of c. 57sq.m to the side and rear of the existing c.146.1sq.m house and changes to elevations.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission granted subject to **6** standard conditions.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports** ( 5<sup>th</sup> October 2018 (FI recommendation countersigned by A/SEP 7<sup>th</sup> October 2018) 7<sup>th</sup> December 2018)

Following a request for Further Information relating to the nature of the extension and concerns raised in the submissions that it represented a separate residential unit/granny flat, along with design issues were addressed to the satisfaction of the area planner and a recommendation to grant permission issued.

The Planning Authority's recommendation to grant permission reflects the area planner's recommendation.

#### **3.2.2. Other Technical Reports**

**Drainage Section** (18<sup>th</sup> September 2018). No objection subject to conditions.

**Roads Design** (28<sup>th</sup> September 2018). No objection.

### **3.3. Prescribed Bodies**

**Irish Water** (24<sup>th</sup> September 2018). No objection to the proposal.

**The Health and Safety Authority** (18<sup>th</sup> September 2018) submitted that it did not advise against the granting of permission.

### **3.4 Submissions**

Issues raised are broadly in line with the grounds of appeal and shall be dealt with in more detail in the relevant section of this report.

## **4.0 Planning History**

**13/35531** refers to a grant of permission for alterations and attic conversion to existing garage.

## **5.0 Policy Context**

### **5.1. Cork City Development Plan 2015-2021**

The site is zoned 'ZO 4 Residential, Local Services and Institutional Uses' with the objective "to protect and provide for residential uses, local services, institutional uses, and civic uses ..."

Chapter 16. Part D refers to alterations and extensions to existing dwellings.

The Plan states that the design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight, daylight and privacy. The character and form of the existing building should be respected and external finishes and window types should match the existing.

Extensions should:

- Follow the pattern of the existing building as much as possible;
- Be constructed with similar finishes and with similar windows to the existing building so that they will integrate with it;
- Roof form should be compatible with the existing roof form and character

- Care should be taken to ensure that the extension does not overshadow windows, yards or gardens or have windows in flank walls which would reduce the privacy of adjoining properties.

## **5.2 Natural Heritage designations**

The nearest designated sites are Cork Harbour SPA (site code 004030) and Great Island Channel cSAC (site code 001058).

## **5.3 Environmental Impact Assessment Screening**

5.3.1 Having regard to the nature and scale of the development which consists of an extension to an existing dwelling in a built up suburban area there is no 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.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

A Third Party appeal was lodged by Michael & Patricia O'Callaghan, No. 14 Rossbrook, Model Farm Road, Cork, the grounds of appeal are summarised as follows:

- The applicants have not removed the external access door to the side extension and it resembles a separate dwelling unit/granny flat.
- Concerns that the extension could be used for commercial lettings.
- The extension, which due to its length and height would be visually overbearing when viewed from No. 14.
- Copy of the original submission to the Planning Authority included with the grounds of appeal. This raised amongst other matters overshadowing as a concern, impact on residential amenities and devaluation of property

## **6.2. Planning Authority Response**

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

## **6.3 Applicant's response to the Third Party Appeal.**

This is mainly in the form of a rebuttal. Points of note include:

- The applicant has reiterated that the extension would not be used a separate dwelling unit.
- The requirement for a separate access was chosen out of necessity due to the layout of the site.
- The proposal would not be visible from the public road.
- It would not detract from the amenities of the adjoining property.

## **7.0 Assessment**

The main issues in this appeal are those raised in the grounds of appeal. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of the development.
- Design & impact on residential amenities.
- Appropriate Assessment.

### **7.1 Principle of development.**

7.1.1 The appellants have raised concerns that the proposed extension resembles a separate residential unit that could be used for commercial lettings. They have argued that the nature of the extension, which consists of a bedroom and en-suite with a separate external access door lends itself to being used as a separate residential unit.

- 7.1.2 The site notices refer to an extension and the appeal before the board relates the development as described in the public notices on file. I am satisfied that the principle of a domestic extension is acceptable subject to the relevant development management requirements and standards.
- 7.1.3 The floor plans clearly show that the proposed extension is integrated with the main house. I note the applicant's argument on the need for a separate external access. In my view there is sufficient space along the side to the proposed extension to access the rear garden, shed etc and a condition should be attached requiring that the door to the front be omitted and replaced with a window which would assist in illuminating this area and address the perception of a second unit as raised by the appellants. In relation to the issue of occupancy, this can also be dealt with by condition in the event the Board considers granting permission.

## **7.2 Design & and impact on residential amenities**

- 7.2.1 Chapter 16, Part D of the City Development Plan refers to the criteria set out for domestic extensions, reference is made that extensions should follow the pattern of the main house, this does not however preclude contemporary extensions and require uniformity of design. The grounds of appeal included the appellant's original submission to the planning authority which clearly set out concerns that the extension would have an overbearing impact on their property, No. 14, to the north resulting in overshadowing and as a result have a detrimental impact on the residential amenities of this property.
- 7.2.2 The proposal is for a modest ground floor extension to the side and rear of the existing house. No. 15 to 12 have a staggered building line with no. 14 stepped back from No. 15. The extension is set back c.1m from the shared boundary with no. 14, and has an overall height of c. 3.2m (flat roof). I do not consider that the length and height of the extension or its projection beyond the rear building line of the adjoining property would be unduly dominant or result in an

obtrusive and overbearing development that would detract from the architectural grain of the area or detract from the residential amenities of No. 14.

7.2.3 The design consists of a contemporary style flat roof extension with a brick finish. I am of the view that the use of a contemporary design is appropriate, it provides a design that is of its time and clearly distinguishes itself from while also complimenting the main house. It is subservient in terms of height, scale and mass and the use of materials is considered acceptable.

7.2.4 The appellant has raised concerns relating to overshadowing. The appellant's house, No. 14, is located to the north of No. 15. I consider having regard to the relationship of the properties to each other and the orientation of the houses on site that the degree of overshadowing that would result from the proposal would be minimal and would not have a detrimental impact on the amenities of No. 14.

7.2.5 I, therefore, consider that the appeal should not be upheld and permission should be granted subject to modified conditions.

### **7.3 Appropriate Assessment**

7.3.1 Having regard to the nature of the proposed development and the location of the site in a fully serviced built up suburban area, 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.

## 8.0 Recommendation

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

## 9.0 Reasons and Considerations

Having regard to the form and character of the established dwelling on the site, to the design and scale of the proposed development, it is considered that the proposed development would not adversely impact on the visual amenity of the streetscape and would not detract from the residential amenities of adjoining properties and would otherwise be in accordance with the provisions of the current Cork City Development 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.

2. Prior to the commencement of development the applicant shall submit for the written agreement of the Planning Authority revised plans and particulars (to the appropriate scale) which clearly show the omission of a door to the front elevation of the extension and its replacement with a window.

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



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 and in the interest of residential amenity

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

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

5. 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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Dáire McDevitt  
Planning Inspector

1<sup>st</sup> April 2019