



An  
Bord  
Pleanála

# Inspector's Report

## ABP-304240-19

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|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Development</b>                  | Demolition of porch, garage and side and rear extensions and construction of new side and rear extensions, front porch, garden room and shed |
| <b>Location</b>                     | Oikeema, The Ridgeway,<br>Bishopstown Avenue, Cork                                                                                           |
| <b>Planning Authority</b>           | Cork City Council                                                                                                                            |
| <b>Planning Authority Reg. Ref.</b> | 18/38191                                                                                                                                     |
| <b>Applicant(s)</b>                 | Carla & Kevin McGrath                                                                                                                        |
| <b>Type of Application</b>          | Permission                                                                                                                                   |
| <b>Planning Authority Decision</b>  | Grant                                                                                                                                        |
| <b>Type of Appeal</b>               | Third Party                                                                                                                                  |
| <b>Appellant(s)</b>                 | Donal & Mary O'Grady<br>Brian Dennis & Others                                                                                                |
| <b>Observer(s)</b>                  | Anthony & Elizabeth Eiffe<br>Peter O'Herlihy<br>Kevin Dollard<br>Con & Joan Murphy                                                           |

Mary Riordan  
Caroline Williams  
Celine Buckley

**Date of Site Inspection**

25<sup>th</sup> July, 2019

**Inspector**

Kevin Moore

## **1.0 Site Location and Description**

- 1.1. 'Oikeema' is a four bedroom, two-storey, semi-detached house within 'The Ridgeway' residential estate in Bishopstown in Cork. It has an attached garage on its northern side and has front and rear gardens. There is an adjoining semi-detached house to the south (the observer Celine Buckley's property) and a detached house to the north (the appellants Donal and Mary O'Grady's property).
- 1.2. The Ridgeway comprises six detached houses and 14 semi-detached houses.

## **2.0 Proposed Development**

- 2.1. The proposed development would comprise the demolition of the existing front porch, attached garage, chimney and single-storey side and rear extensions to the existing house and the construction of new single-storey and two-storey side and rear extensions, a new front porch, a rear garden room and shed, and all associated site works.
- 2.2. Details submitted with the application included a Planning & Design Statement.
- 2.3. The proposed development was altered by way of further information, resulting in a reduction in the floor to ceiling height and depth of the office in the proposed single-storey extension to the north, a reduction in width of the master bedroom / en-suite in the proposed two-storey rear extension, and the omission of the proposed porch and single-storey extension to the front, replaced by a reinstated brick arch porch.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

On 25<sup>th</sup> March 2019, Cork City Council decided to grant permission for the proposed development subject to 11 conditions.

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

#### **3.2.1. Planning Reports**

In his first report, the Planner noted planning history of properties in the vicinity, development plan provisions, reports received and third party submissions made. The key issues were considered to be the impact of the development on the character of the dwelling, on residential amenity and on visual amenity. A request for further information was recommended, seeking a reduction in the height and depth of the proposed single-storey extension to the north, a reduction in width of the proposed two-storey rear extension, and omission of the proposed porch and single-storey extension to the front.

The Senior Executive Planner concurred with this recommendation.

Following the receipt of further information, the reports were as follows:

The Planner considered the response to the further information request to be acceptable and recommended that permission be granted subject to conditions.

The Senior Executive Planner concurred with this recommendation.

### 3.2.2. Other Technical Reports

The Roads Design Engineer had no objection to the proposal subject to conditions.

The Environment Waste Management & Control Section had no objection to the proposal subject to conditions.

The Drainage Engineer had no objection to the proposal subject to conditions.

### 3.3 Prescribed Bodies

Irish Water had no objection to the proposal.

### 3.4 Third Party Observations

Objections to the proposal were received from Peter O'Herlihy, Anthony and Elizabeth Eiffe, Con Murphy, Con and Joan Murphy, Mary Riordan, Donal and Mary O'Grady, Celine Buckley, Sheila Fitzpatrick, Caroline Williams, Brian Dennis and Veronica Kenneally, Betty Tyers, and Kevin Dollard. The grounds of the appeals and the observations reflect the range of concerns raised.

## 4.0 Planning History

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

## 5.0 Policy and Context

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

#### *Zoning*

The site is zoned 'Z04 Residential, Local Services and Institutional Uses' with the objective "To protect and provide for residential uses, local services, institutional uses, and civic uses, having regard to employment policies outlined in Chapter 3."

#### *Alterations to Existing Dwellings*

The design and layout of extensions to houses are required to 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. Traditional pitched roofs will generally be appropriate when visible from the public road. Given the high rainfall in Cork the traditional ridged roof is likely to cause fewer maintenance problems in the future than flat ones. High quality mono-pitch and flat-roof solutions will be considered appropriate providing they are of a high standard and employ appropriate detailing and materials;
- Dormer extensions should not obscure the main features of the existing roof, i.e. should not break the ridge or eaves lines of the roof. Box dormers will not be permitted where visible from a public area;
- Traditional style dormers should provide the design basis for new dormers;

- Front dormers should normally be set back at least three-tile courses from the eaves line and should be clad in a material matching the existing roof;
- 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. **Appropriate Assessment**

It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any designated European Site and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required.

## 5.3. **EIA Screening**

Having regard to the nature, size and location of the proposed development, there is no real likelihood of significant effects on the environment. No EIAR is required.

## 6.0 **The Appeals**

### 6.1. **Grounds of Appeals**

#### 6.1.1 The Appeal by Donal and Mary O'Grady

The appellants reside at the detached house immediately to the north of the appeal site. The grounds of the appeal may be summarised as follows:

- The proposal, due to its mass, bulk, height and scale will be overbearing when viewed from the appellants' house.
- The proposal will overshadow the appellants' house.
- The proposal will have an injurious impact on the use, enjoyment and residential amenities of the appellants' home.
- The proposal will result in a diminution in the value of the appellants' home.

- The injurious impacts have not been adequately assessed by the planning authority.
- The proposal will be contrary to the proper planning and sustainable development of the area.

The appeal included a report on the value of the appellants' property arising from the impact of the proposed development and a copy of the submission to the planning authority.

#### 6.1.2 The Appeal by Brian Dennis, Declan Conroy and Veronica Kenneally

The appellants are residents of The Ridgeway. The grounds of the appeal may be synthesised as follows:

- The proposed two-storey replacement of the single-storey extension will be visually obtrusive and out of character with other houses.
- The proposal will set an undesirable future precedent for the area, which would damage the overall amenity and character of this location.
- The proposal will greatly overshadow the house immediately to the north.

#### 6.2. **Applicant Response**

The applicants' response to the appeals may be synthesised as follows:

- Plans were presented to Donal and Mary O'Grady prior to submitting the planning application.
- The proposed extensions respond well to both the existing house and the neighbours.
- All design choices were highly considered.
- The applicants fully cooperated with Cork county Council in revising the drawings on two occasions, showing consideration towards neighbouring properties.

- The proposal improves and enhances the current situation and the house will be modernised throughout.
- There are already three two-storey side and rear extensions within The Ridgeway.
- It is contended that the property valuation is purely speculative and unfounded. The value could be increased based on the improvements.

### 6.3. Planning Authority Response

The planning authority submitted that it carried out its duties in terms of the provisions of the Planning and Development Act and Regulations and that its decision is consistent with the provisions of the Cork City Development Plan and the proper planning and sustainable development of the area.

### 6.4. **Observations**

The observers Anthony and Elizabeth Eiffe, Peter O’Herlihy, Kevin Dollard, Con and Joan Murphy, Mary Riordan, Caroline Williams, and Celine Buckley raise concerns relating to:

- The proposal being out of character with the area;
- Adverse impact on the neighbouring house to the north;
- Negative visual impact;
- Poor precedent; and
- Adverse impact on the neighbouring attached dwelling.

### 6.5. **Further Responses**

The appellants Donal and Mary O’Grady support the appeal submission by Brian Dennis, Declan Conroy and Veronica Kenneally.



## 7.0 Assessment

### 7.1. Introduction

7.1.1 I consider the principal planning issues relating to the proposed development are the impact on residential amenity, the impact on the character of the area, and the compatibility with development plan provisions.

### 7.2 Impact on Residential Amenity

7.2.1 The appellants Donal and Mary O'Grady have submitted that the proposal would be injurious to their amenities by way of the proposed extension being overbearing and resulting in overshadowing of their property.

7.2.2 I first note that the proposed development has been designed such that there would be no overlooking of the neighbouring properties. The provision of openings on the gable elevation would comprise a door to the utility at ground floor level and an ensuite window at first floor level, which would be glazed in frosted glazing. Having regard to this, it is clear that the proposed development would not result in any loss of privacy for the neighbouring property to the north.

7.2.3 With regard to the issue of overshadowing, I first acknowledge that the applicants' house lies immediately south of the house of the appellants' Donal and Mary O'Grady. The Board will also note that the building line of the appellants' house lies forward of that of the applicants' house. The applicants propose to increase the depth of their house by approximately 4.5 metres to the rear. Having regard to the orientation of the established two-storey house to the south of the appellants' property, to the established boundary between these two properties comprising high timber fencing and a high hedgerow, and to the proposed recessed form of the new two-storey component to the rear of the house, I submit to the Board that the proposed development would not result in any significant additional overshadowing of the property to the north to warrant a refusal of permission on this issue. While there would be potential for a very marginal increase in overshadowing of a small section of garden for short periods during parts of the day in the summer, this could in no way be construed as being substantial in light of the relationship between the structures that already exists.

7.2.4 Regarding the issue of overbearing impact, I note once again that the applicants propose to extend the depth of the existing house by approximately 4.5 metres. The existing gable wall facing the appellants' property is approximately 9 metres in length. The nearest section of the building is single-storey, with the two-storey gable recessed approximately 2.8 metres. The proposal has been designed to introduce a two-storey component to the front, which does not project behind the rear building line of the neighbouring house to the north. It otherwise maintains a two-storey section that would be recessed behind this, which is reasonably reflective of the character of the development that exists at present. Thus, what can be understood as introducing a new element of overbearing impact would be the new recessed component, which would be set back almost 3.5 metres from the flank boundary of the site. While I note that there would be a difference in ground levels between the properties of just over a metre, to suggest that the proposed extension would cause any significant overbearing impact, in light of the separation distance involved, the recessed nature of the extended area perceived as affecting the property to the north, and the existence of the established high boundary between the two properties, I must submit that such an impact could not be construed as significant.

7.2.5 Overall, I must conclude that the proposed extension forms a reasonable addition to the existing house and has clearly been designed with due regard to addressing any potential adverse impacts it may have had on the neighbouring property to the north.

7.2.6 With regard to any impact on the abutting house to the south, it is evident that the proposed extension would have no adverse impacts on the residential amenity of that property. I further note the design, siting and layout of the proposed shed and garden room and it is again evident that this would not introduce any additional concerns about potential adverse impacts on the neighbouring properties north or south of this site.

### 7.3 Impact on the Character of the Area

7.3.1 The proposed extension is wholly compatible in design terms with the character of the existing house. Fenestration, finishes and the reintroduction of the compatible porch would ensure that the extension is fully integrated with the character of the

existing house and would be compatible with the character of the estate when viewed from the public realm.

7.3.2 It is important to note that the existing house on this site is at the northern end of the run of semi-detached houses in The Ridegway and that it adjoins a two-storey detached house to the north which is different itself in design terms. The proposed extension would be added to the northern side of the house and thus could not truly be seen to interfere with the character of the semi-detached houses that exist to the south. This context would ensure that the proposed development would not disturb the general consistency of character of development within the estate. Flanked between two-storey houses, the proposed development would not form any obtrusive development in isolation. Further to this I note that other development has taken place within the estate and it is particularly relevant to note that one of the existing semi-detached houses, 'Glencorn', located to the south-west, has a large two-storey extension to its north-west side. Overall, the proposal does not reasonably warrant a refusal of permission based on any perceived undermining of the character of the existing estate.

#### 7.4 The Development in the Context of Development Plan Provisions

7.4.1 I first note that the site is zoned for residential purposes and the proposed extension to a residential property would be acceptable in principle.

7.4.2 With regard to meeting with the requirements of the Development Plan relating to extensions, I first note that the proposed extension has been designed to address any potential adverse impacts on neighbouring properties and would not have adverse impacts on the amenities of other residents. Secondly, it is clear that the character and form of the existing house has been respected in design terms and that, roof form, external finishes and window types reflect the existing property. Therefore, the extension would follow the pattern of the existing building. Furthermore, it is evident that the recessed nature of the extension and the reduced overall height it presents to the streetscape ensures that this new component presents itself as subservient to the main building.

7.4.3 Overall, it may reasonably be concluded that the proposed extensions meet with the provisions of the Cork City Development Plan in relation to extensions to existing houses.

## 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, it is considered that the proposed development would not adversely impact on the visual amenity of the streetscape or the residential amenities of adjoining properties by way of overlooking, overshadowing and overbearing impact, 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, as amended by the further drawings and details submitted to the planning authority on the 5<sup>th</sup> March, 2019, 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 extensions shall be agreed in writing with the planning authority prior to the commencement of development.

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

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

29<sup>th</sup> July 2019