



An
Bord
Pleanála

Inspector's Report 307301-20

Development	Construct roof dormer window to front elevation
Location	3 Arundel Villas, Old Blackrock Road, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	20/39059
Applicant(s)	Alison Burns
Type of Application	Planning permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Fergus O'Regan & Lizanne Kelly
Observer(s)	None
Date of Site Inspection	31 st July 2020
Inspector	Mary Kennelly

1.0 Site Location and Description

- 1.1. The site is located in a short cul-de-sac off Old Blackrock Road to the south of Cork City Centre. It is an established residential area. The cul-de-sac contains two short terraces of four houses each, Arundel Villas and Arundel Terrace, which front onto a private lane, which is at right-angles to the public street. A housing development comprising of apartments and housing units, Rochelle Court, is located on the opposite side of Old Blackrock Road. A terrace of three houses, Rockboro Terrace, is located immediately to the west and fronts directly onto Old Blackrock Road.
- 1.2. The site area is given as 0.0112ha. The property is a 2-storey house in the middle of the terrace. The appellant's property is immediately to the north and forms the end of the terrace. The floor area of the existing house is given as 128.87 sq.m. Each of the terraced properties has a small front and rear garden.

2.0 Proposed Development

- 2.1. It is proposed to construct a roof dormer window on the front elevation. The area of the proposed dormer is given as 2.6sq.m. The proposed dormer would be 1700mm wide with a pitched roof of slate to match the main roof. The front of the dormer would accommodate a upvc window to match the existing windows in the house and the remainder of the front elevation of the dormer would have a smooth plaster finish. The dormer would be placed above the eaves line and would be 635mm below the ridge line.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission subject to 2 conditions. These were generally of a standard type. Condition 2 required external finishes and materials to be in accordance with the submitted drawings. No development contribution was required.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report noted the submission from the appellant which related to overshadowing, loss of privacy and the dormer being out of character with the existing dwellings in the area. Reference was made to previous planning history on nearby sites, which related inter alia, to permission for the domestic extensions, many of which included dormer extensions. Reference was made to Paragraph 16.72 of the City Development Plan which requires that dormer extensions do not obscure the main features of the existing roof.

It was noted that the site is not located within an ACA but that the adjacent terrace to the north is on the NIAH list. It was further noted that these properties have dormer windows on both the front and the rear. It was considered that the proposed dormer, which is set back from both the eaves line and the ridge line, respects the scale and character of the existing dwelling and would not give rise to injury to visual impact on the streetscape. Given the location of the dormer on the roof, it was not considered that it would result in overlooking or overshadowing of neighbouring properties.

3.2.2. Other Technical Reports

Roads Design – no objection.

3.3. Prescribed Bodies

Health and Safety Authority (25/02/20) – site is within the zone of a SEVESO site, which is covered by Regulation 24(2)(c) of S.I. 209 od 2015 (COMAH Risk Based Land Use Planning). However, the HSA does not advise against the granting of planning permission in the context of Major Accident Hazards.

3.4. Third party observations

The observation from the appellant is generally similar to the grounds of appeal. Issues raised principally related to overlooking and loss of privacy and to the adverse impact that the dormer would have on the character and appearance of the terrace of 1930s villas and the streetscape.

4.0 Planning History

4.1. There is no planning history relating to the site. However, planning permission has been granted for similar developments in the vicinity, mainly at Rockboro Terrace, which is located immediately to the west of Arundel Villas on Old Blackrock Road, with just one extension being granted at Arundel Villas. The following planning decisions referred to in the Planner's Report are relevant.

TP 17/37591 – No. 1 Rockboro Terrace - Permission granted for a dormer extension as part of a larger extension involving a single-storey and first-floor extension at the rear. The proposed dormer was on the rear roof slope which faces north over a long private garden. It was described as being

TP 11/34811 – No. 2 Rockboro Terrace - Permission granted for dormer at rear and velux at front as part of attic conversion and extension. Permission had previously been granted (01/24962) for an attic conversion and dormer. The recently permitted dormer was reduced by condition to 1.5m width.

TP 09/33773 – No. 3 Rockboro Terrace - Permission granted for dormer at rear which was reduced by condition to 1.5m in width. This formed part of a larger extension of the dwelling.

TP 05/29742 – No. 1 Arundel Villas – Permission granted to demolish flat roof garage and outbuildings and to erect a single-storey extension to side of dwelling house.

5.0 Policy Context

5.1. Cork City Development Plan 2015-2021

5.1.1. The site is zoned **ZO 3 Inner City Residential Neighbourhoods**, the objective for which is to reinforce the residential character of inner-city residential neighbourhoods, while supporting the provision and retention of local services and civic and institutional functions.

5.1.2. Chapter 16 contains Development Management Standards. **Extensions and alterations to dwellings** – The following extracts from the policy are considered relevant:

16.72 The design and layout of extensions 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 they can integrate with it.
- Roof form should be compatible with the existing roof form and character. Traditional pitched roofs shall generally be appropriate when visible from the public road. High quality mono-pitched and flat roof solutions will be considered appropriate providing that 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 the 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. Natural Heritage Designations

Great Island Channel SAC (001058) and Cork Harbour SPA (004030) lie approx. 2.5km to 8km to the south east.

6.0 The Appeal

6.1. Grounds of Appeal

The third-party appeal was submitted by neighbouring residents to the north, at No. 4 Arundel Villas. The main points raised may be summarised as follows:

- **Impact on Visual Amenity** - The proposed dormer extension will not be in keeping with the style of the other three houses that make up the terrace, Arundel Villas. It will detract from the attractive appearance of this small unique community of four terraced houses (photographs enclosed). It will cause an imbalance in the terrace and will be visually prominent, thereby giving rise to an eyesore. It will also adversely affect the appearance of the 1930's terrace to the north, Arundel Terrace.
- **Materials and finishes** – it will not be possible to comply with P.A. Condition 2 to match the existing slates due to the age and type of property. Any deviation from the existing materials will detract from the aesthetic beauty of the small terrace.
- **Dormers at Arundel Terrace are not comparable**- Arundel Terrace is in no way similar to Arundel Villas as they are much larger, 3-storey red-brick dwellings from the 1860s. The front dormers on this terrace cannot be easily seen from ground level on approach. The fact that all four houses in this terrace have similar dormers provides a sense of uniformity in appearance, unlike the proposed development.
- **Relevant history** – All of the planning history quoted in the planner's report relates to rear dormer extensions, not at the front, and for the most part, are not adjoining the subject site. Thus, there is no precedent in the vicinity.
- **Residential amenity** - The roof of the dormer to the front will overlook and reduce the privacy of surrounding properties. Height and scale will devalue the adjoining property. The Area Planner's view that the proposal would not impact on daylight, sunlight, outlook and privacy is disputed. The front dormer window will overlook the adjoining front gardens and the rear gardens of Cloncorban, Hillcrest and Blackrock Court.

6.2. Planning Authority Response

The P.A. responded to the grounds of appeal on the 19th June 2020. It was stated that the decision was consistent with the provisions of the City Development Plan and it has no further comments to make.

6.3. First party response to grounds of appeal

The first party's architect responded to the grounds of appeal on the 1st of July 2020. The response was mainly in the form of a rebuttal of the grounds of appeal. Photographs have been included with the submission. However, the following points are noted:

- **Visual amenity** - It is submitted that the appeal site (No. 3) has the most original appearance as both No. 1 has a large side extension, No. 2 and No. 4 have had external insulation applied, and No. 4 has a raised roof over the bay window and the white upvc windows have been replaced with brown windows.
- **Materials and finishes** - it is stated that roof tiles to match original have already been sourced for this project.
- **Overlooking and overshadowing** - The existing windows on Arundel Villas face in the same direction as the proposed dormer and will not, therefore, result in any additional overlooking. The orientation of the properties is East-West and the dormer would not, therefore, give rise to any overshadowing or loss of sunlight. It should be noted that no other local residents objected to the proposed development.

7.0 Assessment

It is considered that the main issues arising from the appeal are as follows:-

- Impact on visual amenity
- Impact on residential amenity

7.1. Impact on visual amenity

- 7.1.1.** The appellants have raised concerns about the impact of the proposed dormer on the character and appearance of the terrace within which the site falls and on the more historic terrace to the north, which is listed on the NIAH. They are concerned that it would introduce a new feature which would create a sense of imbalance and would be visually obtrusive, and they consider that there are no precedents in the vicinity. The first party, however, has pointed out that the character of the terrace is not as uniform and unchanged as the appellants claim, as the external appearance of all but the appeal property has been altered.
- 7.1.2.** The development comprising Arundel Villas and Arundel Terrace is unusual in that the short terraces are oriented at right angles to the street (Old Blackrock Road) and accessed by means of a narrow private lane. The houses all front onto this lane, which is effectively a pedestrian pathway with mature hedges on the opposite side of the lane, which form the side boundary of the residential property immediately to the east. The two terraces are also unusual in that they have shallow front and rear gardens, whereas the properties at Rockboro Terrace to the immediate west have the benefit of long narrow rear gardens.
- 7.1.3.** In light of the foregoing, it is considered that the impact on the character of the streetscape of Old Blackrock Road is very limited, as the terraces are not particularly visible from the street. Furthermore, the character of this part of Old Blackrock Road is varied and is dominated to a considerable extent by the large apartment complex on the southern side of the road. In terms of the potential impact on the character of the NIAH listed terrace, it is considered that Arundel Terrace, being older, taller and comprising a red-brick terrace, is quite visually distinct from Arundel Villas. As such, the visual impact of the proposed development on this terrace would be minimal.
- 7.1.4.** I would agree with the first party that the Arundel Villas terrace is not uniform in appearance, particularly in respect of the alterations to the windows that have been carried out. Notwithstanding this, the introduction of a dormer on the front roof slope would alter the roofscape of the terrace further. However, the introduction of a dormer window to facilitate additional space within a small terraced house is not unusual and is provided for in the Development Plan. It is noted that the proposed dormer seems to comply with the guidance in the Plan (16.72) in that –

- It does not obscure the main features of the existing roof by reason of its relatively small scale and the fact that it does not break the ridge line or the eaves line.
- It is of a traditional design which is slender and has a pitched roof.
- It is set back from the eaves line and will be clad in material which will match the existing roof.

7.1.5. It is considered, therefore, that the proposed dormer, by reason of its scale and design, would not detract from the character of the terrace and would not injure the visual amenities of the area.

7.2. Residential Amenity

7.2.1. The concerns raised by the appellants related principally to overlooking and loss of privacy to their front garden and to the rear gardens of properties to the east of the lane, and to loss of outlook, daylight and sunlight.

7.2.2. The layout of the terrace with the shallow rear gardens which back onto the long rear gardens of Rockboro Terrace, means that had the proposed dormer been located on the rear roof slope, it is likely that it may well result in overlooking of adjoining properties. However, the siting of the window on the front roof slope, with the same angle of view as the front windows along the terrace, means that there would be little, if any, increase in the extent that the spaces to the front would be overlooked. Within the terrace itself, these spaces are not private enclosed spaces, but are traditional front gardens, and hence less sensitive. The property to the east has a mature hedge along the side boundary with the lane which provides an effective privacy screen. The proposed dormer would not, therefore, result in any undue loss of privacy to adjoining properties.

7.2.3. The proposed dormer is sited on the eastern roof slope. However, due to its relatively modest scale, any shadow is likely to fall primarily on the roof-slope of the terrace. There may be some additional shadow cast over part of the front garden to the north, but this is likely to be of short duration in the evening time and limited to certain times of the year. It is considered that the proposed dormer would not result in undue loss of amenity by reason of loss of daylight, sunlight or outlook.

7.3. Environmental Impact Assessment

Having regard to the nature, size and location of the proposed development, 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.

7.4. Appropriate Assessment

Great Island Channel SAC (001058) and Cork Harbour SPA (004030) lie approx. 8km and 2.5km respectively to the east/southeast. There are no known hydrological links to the protected sites. Given the scale and nature of the development, the distances involved, that the site is located in an established urban area, on serviced lands, it is considered that no appropriate assessment issues are likely to arise.

8.0 Recommendation

8.1 It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

9.0 Reasons and Considerations

9.1. Having regard to the policies and objectives as set out in the Cork City Development Plan 2015-2021, to the scale and nature of the proposed development and to the nature and character of the surrounding environment, it is considered that subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location and would not seriously injure the amenities of the area. 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. The existing finishes of the proposed dormer extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

Mary Kennelly
Senior Planning Inspector

27th August 2020