



An  
Bord  
Pleanála

## Inspector's Report ABP-308089-20

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<b>Development</b>	Alterations and extension to house
<b>Location</b>	'Innisfáil', Endsleigh Park, Douglas Road, Cork
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	20/39230
<b>Applicant(s)</b>	Brian McCarthy
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Mary Cagney
<b>Date of Site Inspection</b>	10 <sup>th</sup> November, 2020
<b>Inspector</b>	Kevin Moore

## **1.0 Site Location and Description**

- 1.1. 'Innisfail' consists of a detached two-storey house in the established residential estate of Endsleigh in Douglas in Cork City. The house has direct access onto Douglas Road. It is set back from the road, has front and back gardens and the curtilage provides for off-street parking. There is a domestic garage to the rear of the house. The property is bounded to the north-west and south-east by two-storey houses.

## **2.0 Proposed Development**

- 2.1. The proposed development would comprise alterations and extensions to the existing house in the form of two-storey extensions to the side and rear, alterations to the main roof, external insulation, and elevational changes which include a canopy at the front entrance. The proposed works would provide for an additional 7.16 square metres of floor area in the house. The development would provide for a new kitchen and dining area at ground floor level and a revised and extended first floor providing for a master bedroom to the rear.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

On 12<sup>th</sup> August 2020, Cork City Council decided to grant permission for the proposed development subject to 6 conditions.

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

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

The Planner noted development plan provisions, reports received and a third party submission. It was submitted that the scale of the development proposed was acceptable if residential amenities of neighbouring properties are respected. Some concern was raised in relation to the removal of decorative plastering on the front elevation and the creation of two gable walls to the side elevations. It was further submitted that the side extension would negatively impact on the current levels of

daylight, sunlight and outlook of the adjoining property. There was no concern relating to overlooking. There were further concerns that the removal of the hipped roof would result in additional overshadowing of neighbouring properties. It was considered that the two-storey element of the proposal should be reduced and that a shadow impact assessment be sought. Further information was recommended.

The Senior Executive Planner concurred with the Planner's recommendation.

### 3.2.2. Other Technical Reports

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

The Technician addressing the matter of contributions had no objection to the proposal subject to the attachment of a condition.

### 3.3. **Third Party Observations**

An objection to the proposal was received from Mary Cagney. The grounds of the appeal reflect the principal concerns raised.

### 3.4. **Prescribed Bodies**

Irish Water had no objection to the proposal.

3.5 On 14<sup>th</sup> July 2020, a request for further information was sought and a response to this request was received on 4<sup>th</sup> August 2020. This included revised proposals that reduced the scale of the development and provided for a hipped roof. A shadow study was also included.

3.6 Following this submission, the Planner noted the revisions and submitted that the extension would not unduly overshadow or cause loss of light to adjacent dwellings. A grant of permission subject to a schedule of conditions was recommended.

## 4.0 **Planning History**

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

## 5.0 Policy Context

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

#### Zoning

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".

#### Extensions and Alterations to 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 are required to be respected and external finishes and window types are required to match the existing.

Extensions are required to include the following:

- 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.
- 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

Having regard to the nature, scale, and location of the proposed development, the nature of the receiving environment, and proximity to the nearest European sites (Cork Harbour SPA and the Great Island Channel cSAC), it is concluded that no Appropriate Assessment issues arise as the proposed development would not be

likely to have a significant effect individually or in combination with other plans or projects on a European site.

### 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 Appeal

### 6.1. Grounds of Appeal

The appellant resides in the adjoining property to the south-east of the site. The grounds of the appeal may be summarised as follows:

- The windows facing the appellant's house in the front and on the side wall will greatly diminish privacy in the house and garden.
- The applicant's shadow analysis is not accepted as it comprises the views of a vested interest.
- The development up to the boundary wall will lead to a serious loss of light and brightness in the appellant's adjacent rooms.
- The application has no exact specifications of window size, no proper explanation of room usage, and no exact details of wall finish.
- The works will possibly lead to encroachment on the appellant's property.
- The plans for two doors to the front would indicate that the dwelling may not be used as a single dwelling.
- There is lack of detail in relation to drainage.
- All but one house in the estate have extensions and these are to the rear and in keeping with the character of the other houses. It would be more appropriate if the proposed extension was to the back where there is ample space.

## 6.2. Applicant Response

The response to the appeal may be summarised as follows:

- All three windows facing the appellant's property will be on the ground floor. There is a large boundary wall between the properties and there will be no view of the neighbouring property. No overlooking will occur.
- The site is to the north-west of the appellant's property and the proposed development could only offer the most minor of effects on direct sunlight.
- The extension was designed as close as possible to match the existing single-storey extension to the rear of No. 14 so as not to cause any additional shadowing to the appellant's garden. The removal of existing large trees in the back garden will mean an improvement to natural light.
- Regarding the use of the building as a separate property, the door will be a back door access to the utility room.

## 6.3. Planning Authority Response

The planning authority submitted that its decision is consistent with the provisions of the City Development Plan and with the proper planning and sustainable development of the area.

## 7.0 Assessment

- 7.1. The appeal relates principally to the impacts of the proposed development on the appellant's residential amenities and this assessment will focus primarily on the relevant issues. I will also address any outstanding procedural issues raised.
- 7.2. The proposed development would provide a small window to a utility room at ground floor on the south-east gable and there would be no windows at first floor level on this gable. There is an established block wall forming the boundary between the site and the appellant's property. There would not be any concern about impacts of overlooking and invasion of privacy arising from this proposal.

- 7.3. The appellant's property is located to the south-east of the appeal site. A shadow analysis was undertaken and was submitted by way of further information to the planning authority. The appellant's house is flanked by existing two-storey houses. Having regard to the orientation of properties and the location and layout of the proposed development, it can reasonably be ascertained that the proposed extension will have a marginal and relatively insignificant impact on the appellant's property by way of overshadowing. Daylight to the appellant's existing window on the north-west elevation of that house will not be substantially compromised.
- 7.4. With regard to the general issue arising from impact of and on windows, I also make the observation that the existing house on the site has no windows on the south-east gable and the proposal provides a small window serving a utility room while the appellant's house has two windows at ground floor level facing the applicant's property on the north-west gable.
- 7.5. The proposed development would be undertaken wholly within the confines of the site. While it is understood that the extension would be provided close to the boundary between the site and the appellant's property, there is no reason to determine that there would be any concerns relating to encroachment on the appellant's property.
- 7.6. The proposed development presents itself as an extension to a house. The provision of an access into the property via a utility room does not raise any concerns that the proposed development seeks to be used as more than a single dwelling. The internal layout ably demonstrates that the house is intended to remain as a single dwelling unit.
- 7.7. I note the concerns raised about the lack of drainage details. The application form submitted with the planning application clearly states that the site would be served by the existing public sewer and existing public surface water drainage system. I also note that the planning authority's Drainage Engineer reported on this application and had no objection to the proposal.
- 7.8. The existing house at this location fronts onto Douglas Road. There is a wide variety of house types, many of which have been extended in many different ways. The Board will note that the house types and those with extensions even in the immediate vicinity of this site vary substantially. There is no concern relating to any

incongruity the proposed development would have with the prevailing pattern of development at this location.

- 7.9. I note that the drawings and details submitted with the planning application are in keeping with the requirements of articles 22 and 23 of the Planning and Development regulations 2001 (as amended). Adequate dimensions, specifications and other details are provided to gauge a clear understanding of intended room usage, finishes, window and other opening sizes.
- 7.10. Finally, I note the provisions of Cork City Development Plan 2015-2021 as they relate to extensions and alterations to dwellings. The design of the proposed alterations and extensions has had due regard to the amenities of adjoining properties. The character and form of the existing dwelling on the site is respected and the external finishes, roof form and windows openings are compatible with the existing dwelling. The proposed development is, therefore, in keeping with the Development Plan provisions.

## **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 design, character and layout of the proposed development, it is considered that the proposed development would not adversely impact on the residential amenities of adjoining properties, would be consistent with the provisions of the Cork City Development Plan, and would otherwise 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 4<sup>th</sup> August, 2020, 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 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

18<sup>th</sup> November 2020