



An
Bord
Pleanála

Inspector's Report

ABP-308766-20

Development	Permission for the erection of railings to their front boundary wall.
Location	15 Reendowney Place , Ballyphehane, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2039522
Applicant(s)	William & Francis McCormack.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	William & Francis McCormack
Observer(s)	None.
Date of Site Inspection	4 th February 2021.
Inspector	Bríd Maxwell

1.0 Site Location and Description

- 1.1. This appeal relates an established dwelling, 15 Reendowney Place located at Ballyphehane, a residential area circa 1km south of Cork City Centre. Reendowney Place comprises a mix of terraced and semi-detached properties arranged around a central open space. No 15 comprises a mid terraced two storey property. The area to the front of the property is laid with concrete hard surfacing to provide for vehicular parking. The front boundaries are currently defined by a 1.1m high boundary walls with metal gates to vehicular entrance.

2.0 Proposed Development

- 2.1. The application as set out in public notices involve the erection of railing to front boundary walls. The drawings outline a proposed decorative railing to be mechanically fixed to the top of the walls to the front and side (common) boundaries of the dwelling site.

3.0 Planning Authority Decision

3.1. Decision

By order dated 29th October 2020 Cork City Council issued notification of its decision to refuse permission for the following reason.

The proposed railings on top of the existing front garden walls would be out of character with the surrounding area, would seriously injure the amenities of the property in the vicinity and would set an undesirable precedent for similar development. The proposed development therefore, would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planner's report considers the proposed aluminium decorative railings and raising of height to 1.65m would be uncharacteristic of the area and would detract visually from the amenities of the area.

3.2.2. Other Technical Reports

Executive Technician. Community Culture and Placemaking – No objection. No contributions.

3.3. Prescribed Bodies

Irish Water no objection.

3.4. Third Party Observations

None

4.0 Planning History

I am not advised of any planning history on the appeal site.

5.0 Policy Context

5.1. Development Plan

The Cork County

The site is within an area zoned Z-04 Residential, Local Services and Institutional uses.

Section 16.73 Paragraph 16.73 deals with residential entrances / Parking in Front Gardens. *“The cumulative effect of removal of front garden walls and railings damages the character and appearance of suburban streets and roads.*

Consequently, proposals for off street parking need to be balanced against loss of amenity. The removal of front garden walls and railings will not generally be permitted where they have a negative impact on the character of streetscapes (e.g. in Architectural Conservation Areas, Street Improvement Areas and other areas of architectural and historic character) or on the building itself e.g. a protected structure etc. Consideration will be given to the effect of parking on traffic flows, pedestrian and cyclist safety, and traffic generation. Where permitted, “driveins” should:

- *Not have outward opening gates;*
- *Have a vehicular entrance not wider than 3m;*
- *In general, have a vehicle entrance not wider than 50 per cent of the width of the front boundary;*
- *Have an area of hard-standing (parking space of 2.5m x 5m);*
- *Inward-opening gates should be provided. Where space is restricted, the gates could slide behind a wall. Gates should not open outwards over public footpath/roadway;*
- *Suitably landscape the balance of the space;*
- *Other walls, gates, railing to be made good.”*

5.2. Natural Heritage Designations

The site is not within a designated area. The nearest such sites are

Cork Harbour SPA (Site Code 004030)

Great Island Channel cSAC (Site Code 001058)

5.3. EIA Screening

- 5.3.1 On the issue of Environmental Impact Assessment screening having regard to the limited nature and scale of the development and nature of the receiving environment no likelihood of significant effects on the environment arises from the development. The need for environmental impact assessment can, therefore, be excluded.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are summarised as follows:

- Applicants have lived at this property for over 40 years.

- Applicant is open to an alternative suggestion to the galvanised railing and / or reduction of the height.
- Proposed railing installation to the wall is to avoid /prevent youths congregating on the wall.

6.2. **Planning Authority Response**

The Planning Authority did not respond to the grounds of appeal.

6.3. **Observations**

None

7.0 **Assessment**

- 7.1 I note that whilst the boundaries to front gardens within this well-established residential area have been variously altered to accommodate driveins the general character is of permeable low walling and railings. The current proposal seeks to alter this and to provide for a total boundary height of 1.65m both to the front and side boundaries. The applicant outlines that the proposed railings are intended to prevent youths from congregating on the walls. I note that the applicant has not demonstrated the agreement of the adjoining property owners in respect of the proposed common boundary walls however in any event I would concur with the City Council planner that the proposal would be visually out of character and would set an undesirable precedent for similar such development. On this basis I consider that refusal is warranted.
- 7.2 As regards the issue of Appropriate Assessment, having regard to the nature of the proposed development together with separation distance from any designated European Site and having regard to the source pathway receptor model, it is not

considered that the proposed development is likely to have significant effect either individually or in combination with other plans or projects on a European Site.

8 Recommendation

I have read the submissions on the file, visited the site, had due regard to the development plan and all other matters arising. I recommend that permission is refused for the following reason.

Reasons and Considerations

The proposed development would be out of character with the surrounding streetscape and would set an undesirable precedent for similar future development in the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Bríd Maxwell
Planning Inspector

5th February 2021