



An  
Bord  
Pleanála

## Inspector's Report ABP-310117-21

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<b>Development</b>	Construction of first floor extension to an existing bedroom and retention of porch extension to the front of the dwelling house.
<b>Location</b>	91 Rossbrook, Model farm Road, Cork
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	21/39910
<b>Applicant(s)</b>	Padraig & Eibhlinn Varian
<b>Type of Application</b>	Permission & permission for retention
<b>Planning Authority Decision</b>	Grant, subject to 6 conditions
<b>Type of Appeal</b>	Third Party -v- Decision
<b>Appellant(s)</b>	Denis & Maeve Minihane
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	15 <sup>th</sup> July 2021
<b>Inspector</b>	Hugh D. Morrison

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## 1.0 Site Location and Description

- 1.1. The site is located towards the south-western corner of the Rossbrook housing estate, which is accessed off the southern side of New Model Farm Road (R608), at a point close to the western edge of Cork City. This estate is composed of two-storey detached dwelling houses with front and rear gardens.
- 1.2. The site itself is of rectangular shape, and it extends over an area of 0.04 hectares. This site accommodates a two-storey, five-bed, detached dwelling house (186 sqm), which faces north/south. The main body of this dwelling house is of rectangular form under a double pitched roof. It is accompanied on its western side by a subsidiary element that comprises a ground floor with a first floor over that presents to the front as being in the roof space and which is served by a dormer window. The double roof over this element is asymmetric, i.e. the long front roof plane extends beyond the building line of the front elevation of the main body of the dwelling house and the short rear roof plane is continuous with the rear roof plane of the main body. To the front, the projecting element laps around the main body to provide what is now a gable featured front porch, and to the rear a lean-to single storey element projects into the rear garden.

## 2.0 Proposed Development

- 2.1. The proposal would entail the following two elements:
  - The retention of the front extension (2.488m x 1.2m) to the ground floor porch, and
  - The proposed first floor front/side extension (2.391m x 2.6m) which would replace the existing long front roof plane with a conventional first floor under a fully hipped gabled roof end and projecting front gabled feature. This extension would enlarge the existing fifth bedroom and facilitate the installation of an en-suite.
- 2.2. Together the two extensions would add c. 9 sqm to the floorspace of the dwelling house.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission granted subject to 6 conditions, including one that requires the proposed first floor window to be respecified to match the existing first floor windows in the front elevation of the dwelling house.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

Previous proposal discussed and the differences between it and the current one are highlighted.

#### 3.2.2. Other Technical Reports

- Irish Water: No objection + standard notes
- Cork City Council:
  - Contributions: No objection.
  - Drainage: No objection, subject to a condition.

## 4.0 Planning History

### Site

- 13/35851: Construction of ground floor extensions to the existing porch entrance and living room and first floor extensions to two existing bedrooms:  
Refused for the following reason:

*Having regard to the pattern of development in the vicinity of the site and the scale, height and positioning of the proposed development adjacent to the western site boundary, it is considered that the proposed development would give rise to excessive overshadowing and overbearing of the adjacent residential property to the west. The proposed development would, therefore, seriously injure the amenities of the area and amenities of properties in the vicinity and would be contrary to the proper planning and sustainable development of the area.*

Adjoining site to the east 92 Rossbrook

- 13/35648: Construction of a first floor bedroom extension to the front of the dwelling house: Permitted subject to 6 conditions.

## 5.0 Policy and Context

### 5.1. Development Plan

Under the Cork City Development Plan 2015 – 2021 (CDP), the site lies within an area zoned ZO 4, residential, local services and institutional uses, wherein “The provision and protection of residential uses and residential amenity is a central objective”.

Under Paragraph 16.72 of the CDP, domestic extensions are addressed as follows:

*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. 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. Natural Heritage Designations

- Cork Harbour SPA (004030)
- Great island Channel (001058)

## 6.0 The Appeal

### 6.1. Grounds of Appeal

Denis & Maeve Minihane of 90 Rossbrook

While no objection is raised to the retention of the extension to the front porch, objection is raised to the design of the proposed extension to a first-floor bedroom, which would adversely affect the amenities of their ground floor kitchen and family room and their rear garden, on the following grounds:

- While the apex of the extension would be 1.3m lower than its refused predecessor, it would still be high. The Board is invited to condition an amendment to this extension, to minimise its impact upon their residential property. In this respect, attention is drawn to alternative design approaches to the provision of first floor extensions to dwelling houses in Rossbrook.
- Particular concern is expressed over the loss of morning light to their kitchen window as a result of the proposed first floor extension.
- Attention is drawn to the tight separation distances that pertain between the kitchen window and the common wall between Nos. 90 & 91 Rossbrook and between the end of a patio and this wall, i.e. 5.8m and 4.8m, respectively.
- Attention is also drawn to the previous refusal of application 13/35851, which, notwithstanding the amendments encapsulated by the current proposal, continues to be relevant.

## 6.2. Applicant Response

None

## 6.3. Planning Authority Response

None

## 6.4. Observations

None

## 6.5. Further Responses

None

## 7.0 Assessment

7.1. I have reviewed the proposal in the light of the Cork City Development Plan 2015 – 2021, relevant planning history, the submissions of the parties, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Visual and residential amenity,
- (ii) Water, and
- (iii) Appropriate Assessment.

### **(i) Visual and residential amenity**

7.2. The applicants' dwelling house is one of two dwelling houses that lie on the northern side of a cul-de-sac, which terminates to the east of them. These dwelling houses face south. The one adjacent to the applicants' has been extended to the front/side at first floor level in a manner that is replicated throughout the Rossbrook housing estate. Previously, the applicants' applied (13/35851) for an extension similar to this one, only with a wider front gable and a correspondingly higher ridgeline. This application was refused on the grounds that it would lead to "excessive overshadowing and overbearing of the adjacent residential property to the west" (the appellants').

- 7.3. Under the current proposal, the applicants have specified a fully hipped gable end to the roof over the proposed first floor extension and the front gabled element would be narrower and so its ridgeline would be correspondingly lower. The Planning Authority granted permission to this extension, subject to conditions, including one that would require the first-floor window in the proposed front elevation to be reduced in size to match to the first-floor windows in the existing front elevation.
- 7.4. The appellants consider that, notwithstanding the changes encapsulated in the current proposal, it would still attract the critique that led to its predecessor's refusal. They draw attention in this respect to the loss of light to and outlook from their kitchen and family room windows and from their rear garden.
- 7.5. During my site visit, I observed that the appellants' dwelling house is orientated west/east and it is sited in a position whereby its southern side elevation is further to the south than the front building line of the applicants' dwelling house. I also observed that they have a single storey rear extension that accommodates a kitchen, and that this extension has been built on the northern half of the east-facing rear elevation, i.e. directly corresponding to the west-facing side elevation of the appellants' dwelling house, where the proposed extension would be constructed. Whereas the separation distance between the main rear and side elevations is 11.8m, this tightens to 8m between the rear elevation to the kitchen and the applicants' side elevation.
- 7.6. With respect to lighting, the applicants have submitted a shadow study, which depicts existing and future overshadowing under the proposal. This study tracks overshadowing between the two dwelling houses in question for dates in the months of February, May, August, and November. It shows that the increase in the extent of overshadowing at 09.00 would be more pronounced in February and November to affect, respectively, the appellants' kitchen and the rear garden and the rear garden.
- 7.7. With respect to outlook, the appellants have submitted photographs taken from their kitchen and family room windows upon which they have depicted the loss of outlook/greater sense of enclosure that would arise under the proposal.
- 7.8. During my site visit, I observed that, whereas the appellants have referred to the kitchen window in the rear elevation of their extension, their kitchen is also lit by a glazed opening in the southern side elevation of this extension and by a rooflight in



the southern roof plane over it. Lighting levels to these openings would be maintained, as would the outlook from the glazed opening. I, therefore, consider that this kitchen is a well-lit space and so the marginal increase in overshadowing that it would experience in winter mornings can reasonably be seen within this context. Likewise, the loss of outlook depicted by the applicants' photograph to their kitchen window can reasonably be seen within this context. The loss of outlook depicted in their photograph of the family room window would be marginal.

- 7.9. I have considered the appellants' request that the Board condition a reduction in the size of the proposed first floor extension, for example, by requiring that its front elevation lines through with the existing front elevation to the main body of the dwelling house. In the light of my assessment of this extension's effect upon their amenities, I do not consider this to be necessary. Furthermore, I acknowledge that such reduction would have a disproportionate effect on the volume of useable space that the extension would yield, i.e. scope to install an en-suite would be negated.
- 7.10. I conclude that the proposal would be compatible with the visual and residential amenities of the area.

#### **(ii) Water**

- 7.11. The applicants' dwelling house is connected to the public mains water supply and foul and storm water sewers. The proposal would utilise these existing connections.
- 7.12. The OPW's flood maps do not show the site as being the subject of any identified flood risks.
- 7.13. The proposal would raise no water issues.

#### **(iii) Appropriate Assessment**

- 7.14. The site is not in or beside any European site. The proposal is for the retention of a front porch and a first-floor front/side extension to an existing dwelling house in the Rossbrook housing estate. Accordingly, no Appropriate Assessment issues would arise.
- 7.15. Having regard to the nature, scale, and location of the proposal, the nature of the receiving environment, and the proximity to the nearest European site, it is concluded that no Appropriate Assessment issues arise as the proposal would not

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

## 8.0 Recommendation

That permission be granted.

## 9.0 Reasons and Considerations

Having regard to the Cork City Development Plan 2015 – 2021 and the planning history of the site, the Board considers that the retention of the front porch and the proposed first floor front/side extension to the existing dwelling house would, subject to conditions, be compatible with the visual and residential amenities of the area. No water or Appropriate Assessment issues would arise. The proposal would thus accord with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The proposed front window to the first-floor extension shall match the size and design of the existing front windows in the front elevation of the dwelling house.</p> <p>(b) The en-suite window in the proposed side elevation shall be obscure glazed and only the top light in this window shall be an opener.</p>

	<p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
3.	<p>The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
4.	<p>Storm water drainage arrangements shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<p>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.</p> <p><b>Reason:</b> To restrict the use of the extension in the interest of residential amenity.</p>

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Hugh D. Morrison  
 Planning Inspector

26<sup>th</sup> July 2021