



An
Bord
Pleanála

Inspector's Report

ABP-313773-22

Development	House Extension
Location	69 Dermot Hurley Estate, Youghal-Lands, Youghal, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	216734
Applicant(s)	Aisling Mangan
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Aisling Mangan
Date of Site Inspection	28 th July 2022
Inspector	Liam Bowe

1.0 Site Location and Description

- 1.1. The 0.025 hectares appeal site is located at the eastern end of a terrace of four two-storey houses within a housing development known as Dermot Hurley Estate located off Barrack Road in the western part of Youghal town. Dermot Hurley Estate, and the adjacent Woodview Court, forms part of a residential area primarily comprised of two-storey terraces and some semi-detached houses. The site comprises an existing two-storey end of terrace house that addresses the main vehicular access to the street and there is a domestic garage / store to the rear of the house. The house on the site is adjoined by No.70 to the west and by the front garden of No.68 to the east. The private open space associated with the dwelling is located to the northern part of the site and is enclosed by c.1.8m high boundary walls. The front garden of the house is enclosed by a c.1m high block wall with a pedestrian access to the house on the south-eastern boundary.

2.0 Proposed Development

- 2.1. The proposed development comprises a two-storey extension to the front and side of the house and the removal of the domestic garage / store to the rear of the house. The ground floor extension is proposed to provide a kitchen with a separate dining area. The first-floor extension will accommodate a study area and a master bedroom with associated shower room. The proposed extension and alterations will have a flat roof and the proposed finishes are dark grey render, beige render, glazing and brick cladding. It is also proposed to widen the existing pedestrian entrance to the house to provide a vehicular entrance and on-site car parking.
- 2.2. The existing house has a floor area of 84.35m² and a height of 8.515 metres. The floor area of the proposed extension is 61.15m² and would have a maximum height of 5.37 metres.

3.0 Planning Authority Decision

3.1. Further Information

- 3.1.1. Prior to issuing a notification of decision, the Planning Authority issued a further information request on 30th November 2021 requiring a revised design approach, a reduction in the scale and bulk of the proposed extension, and details of proposed material finishes.
- 3.1.2. The applicant submitted a response to this further information request to the Planning Authority on 14th March 2022, which included revised drawings.

3.2. Clarification of Further Information

- 3.2.1. The Planning Authority issued a clarification of further information request on 7th April 2022 recommending a review of the proposed design in the context of the RFI.
- 3.2.2. The applicant submitted a response to this further information request to the Planning Authority on 29th April 2022, which included further revised drawings.

3.3. Decision

By order dated 26th May 2022 Cork County Council issued notification of decision to Refuse Permission for the proposed development for the following reason:

Having regard to the pattern and character of development in this area, as well as the visual prominence of the gable of this property and its relationship with adjoining properties, it is considered that the proposed development by reason of its profile, shape and style fails to integrate with the existing dwelling or its context. Having regard to the established pattern of development in this urban environment, it is considered that the proposed development would have a detrimental impact on the visual amenities of the area and would be contrary to the proper planning and development of the area.

3.4. Planning Authority Reports

3.4.1. Planning Reports

There are three Planning Reports on file dated 30th November 2021, 7th April 2022 and 24th May 2022, respectively. The Planning Officer in the initial report stated the relevant development plan and zoning for the area and recommended further information be requested in relation to reducing the bulk of the proposed extension, which is reflected in the decision of the Planning Authority.

Appropriate Assessment Screening was carried out and concluded that there is no likely potential for significant effects to any Natura 2000 site.

A second Planner's Report (dated 7th April 2022) refers to the further information submitted and recommends that clarification should be sought for an appropriately designed extension.

A third Planner's Report (dated 24th May 2022) refers to the further information submitted and recommends that, having regard to the additional information, permission should be refused, which is reflected in the decision of the Planning Authority.

3.4.2. Other Technical Reports

Area Engineer: No objection. Conditions recommended.

3.5. Prescribed Bodies

None.

4.0 Planning History

There is no planning history referenced in the Planning Officer's report.

5.0 Policy Context

5.1. Cork County Development Plan 2022-2028

- 5.1.1. I draw the Board's attention to the adoption of the Cork County Development Plan on 25th April 2022, which came into effect as the statutory plan for the county on 6th June 2022.
- 5.1.2. Youghal is part of the Cork Ring Network of towns which all have a strong relationship with the Cork Metropolitan Area and have potential for sustainable employment led growth, consolidation, and enhancement.
- 5.1.3. The appeal site has a land use zoning under the Plan of '**Existing Residential / Mixed Residential and Other Uses**'. The objective of this land use zoning is 'to conserve and enhance the quality and character of established residential communities and protect their amenities. Infill developments, extensions, and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties.'

5.2. Natural Heritage Designations

The appeal site is not located within any designated European sites. The closest Natura 2000 sites are Blackwater River SAC (site code: 002170) and Blackwater Estuary SPA (site code: 004028), which are located approximately 830m to the northeast and 760m to the east of the appeal site, respectively.

5.3. EIA Screening

The proposed extension to a house is not a class of development for which EIA is required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal are submitted by Kodu Architecture, 55 South Mall, Cork, T12 RR44 on behalf of Aisling Mangan. The main points made can be summarised as follows:

- Contends that the initial form and mass of the proposed extension has been 'dialled back' in line with the Council's requests by keeping the first floor in line with the existing terrace and limiting the number of proposed finishes.
- Contends that retaining the part of the extension proposed to the front of the house is in keeping with other houses around the county within urban settings.
- Includes photographic examples of precedents for similar house extensions, primarily from Togher in Cork City, and contends that the decision to refuse permission for the proposed development is contradictory to patterns of development in areas of similar character.
- State that the Planning Authority advised contradictory guidance in respect of an appropriate design solution.

6.2. Planning Authority Response

The Planning Authority states that the relevant issues have been covered in the technical reports already forwarded and have no further comments to make.

7.0 Assessment

I consider the main issues in determining this appeal are as follows:

- Design and Layout
- Other Issue
- Appropriate Assessment

7.1. Design and Layout

- 7.1.1. The County Development Plan is clear on how extensions to dwellings should be designed and the Plan states that house extensions should be 'appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties.' The Planning Authority expressed concerns about the extent and bulk of the proposed extension and issued a RFI on 30th November 2021 and subsequently sought clarification on this RFI on 9th April 2022 as the proposed extension was still considered 'visually dominant'. Following this, the First Party responded with amendments to the proposed extension. However, the Planning Authority considered the revised proposals to be out of character with the pattern of development in the area and refused permission.
- 7.1.2. The First Party contends that the initial form and mass of the proposed extension has been 'dialled back' in line with the Council's requests by keeping the first floor in line with the existing terrace and limiting the number of proposed finishes and that by retaining the part of the extension proposed to the front of the house the proposed development is in keeping with other houses around the county within similar urban settings.
- 7.1.3. The proposed extension under appeal is detailed in the drawings submitted to the Planning Authority on 29th April 2022 (Drawing No.'s PL-09 (Rev. 2) and PL-10 (Rev. 1) refer). The proposed development seeks to provide additional accommodation in the form of a large kitchen / dining area on ground floor level, and a master bedroom with shower room at first floor level. As stated earlier in this report, the house on the site is stated to be 84.35m² in area and the proposed extension would increase the floor area by 61.15m², totalling 145.5m².

- 7.1.4. The First Party proposes to extend the house to the front (south) and gable side (east). The proposal extends the house into the front garden by 1.3m and this would break the building line formed by properties to the west of the appeal site. Furthermore, the streetscape at this location is characterised by four blocks of similar four house terraces where none of the houses has an extension to the front (south).
- 7.1.5. Similarly, the extension proposed at ground and first floor levels to the eastern side / gable of the house would extend the house by 3 metres into the side garden, immediately adjacent to the front garden of the neighbouring house (No.68) to the east. There is a first floor window proposed in the extension, which will provide light to the proposed shower room. Further to this, the First Party proposes double height glazing on the existing gable that will provide light to the dining area on the ground floor and a study on the first floor.
- 7.1.6. Although there is no increase in height to the house, I consider that the visual impact of the two-storey side extension will be accentuated by the flat roof design and by the house being extended forward of the existing building line. I consider that this, combined with the extensive glazing on the side elevation, would result in a change to the design of the house that would be out of character with the existing houses on this street, would form an incongruous feature on the streetscape, and would have a negative impact on the visual and residential amenities of the area.
- 7.1.7. In conclusion, I consider that the proposed extension is not acceptable in terms of scale and design, is such that it would be inconsistent with the general form and pattern of development in the area and would form a visually incongruous feature on the streetscape and, consequently, have a significant negative impact on the visual and residential amenities of the area.

7.2. Other Issue

Traffic Safety

- 7.2.1. The relevant Section 28 guidance for new entrances is contained within the 'Design Manual for Urban Roads and Streets', which requires sightlines of 45m in a 50kph zone from a point 2.4m back from the road edge. The area is characterised by a mixture of off-street and on-street parking, and I note that the Area Engineer has raised no objection to the proposed development in terms of traffic safety. Given the

low front boundary walls on the appeal and adjoining sites, I consider that the required sightlines can be achieved. I am, therefore, satisfied that the proposed alterations to the boundary and provision of a vehicular access at this location would not give rise to a traffic hazard as adequate sightlines are available for this residential area.

7.3. Appropriate Assessment

- 7.3.1. The proposed development comprises a ground and first floor extension to an existing house in a fully serviced, urban location. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, an urban and fully serviced location remote from any European site and the absence of any direct or indirect pathway between the appeal site and any European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

I recommend that permission is refused in accordance with the following reasons and considerations.

9.0 Reasons and Considerations

The site of the proposed development forms part of an existing residential development where the siting of houses in small terraces at varying angles to the footpath, is an intrinsic part of the design approach that leads to a distinctive character and strong design coherence. The proposal to introduce a new profile, shape and style in the form of an extension to this end of terrace house would be inconsistent with this established design approach such as to create a visually incongruous element in the streetscape, would alter the character of the overall street and would set a precedent for similar developments. It is considered that the proposed development would seriously injure the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

Liam Bowe
Planning Inspector

5th December 2022