



An
Coimisiún
Pleanála

Inspector's Report

ABP 322757-25

Development	Construction of extension, conversion of attic, installation of window and associated site works.
Location	Buncrana, 3 Browningstown Park, Douglas Road, Cork.
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2543756
Applicants	Lydia Corkery and Ciaran Holland.
Type of Application	Permission.
Planning Authority Decision	Permission with conditions.
Type of Appeal	Third Party
Appellants	Tim and Brid Murphy
Observers	None

Date of Site Inspection

14th August 2025.

Inspector

Derek Daly

1.0 Site Location and Description

- 1.1. The development is located in an established residential area in the suburb of Douglas in Cork City. On the site is a two storied semi-detached dwelling fronting onto the southern side of Browningstown Park and onto which it has vehicular access. The dwelling has a hip gable roof design similar to adjoining residential properties. The dwelling also has a single storied flat roof extension at the side and rear of the property. Development in area comprises mainly semi-detached residential dwellings and there are dwellings to the east and west of the site. The rear southern boundary adjoins the rear garden of a detached residential property fronting onto Eglantine Park and to the north of the site on the opposite side of Browningstown Park there are semi-detached dwellings.
- 1.2. The site has a stated area of 0.039 hectares.

2.0 Proposed Development

- 2.1. The proposed development as received by the planning authority on the 28th March 2025 comprised of the following;
- (1) the construction of a first floor extension at the side of existing dwelling and the stated area of this extension is 22.14m². It is proposed to extend the hip gable roof to incorporate the extended floor area retaining current elevational design with no increase in the existing roof height. A bedroom with an en-suite is proposed in the extended floor area with a window on the front and rear elevations.
 - (2) the conversion of the attic area to a habitable space and for the construction of flat dormer roof with one window at the rear of existing dwelling. The floor area of the attic extension is stated as 29.49m². The roof area will incorporate a flat roof extending to the rear from the roof ridge to the existing rear elevation and an office is proposed in this area.
 - (3) the Installation of a ground floor window in the northern front elevation in close proximity to the front door of the dwelling,
 - (4) Alterations to existing elevations and all associated site works
- 2.2. The existing dwelling has a stated area of 163.45m².

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The decision of the Planning Authority was to grant planning permission subject to six conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report dated the 14th May 2025 refers to the planning history in the area, to provisions of the current city development plan, submissions received noting no third party submissions were received and an assessment of the proposed development.

The principle of an extension was considered acceptable is in accordance with the zoning objective. The key issues identified were the impact of the proposed development on the character of the dwelling and the impact on residential and visual amenities was assessed.

Permission was recommended.

The SEP report dated the 16th May 2025 endorsed the recommendation.

- 3.2.2. Other internal reports including the drainage report dated the 17th April 2025 indicated no objections to the proposal.

3.3. Other submissions.

- 3.3.1. A third party submission was received on the 29th April 2025 outlining concerns in relation to the proposed development and in relation to the details submitted with the planning application.
- 3.3.2. No submissions were received from external consultees in relation to the proposed development.

4.0 Planning History

- 4.1.1. On the appeal site

P.A Ref. No TP 21/40675 Permission granted to demolish existing garage at the side and sunroom at the rear and construct a ground floor extension and associated siteworks subject to four conditions.

In the vicinity of the appeal site there are permissions granted for extensions to residential properties.

5.0 Policy and Context

5.1. Development Plan

5.1.1. The statutory development plan is the Cork City Development Plan 2022-2028.

5.1.2. The site is situated in an area zoned ZO 01 Sustainable Residential Neighbourhoods with the objective to protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.

5.1.3. Specific to this zoning;

Paragraph ZO 1.1 states that the provision and protection of residential uses and residential amenity is a central objective of this zoning.

Paragraph ZO 1.2 states that development in this zone should generally respect the character and scale of the neighbourhood in which it is situated.

Paragraph ZO 1.3 states that the primary uses in this zone include residential uses, crèches, schools, home-based economic activity, open space and places of public worship

In relation to the assessment of extensions and alterations to dwellings in chapter 11 'Placemaking and Managing Development' of the Plan reference is made that development proposals will be assessed on the visual characteristics of the built form and related elements such as aspect and orientation, proportion, the balance of solid to void, the shapes and details of roofs, chimneys, windows and doors and the materials used. Roof forms should harmonise with and not clash with the city's traditional pitched roof forms. Layouts of buildings and spaces must be designed to ensure that areas are permeable, pleasant, legible and safe.

Specifically in relation to extensions to dwellings;

paragraph 11.141 refers to in order to ensure that existing homes are utilised by occupation Cork City Council supports the retention and adaptation of the existing housing stock to suit the evolving needs of society.

paragraph 11.142 that 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.

Paragraph 11.143 indicates that extensions should:

1. Follow the pattern of the existing building as much as possible;
2. Be constructed with similar finishes and similar windows to the existing building so that they would integrate with it;
3. 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 monopitch and flat-roof solutions will be considered appropriate providing they are of a high standard and employ appropriate detailing and materials;
4. 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 usually be permitted where visible from a public area;
5. Traditional style dormers should provide the design basis for new dormers;
6. 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;
7. 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.

National Guidance

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential

development and the creation of compact settlements and are of relevance in relation to density, site specific standards and amenity protection.

5.2. Natural Heritage Designations

- 5.2.1. The subject site is not located within site designated as a Natura 2000 site or NHA/pNHA and a significant distance of the subject site from any designated site.

6.0 EIA Screening

- 6.1. The proposed development is not one to which Schedule 5 of the Planning and Development Regulations, 2001, as amended, applies and therefore, the requirement for submission of an EIAR and carrying out of an EIA may be set aside.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.2. The appellants grounds of appeal in summary refers to;
- They have no objection to the construction of a first floor extension at the side of existing dwelling or the Installation of a ground floor window in the northern front elevation.
 - Their objection and concerns relate to the conversion of the attic area to a habitable space and for the construction of flat dormer roof which they consider is totally out of character with the area and the architectural design and style of the area and this was outlined in the submission to the planning authority which is not acknowledged in the planning report relating to the development.
 - The grounds contend that the planning authority did not comply with statutory requirements in the assessment of the proposal. In this regard the appellants outline their difficulty in establishing whether their submission was received and problems in accessing documentation both on the website and visiting the planning authority office and contend that fair procedures have not been complied with.

- The planning authority did not have regard to the appellants submission and it is requested that the application be deemed invalid. There are alternative solution which could have been followed to address their concerns.
- Details submitted in the planning application are inadequate. Reference is made to the issue of the site layout plan referred to in the schedule of drawings as a standalone document and that a site layout is enumerated within a different document under a different heading. It is noted no drainage details are submitted. A western elevation is submitted but no eastern elevation which would be of concern given the location of the appellants' property.
- The proposed development will be injurious to the residential amenities of the appellants. The proposal will be overbearing and intrusive when viewed from their property and as indicated there were alternative design solutions which could have addressed this. The flat roof box structure will be prominent and contrary to and alter the roof profiles in the area and will be 300mm from the boundary of the appellants property.
- Reference is made to section 11.104 of the current development plan and the development is contrary to the stated guidance in this regard.
- Concern is raised in relation to using the attic area as an office and impacting on their amenities.
- The proposed development does not comply with provisions of the current development plan and national guidance.
- No details are submitted in relation to a SUDS assessment as required in the development plan.
- There is no reflection of having regard to the prevailing design in the area referred to in the stated provisions of ZO1.2 and paragraphs 11.24 and 11.43 and it is noted there is no precedent for granted the nature of the development proposed.
- The development is contrary to the proper planning and sustainable development of the area for the reasons outlined.

- A copy of the submission to the planning authority is enclosed.

7.3. First Party Response

- 7.3.1. The first party applicant has submitted no response in relation to the appeal.

7.4. Planning Authority Response

The planning authority has submitted no response in relation to the appeal.

8.0 Assessment

- 8.1. The main issues in this appeal are principle of the development and the grounds of appeal. Appropriate Assessment also needs to be considered. I am satisfied that no other substantive issues arise.

8.2. The principle of the development

- 8.2.1. The proposal as submitted is comprised four elements. The first is for construction of a first floor extension at the side of existing dwelling; the second is the conversion of the attic area to a habitable space and for the construction of flat dormer roof with one window at the rear of existing dwelling; the third is the Installation of a ground floor window in the northern front elevation in close proximity to the front door of the dwelling and the four is alterations to existing elevations and all associated site works.
- 8.2.2. Given the current zoning of the site as existing residential the principle of the proposed development is acceptable and in principle, I would have no objections to the proposal but it requires to be considered in the context of CDP provisions in relation to complying with development management standards and whether the proposed development will not materially impact the residential amenity or character of neighbouring developments.
- 8.2.3. It is also noted that the appellants have indicated that they have no objections to aspects of the proposal development and that their concerns are in relation to the conversion of the attic area to a habitable space and for the construction of flat dormer roof with one window at the rear of existing dwelling.

8.3. Grounds of appeal

- 8.3.1. The appellants in the grounds raise issues in relation to the planning authority not complying with statutory requirements in the assessment of the proposed development and also raise concerns specific to the proposal for an attic conversion.
- 8.3.2. Specifically in relation to not complying with statutory requirements in the assessment of the proposal the appellants refer to a submission made to the planning authority during the statutory period for making such a submission/observation, that this submission was not referred to in the assessment made by the planning authority of the application, was not referenced in the planning authority, that the appellants had difficulty in establishing whether their submission was received, the planning authority did not have regard to the appellants submission and contend that fair procedures have not been complied with and it is requested that the application be deemed invalid.

Reference is also made to details submitted in the planning application are considered to be inadequate with specific reference is made to the issue of the site layout plan referred to in the schedule of drawings as a standalone document and that a site layout is enumerated within a different document under a different heading; it is noted no drainage details are submitted and of concern is that a western elevation is submitted but no eastern elevation which would be of concern given the location of the appellants' property.

- 8.3.3. In relation to the matters raised I would note that the planning report does specifically reference that in section 10 that no third party submissions were received although I would also note that the planning authority did acknowledge receipt of the submission received on the 29th April 2025 on the 16th May 2025 as required by Section 33 (2)(d) of the Planning and Development Act 2000 as amended and Article 29 of the Planning and Development Regulations 2001 as amended. It is also noted that the planning authority did inform the appellants of the decision to grant planning permission in a letter dated the 4th June 2025 as required by Section 33 (2)(k) of the Planning and Development Act 2000 as amended.

It is also noted that Section 34(3) (b) of the Planning and Development Act 2000 as amended indicates that a planning authority shall, when considering an application for permission under this section, have regard to (b) any written submissions or

observations concerning the proposed development made to it in accordance with the permission regulations by persons or bodies other than the applicant.

It is therefore acknowledged having reviewed the documentation that the planning authority did not have regard to the third party submission made prior to issuing the decision to grant planning permission. The planning report does however outline relevant sections of the current statutory development plan and an assessment which identified key issues as the impact of the proposed development on the character of the dwelling and on residential and visual amenities which are generally referred to in the third party submission and in the assessment applied an assessment taking into account the provisions as set out in the plan.

The appellants also have exercised their statutory right of appeal having made an initial valid submission and their concerns as outlined in the submission and in the grounds of appeal are considered in this report.

8.3.4. In relation to the issue of the schedule of drawings and in particular drawing number 3; existing site plan the planning authority have in a submission received on the 17th July 2025 by An Coimisiún acknowledge although mentioned in the cover letter received with the application this drawing was not received as part of the application. I would in relation to this matter however note that the drawings submitted includes a proposed site layout plan not listed in the schedule of drawings which also does outline drainage details and for the purpose of assessment the drawings submitted with the application are I consider adequate for assessing the proposed development.

8.3.5. In relation to the concerns raised in the initial submission and grounds of appeal in relation to the conversion of the attic area to a habitable space and for the construction of flat dormer roof the appellants contend that this aspect of the proposal which is totally out of character with the area and also with the architectural design and style of the area. It is further contended that the proposed attic area development and using the attic area as an office would impact upon and will be injurious to the residential amenities of the appellants; the attic conversion will be overbearing and intrusive when viewed from their property and as indicated there are alternative design solutions which could have addressed this. The flat roof box structure will be prominent and contrary to and alter the roof profiles in the area and

will be 300mm from the boundary of the appellants property. Reference is also made to in the stated provisions of ZO1.2, paragraphs 11.24 and 11.43 and section 11.104 of the current development plan and the development is contrary to the stated guidance in this regard.

- 8.3.6. In relation to the development plan provisions it is noted that paragraph ZO 1.2 states that development in this zone should generally respect the character and scale of the neighbourhood in which it is situated and that paragraph ZO 1.3 states that the primary uses in this zone include residential uses, crèches, schools, home-based economic activity, open space and places of public worship. In relation to use of the attic area as an office paragraph ZO 1.3 would permit this use as a home-based economic activity and ancillary to the primary use on the site.
- 8.3.7. In relation to paragraph ZO 1.2 chapter 11 'Placemaking and Managing Development' of the Plan sets out as a general guidance that development proposals will be assessed on the visual characteristics of the built form and related elements such as aspect and orientation, proportion, the balance of solid to void, the shapes and details of roofs, chimneys, windows and doors and the materials used. Details of walls, gates, street furniture, paving and planting will also be noted. Roof forms should harmonise with and not clash with the city's traditional pitched roof forms. Layouts of buildings and spaces must be designed to ensure that areas are permeable, pleasant, legible and safe.
- 8.3.8. There is specific provisions in relation to extensions to dwellings in paragraph 11.142 that 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. More detailed guidance is outlined in paragraph 11.143 which indicates that extensions should:

1. Follow the pattern of the existing building as much as possible;

In this regard I would note that the construction of a first floor extension at the side of existing dwelling which extends the hip gable roof to incorporate the extended floor area retaining current elevational design with no increase in the existing roof height follows the pattern of development and the prevailing streetscape. The window at ground floor level on the front elevation does not

materially impact on the pattern of development. The issue of the attic conversion and extension is referred to in another section of the paragraph 11.143 guidance.

2. Be constructed with similar finishes and similar windows to the existing building so that they would integrate with it;

In this regard similar finishes and similar windows to the existing building on the front elevation are retained.

3. 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 monopitch and flat-roof solutions will be considered appropriate providing they are of a high standard and employ appropriate detailing and materials;

In this regard the roof form primarily visible from the public road is compatible with the existing form and character retaining a similar pitch roof. The roof extension to the rear is flat roofed but does not extend above the existing roof ridge height and will be a limited angled and partial view along the existing road. It will be more visible when viewed from the rear and from the property to the south fronting onto Eglantine Park and other rear garden areas.

4. 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 usually be permitted where visible from a public area;

As already indicated extension to the side does not break the ridge or eaves lines of the roof. Similarly, the attic extension to the does not break the ridge line but would extend above the eaves though it is not the dominant feature and does not obscure the main features of the existing roof which retains the plane of the existing gable roof design which is the main feature of the existing roof. As indicated although not readily visible from the public area it will be visible from the rear gardens of adjoining and adjacent properties to a varying degree and the visual impact although not imperceptible does not impact adversely on the overall streetscape.

5. Traditional style dormers should provide the design basis for new dormers;

In this regard the dormer extension would not be considered a traditional style dormer. However as outlined in 3 a high quality monopitch and flat-roof solutions the plan provides will be considered appropriate providing they are of a high standard and employ appropriate detailing and materials. The attic proposal is designed to comply with statutory building regulations and will use external finishes to match the existing which would assist in assimilating with its contiguous development.

6. 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;

This is not relevant as the dormer extension is to the rear and the side elevation is designed to match the current front elevation.

- 8.3.9. The other requirements for extensions are that 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.

In this regard given the orientation of the proposed development and its relationship to adjoining development no overshadowing arises. In relation to overlooking the proposal has a window first floor level on the front and rear elevations. The front elevation window will overlook the street which is a public realm and the rear is for a walk in wardrobe area rather than a habitable room and currently there is a bedroom window at first floor level in the existing rear elevation at first floor level.

The proposal also provides for a window in the rear elevation of the attic area. This window would be within approximately 2 metres of the boundary with the adjoining property. The presence of this window will lead to an increased level of overlooking but there are currently windows at first floor level of habitable rooms in the rear of the properties on the site and immediate area and in an urban environment where two storied residential properties predominates overlooking occurs.

The dormer window will be approximately 18 metres from the rear boundary of the site and it is not considered that it will result in any significant additional loss of privacy to the property directly to the rear than currently occurs.

An increased overlooking of the appellants' rear garden area will occur but will present a lower level than currently occurs from the first floor window and will be an angled view rather than a direct view. As the window is proposed for habitable use the glazing in the attic room could be required to be obscure to eliminate any potential increase in overlooking and such a provision would I consider address the concerns in relation to the privacy of the adjoining property and a condition stating this requirement should be included in any decision to grant planning permission.

8.3.10. In general, therefore I would consider the attic area proposed to be acceptable and although it will be visible from the rear will not give rise to any significant level of overbearance.

8.4. Other matters

8.4.1. I note reference to drainage details in the grounds of appeal. The site is currently connected to public mains water supply and drainage. As already stated, the proposed site layout plan does refer to the protection of the existing sewer and location and protection of watermains and other drains traversing the site and the drainage report indicated no objections to the proposed development subject to conditions.

9.0 AA Screening

9.1. I have considered the proposal for the construction of a two storey house, connection to existing services and all associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located on an established residential site and within an established residential area.

9.2. The proposed development comprises in effect a relatively minor development as outlined in section 2 in the Inspectors report. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows; the nature of the development, the distance to designated sites and the absence of pathway to these sites.

9.3. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects and likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

10.1. I recommend that permission be granted.

11.0 Reasons and Considerations

11.1. Having regard to the nature and scale of the proposed development and the pattern and character of development in the vicinity; and to the policies and provisions of the Cork City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse effect and would not detract from the character of the area and would not seriously injure the amenities of adjacent residential properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	The development shall be carried out and completed in accordance with the drawings and particulars as received by the Planning Authority on the 28th day of March 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the Planning Authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars. Reason: In the interest of clarity
2.	The glazing on the rear window at attic level shall be manufactured opaque or frosted glass and shall be permanently maintained as such. The

	application of film to a clear glass surface is not acceptable. Reason: In the interest of protecting the residential amenities of adjoining residential properties.
3.	Water supply and drainage requirements, including surface water collection and disposal, 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.
4.	External finishes in relation to the proposed development shall be submitted to and agreed with the planning authority prior to the commencement works on the site. Reason: In the interest of visual and residential amenity.
5.	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. Reason: In order to safeguard the residential amenities of property in the vicinity
6.	Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times. Reason: In the interest of reducing waste and encouraging recycling

7.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Derek Daly
Planning Inspector

9th September 2025

Form 1 - EIA Pre-Screening

Case Reference	322757-25
Proposed Development Summary	Construction of extension, conversion of attic, installation of window and associated site works
Development Address	Buncrana, 3 Browningstown Park, Douglas Road, Cork
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	☐ , it is a 'Project'.. X No , No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ it is a Class specified in Part 1 .	
☐	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
x No , the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
No , the proposed development is of a Class and meets/exceeds the threshold.	
Yes , the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2)	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No X ☐	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Derek Daly Date: 9th September 2025