



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323717-25

<b>Development</b>	Construction of extension and new windows.
<b>Location</b>	13 Glashaboy Woods, Sallybrook Glanmire, Cork
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	2543919
<b>Applicant(s)</b>	Niamh & Ken Ryan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	James Glasson Aoideen Hickey
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	23 <sup>rd</sup> December 2025
<b>Inspector</b>	Bernadette Quinn

## **1.0 Site Location and Description**

- 1.1. The appeal site is located in the Glashaboy residential estate in Glanmire, approximately 10km northeast of Cork city. The site has a stated area of 0.0245ha and contains a two storey semi-detached dwelling with a floor area of 111 sqm. The appeal site forms part of a row of semi-detached and detached dwellings located on the north side of a cul de sac which faces onto an area of public open space. To the rear of the appeal site is Millbrook, a residential estate of single storey dwellings. No. 9 Millbrook is located to the rear of the appeal site and is separated from the appeal site by a rear boundary block wall. The dwelling on the appeal site is two storey on its front elevation and slopes to a dormer at the rear with velux windows on the rear roof. The adjoining semi-detached dwellings are of similar design.

## **2.0 Proposed Development**

- 2.1. Permission is sought for the construction of a part single storey and part 2 storey rear extension to the existing dwelling. At ground floor the proposed rear extension will extend the full width of the existing rear elevation. At first floor the proposed extension will be located towards the western boundary. The existing dwelling has a floor area of 111 sq.m. and the proposed extension has a floor area of 33 sq.m. which comprises a ground floor extension measuring 25 sq.m. and a first floor extension measuring 8 sq.m. The ground floor extension will accommodate a kitchen & dining area and the first floor extension will accommodate a bedroom.
- 2.2. Following a request for further information the proposed extension was revised to provide for a hipped roof in place of a previously proposed pitched roof. The first floor extension was revised to a depth of approx. 2.4m from the existing rear façade, a width of 3.9m and a setback of 2.5m from the eastern side boundary and 1m from the western side boundary. The first floor element will have a ridge height of 6m and eaves height of approx. 4.6m. The ground floor extension will have a flat roof. A first floor window is proposed on the eastern side elevation which will have opaque glazing and will be hinged on the northern edge to restrict potential overlooking of neighbouring properties. Roof lights are proposed on the east and west elevations of the proposed hipped roof and a new window is proposed on the existing first floor

west elevation which will serve a bathroom. A new window is also proposed at the ground floor west elevation.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

3.2. On 03<sup>rd</sup> September 2025 Cork City Council issued notification of decision to grant permission subject to 8 conditions.

#### **3.3. Planning Authority Reports**

##### **3.3.1. Planning Reports**

The Planning Officers report dated 22/07/2025 can be summarised as follows:

- Under the parent permission for the overall development (TP Ref: 14/6314), rear elevations of dwellings were required to be lowered and laid out in dormer style so as to minimise the impact on the single storey dwellings in Millbrook Close to the north of the site.
- It is considered that the introduction of a first floor rear addition would be contrary to the overall permitted dormer design of this part of the residential estate, the design of which responded to the site constraints and was intended to limit the impact on the single storey residences to the north. It is also considered to be at odds with the scale and layout of the existing dwelling and would possibly set a precedent for such similar style development to be built in the future.
- Further information is required to address concerns that the proposed development may result in detrimental impacts on the residential amenities of the adjoining residential properties located to the north, the east and the west of the site, by reason of the scale of the first floor addition. Revised drawings are required showing the proposed first floor addition omitted or showing the proposed first floor element significantly reduced in scale (ridge height, width and depth) to reduce the impacts that the proposed development may have on the adjacent third party properties. The applicant will also need to

demonstrate that adequate daylight to, and outlook from the proposed bedroom can be achieved without causing harm to the amenity of neighbouring properties.

Following a request for further information, the Planning Officer's report dated 02/09/2025 can be summarised as follows:

- Drawings have been submitted amending the form of the proposed first floor addition which include a reduction of the depth of the extension and the roof has been changed to a hipped roof form resulting in a reduction of massing at this level.
- The increased width of the first floor element combined with the reduction in depth and revised roof form is considered acceptable.
- A shadow study has been submitted. This illustrates that the rear garden areas of the neighbouring properties will have unobstructed sunlight on 50% of their space for 7 consecutive hours on March 21<sup>st</sup> with no more than 20% change from the existing setting. This is acceptable under the BRE guidance.
- The revisions address the concerns raised regarding impact on the properties to the north, east and west and the relationship with same is now acceptable.

### 3.3.2. Other Technical Reports

Area Engineer: No objection subject to conditions

Contributions Report: Total Contributions €0.00

### 3.3.3. Conditions

Condition no.2 states that the flat roof on the ground floor extension shall not be used as a terrace/amenity area.

### 3.4. Prescribed Bodies

None on file

### **3.5. Third Party Observations**

A number of submissions were received in relation to the planning application. The issues raised are similar to the issues raised in the third party appeals.

## **4.0 Planning History**

Appeal Site:

14/6314 / PL 04.244855: Permission granted by Cork City Council and An Bord Pleanála for a residential development comprising the demolition of an existing farmhouse and outbuildings and construction of 35 no. dwelling houses, 2 no. residential serviced sites and all associated ancillary development works.

Surrounding Area:

25/43881: Permission granted by Cork City Council on 29/10/2025 for development at 11 Glashaboy Woods for the construction of a part two storey, part single storey extension and first floor dormer window to the rear of an existing dwelling house. This permissions is currently the subject of a third party appeal, ACP reference PL-500312-CC-25.

## **5.0 Policy Context**

### **5.1. Development Plan**

The site is situated in an area zoned as 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.

In relation to this zoning objective, 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.

Chapter 11 outlines guidance relating to Placemaking and Managing Development and includes the following sections of relevance in relation to the assessment of extensions and alterations to dwellings:

Paragraph 11.95 relates to daylight, sunlight and overshadowing wherein Objective 11.4 states the potential impacts of the proposed development on the amenities enjoyed by adjoining properties will need to be assessed in relation to all major schemes and where separation distances are reduced below those stipulated. Cumulative impacts of committed schemes will also need to be assessed.

Paragraph 11.97 states that a daylight analysis will be required for all proposed developments of more than 50 units and in relation to smaller applications where there are impacts on habitable rooms and the nature of the impact is not clear (e.g. if simple rules of thumb cannot be effectively applied to determine daylight levels on adjacent properties).

Paragraph 11.100 recognises that privacy and overlooking are important for quality of life.

Paragraph 11.141 states that 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 states 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. .... 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.

## **5.2. Ministerial Guidelines**

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 site specific standards and amenity protection.

## **5.3. Natural Heritage Designations**

The closest designated sites to the appeal site are Great Island Channel SAC (Site Code: 001058) located 5.1km south east of the site and Cork Harbour SPA (Site Code: 004030) located 2.8km south of the site.

## **5.4. EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

# **6.0 The Appeal**

## **6.1. Grounds of Appeal**

Two no. third party appeal has been received from James Glasgow and Aoideen Hickey. The grounds of appeal can be summarised as follows:

James Glasgow:

- Revised plans submitted in response to further information do not address the concerns raised by the PA in their initial assessment. The ridge height was maintained, the width increased by 700 mm and depth reduced by 1m.

- The council's finding that the changes were acceptable is a fundamental error in due process.
- Granting permission contravenes the original estate design permitted under 14/6314 wherein houses were designed with lowered rear elevations to protect the amenities of neighbouring properties in Millbrook Close.
- The shadow study submitted fails to take into account any assessment of the impact of the proposal on the sunken single storey properties in Millbrook Close to the north, permission 14/6314 was designed to protect these properties.
- The proposal breaches development plan policies that require new development to protect the existing character and amenity. The proposal fails to protect the appellants residential amenity as required by law and the development plan policy objective 11.4 and Chapter 11, including Section 11.100, Section 11.140 up to and including 11.142 and 11.143 (Daylight/Sunlight).
- The proposal creates a precedent and means the Council have to grant permission for an extension on the adjoining property to the west of the appellants property under permission reference 2543881.
- The Council decision fails to assess the cumulative impact of both the extension on the appeal site and the proposed extension to the west on the appellants property which will result in a tunnelling or canyon effect. The assessment only considered the impact of one extension in isolation, relying on a shadow study for a single day only (March 21<sup>st</sup>).
- The Council's decision failed to consider two proposed new windows on the west facing elevation which will overlook the appellants rear amenity space resulting in loss of privacy.
- The shadow study only considers sunlight on 21<sup>st</sup> March and does not consider year round solar access. The reliance on a threshold of 50% of garden area for 7 hours fails to capture the quality and usability of outdoor space. The study does not fully account for the cumulative impact on living areas and rear gardens of properties to the north, east and west.



- The proposal would result in an unacceptable reduction in natural sunlight and overshadowing on adjoining properties.
- The shadow study is irrelevant as a result of a potential extension to the west of the appellants property and incorrect application of BRE Guidelines.
- The proposal breaches the 45 degree rule, falling well within the 45 degree line measured from the centre of the kitchen windows. The proposal will result in loss of natural light, reducing the vertical sky component for the appellants kitchen to a level significantly below the recognised 27% minimum standard.
- The mass and bulk of the extension and proximity to appellants house will be overbearing.

Aoideen Hickey

- Concerns were raised in the initial planners report in relation to the scale of the proposed extension and its impact on neighbouring properties. The grant of permission represents an unjustified U-turn on the initial assessment without a rational line of reasoning.
- The initial planners report notes that the proposed design is contrary to the overall permitted design of the estate which was specifically designed with dormer roofs to protect the amenity of neighbouring properties. The grant of permission fails to address this matter.
- The shadow study is not a complete account of shadows and fails to assess the impact on the boundary wall with No. 14 and the proposed increase in height of this wall. The proposal will further reduce light and increase shadow on No. 14.
- The application fails to consider loss of natural light into the kitchen of No. 14 due to the proximity and height of the proposal.
- Proposed east facing windows will overlook No. 14 leading to loss of privacy and it should be omitted.

## 6.2. Applicant Response

A response received can be summarised as follows:

- The Shadow Study provides a comprehensive illustration of shadow impacts at varying daylight hours throughout the year. The single storey extension would comply with exempted development provisions. The variance between the single storey extension versus the 2 storey element is minimal as outlined in the Shadow Study.
- The amendments in response to the further information response represent a clear reduction in overall massing.
- No additional overlooking of adjoining properties will arise as a result of the design approach taken.
- The separation distance from properties in the Millbrook estate to the north and the proposed design ensures no additional overshadowing, overlooking or overbearing effects on dwellings in Millbrook. The proposal is in keeping with the original design strategy for Glashaboy Woods which sought dormer style design to mitigate overlooking and loss of privacy.

### 6.3. **Planning Authority Response**

None received.

### 6.4. **Observations**

None received.

## 7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Residential and Visual Amenity Impacts
- Design

This assessment relates to the layout submitted by the first party in response to the PA further information (FI) request.

## **7.2. Residential and Visual Amenity Impacts**

- 7.2.1. The existing dwelling on site comprises two storeys on the front elevation and has a pitched roof with the rear elevation sloped providing for a dormer style to the rear with roof lights serving first floor rooms on the rear elevation. A proposed ground floor rear extension extends 4.95m from the existing rear elevation and will contain a kitchen and dining area. A first floor rear extension is proposed towards the western boundary with a depth of approx. 2m from the existing rear façade, a width of 3.9m, a setback of 2.5m from the eastern boundary and a setback of 1m from the western boundary. The existing rear first floor eaves height is approx. 3.9m above existing floor level and existing ridge height is 7.7m above floor level. The proposed eaves height of the first floor extension will be approx. 4.6m above existing floor level and proposed ridge level is 6m above floor level. A hipped roof is proposed to the rear first floor extension and a flat roof is proposed at ground level. A first floor window is proposed on the eastern side elevation which will have opaque glazing and be hinged on the northern edge to restrict potential overlooking of neighbouring properties. Roof lights are proposed on the east and west elevations of the proposed hipped roof and a new window is proposed on the existing first floor west elevation which will serve a bathroom. A new window is also proposed at the existing ground floor west elevation.

### **Overshadowing, Loss of Light & Overbearing**

- 7.2.2. Concerns are raised regarding overshadowing and loss of light inside and outside the rear of the third party's properties at no. 12 to the west and no. 14 to the east as a result of the proposed extension. The proposed extension will be located to the north of the existing dwelling with dimensions as outlined in Section 7.2.1 above. The ground floor extension will extend to the boundary with no. 14 to the east and the first floor extension will be setback 2.5m from this boundary. The ground and first floor extension will be setback 1m from the western boundary and 2m from the existing dwelling at No. 12.
- 7.2.3. Objective 11.3 of the Development Plan outlines Housing Quality and Standards and states that the design of developments should provide sufficient daylight and sunlight

to new and surrounding housing that is appropriate for its context, whilst, minimising overshadowing and maximising the useability of outdoor amenity space. Objective 11.4 states that the potential impacts of the proposed development on the amenities enjoyed by adjoining properties will need to be assessed in relation to all major schemes and where separation distances are reduced below those stipulated. Cumulative impacts of committed schemes will also need to be assessed. Paragraph 11.142 relates to extensions and states 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.

- 7.2.4. Having regard to the content of the Development Plan as outlined above I am satisfied that a detailed technical assessment is not required, noting the scale of development and separation distances proposed. In the context of the subject Appeal, it is considered appropriate to refer to the principles of 'Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2022) i.e. BRE209. Section 3.3 of BRE 209 considers the impact of development on sunlight to existing amenity spaces such as private gardens. Section 3.3.7 recommends that at least half of the amenity space should receive at least two hours of sunlight on March 21<sup>st</sup>.
- 7.2.5. I note that rear gardens are north facing and that overshadowing of rear gardens would occur from existing dwellings as a result of the north facing orientation of the rear elevations. In response to the PA's FI request the applicant submitted a Shadow Study which shows the impact of overshadowing with the proposed single storey extension only and with the first floor extension on 20<sup>th</sup> March, 21<sup>st</sup> June, 22<sup>nd</sup> September and 21<sup>st</sup> December for various times of the day. The assessment shows a limited additional impact on overshadowing of rear amenity space serving the adjoining properties to the east and west as a result of the inclusion of the first floor extension. Based on the Shadow Study submitted I am satisfied that at least half of the rear gardens on the appeal site and adjoining properties will continue to receive at least two hours of sunlight on 21 March and will continue to appear adequately sunlit throughout the year, in line with the recommendations contained in the BRE guidelines.
- 7.2.6. In relation to concerns that the shadow study fails to assess the impact of overshadowing on properties in Millbrook Close to the north, having regard to the

scale of development proposed and separation distance from No. 9 Millbrook Close, I am satisfied that the proposed extension will not give rise to unacceptable impacts on No. 9.

- 7.2.7. Concerns are also raised by appellants in relation to loss of daylight inside the rear of No. 12 and No. 14. The proposed first floor extension is located towards the western side boundary with No. 12. The rear elevations of these properties contain double glass doors and a window serving an open plan kitchen and dining area as indicated on drawings submitted with the application. I note the concerns raised by the occupant of No. 12 that the proposed extension falls within the 45 degree line measured from the centre of the kitchen window thereby impacting daylight as outlined in the recommendations contained in BRE209. Concerns are also raised that the vertical sky component will be reduced below the recognised 27% minimum standard. Having reviewed the drawings I note that the proposed first floor extension would appear to breach the 45 degree test set out in Section 2.2 of BRE209. I note the appellants claims in relation to a reduction in the vertical sky component for the appellants kitchen and I note that no technical details have been submitted to support this argument.
- 7.2.8. Section 1.6 of BRE 209 specifically details that the advice given is not mandatory and should not be seen as an instrument of planning policy. However, it is considered appropriate that these measures are used to consider the impacts of the development to be retained upon existing residential amenity.
- 7.2.9. Noting the scale and extent of the proposed first floor extension and the setback of 1m from the shared boundary and 2m from the dwelling at No. 12, I consider it unlikely that undue loss of light will occur as a result of the proposed development. Furthermore, I note that the effected window at No. 12 is a full length double width door which allows additional light into the room beyond that which would be afforded by a window. I also note that a second window is located on the rear elevation of No. 12 and that based on the internal layout of the adjoining properties at No. 11 and No. 13 as shown on existing plans submitted with planning applications relating to these properties, the double doors and window serve an open plan kitchen and dining area. I am therefore satisfied that impacts on daylight levels to the ground floor at the rear of No. 12 will not be unduly impacted by the proposed extension. I note the first floor extension has a separation distance of 2.5m from the rear of No. 14 and I am

satisfied that this separation distance along with the scale of the extension will not give rise to undue impacts on daylight levels to the ground floor of No. 14. Having regard to the scale and height of the proposed ground floor extension, which has a flat roof and an eaves height of 3m, I do not consider any significant overshadowing or loss of light impacts will arise on adjoining properties from the single storey element of the proposal.

- 7.2.10. I note the concerns raised in relation to the potential cumulative impact of the extension to the appeal site and a proposed extension to the rear of No. 11 Glashaboy Woods. No. 11 is the neighbouring property located to the west of No. 12. Cork City Council granted permission for a rear ground and first floor extension under permission reference 2543881. This grant of permission is currently the subject of a third party appeal, ACB reference PL-500312-CC-25. Whilst I note that impacts arising as a result of the proposed extension to No. 11 will be subject to an assessment in the consideration of that appeal, I note for the Commission that the first floor extension permitted by Cork City Council at No. 11 is situated towards the western side of the rear of No. 11 and does not directly adjoin the rear of No. 12, and that the first floor element has a depth of 3.5m and a width of approx. 3m. I am satisfied that the proposed development currently under assessment will not give rise to unacceptable cumulative impacts.
- 7.2.11. Having regard to the scale and massing of the proposed first floor extension which I consider is modest in scale and appropriately designed, I do not consider the proposal will give rise to overbearing impacts on neighbouring properties.
- 7.2.12. Having regard to the above I do not consider the proposal will be visually obtrusive or give rise to a tunnelling effect and based on BRE considerations I do not consider a significant loss of daylight or overshadowing will arise on adjoining properties as a result of the proposed extension.

#### Overlooking

- 7.2.13. Concerns are raised in relation to overlooking from proposed new windows. I note that a first floor window is proposed on the existing west elevation to serve a new bathroom and that drawings submitted indicate the use of obscure glazing in this window. I am satisfied that no undue overlooking will arise from this window. Two roof light windows are proposed in the roof of the first floor extension to serve a new

bedroom on the east and west elevation. Having regard to the design of these windows and their position on the proposed hipped roof, I do not consider direct overlooking into neighbouring property will arise. A new window is proposed at ground level on the existing west elevation. Having regard to the location of this window on the ground floor I am satisfied that it will not give rise to unacceptable overlooking in to neighbouring properties.

- 7.2.14. Concerns are raised in relation to a proposed window on the east elevation of the first floor extension which will serve a proposed bedroom. Drawings submitted indicate that this window will have opaque glazing and be hinged on the northern edge to restrict potential overlooking of neighbouring properties. I am satisfied that the proposal to incorporate opaque glazing and hinging on the northern edge will restrict overlooking into the adjoining property at No. 14. As such I do not consider it necessary to omit this window as suggested by an appellant.

#### Conclusion

- 7.2.15. Having regard to the above, I do not consider that the proposal represents a scale or form of development which would detrimentally impact on the residential amenity of adjoining properties. I consider that the development is acceptable from a residential amenity perspective and would not undermine the residential amenity of adjoining owners by reason of overshadowing, loss of light, overbearing or overlooking.

### **7.3. Design**

- 7.3.1. Concerns are raised by appellants that the proposal will contravene the original estate design wherein rear elevations were lowered to protect amenities of neighbouring properties in Millbrook Close. The PA planning officers report outlines that under the parent permission for the overall development rear elevations of dwellings were required to be lowered and laid out in dormer style so as to minimise the impact on the single storey dwellings in Millbrook Close to the north of the site. I note that permission was granted for the parent permission by An Bord Pleanála under reference PL 04.244855. No conditions were attached to that permission restricting any future development to the rear of house No. 13. I consider the design submitted in relation to the parent permission and assessed at that time does not in itself preclude same from being amended by a further grant of permission. The rear elevation of the proposed first floor extension is located in excess of 14m from the

southern side elevation of No. 9 Millbrook Close. I note that no windows are proposed on the rear facing first floor elevation. I am satisfied that the design and layout proposed is acceptable and will not give rise to unacceptable impacts on the visual and residential amenities of the area. I also note that the parent permission was granted in 2015 and that current Development Plan Policy and Section 28 Guidelines including Sustainable Residential Development and Compact Settlements Guidelines (SRDCSG's) for Planning Authorities support compact development including reduced separation distances. As such I am satisfied that the amendment from the original estate design is acceptable.

- 7.3.2. I note the concerns raised by an appellant that the design fails to comply with the development plan. I note in particular the guidance contained in paragraphs 11.142 and 11.143 relating to residential extensions. Whilst I note the eaves height will be above the existing eaves height, I also note that the proposed ridge height will be below the existing ridge height. I note that a hipped roof is proposed whereas the existing roof is a pitched roof. However, noting the scale of the extension and material finishes proposed which match existing and that the proposed rear extension will not be visible from the public road, I am satisfied that the proposed extension will not result in an overly dominant feature, will not impact adversely on the streetscape of the area and will not give rise to any significant level of overbearance on adjoining properties having regard to its limited scale. I am therefore satisfied that the proposal complies with the Development Plan provisions in relation to residential extensions.
- 7.3.3. Concerns are raised that the proposal fails to comply with Strategic Objective 9 of the Development Plan which seeks to develop a compact, sustainable City by ensuring the creation of attractive, liveable, diverse, safe, secure and welcoming and well-designed urban places, communities and neighbourhoods that enjoy a high quality of life and well-being. I note that this is a high level strategic objective and I do not share the concerns that the proposal fails to comply with the Development Plan in this regard.
- 7.3.4. I note the concerns raised in the initial planners report and the appellants concerns that these initial concerns were not addressed in the further information response. I also note that the revised first floor extension is of a similar scale to the initial proposal with a reduced depth and increased width and revised to provide for a



hipped roof. Having regard to my assessment above I am satisfied that the proposal is acceptable based on current development plan policy and SRDCSG's relating to protection of residential amenities. I therefore do not consider it reasonable or necessary that the proposal should be refused permission based on the requirements of the original estate design. Having regard to the proposed design and layout and to my assessment above I do not agree with the appellants concerns that the PA decision to accept the proposal submitted in response to FI represents an unacceptable change from the initial assessment or an error in due process.

- 7.3.5. In relation to precedent, I consider that each applicant should be assessed on its merits and I am satisfied that the proposal will not give rise to an unacceptable precedent.

## **8.0 Water Framework Directive Assessment Screening**

- 8.1. The subject site is located approx. 250m east of the nearest water body comprising the Glashaboy river. The proposed development comprises the construction of an extension to an existing dwelling as outlined in section 2.1 of this report.
- 8.2. No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.
- 8.3. The reason for this conclusion is as follows:
- The small scale of development and the nature of works
  - The location-distance from nearest Water bodies and lack of hydrological connections
  - Taking into account the WFD screening report by the Planning Authority.
- 8.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes,

groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## **9.0 AA Screening**

9.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

9.1.1. I have considered case ACP 323717-25 in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The proposed development is located within a residential area and comprises an extension to an existing dwelling and all associated site works. The closest European Sites are Great Island Channel SAC (Site Code: 001058) located 5.1km south east of the site and Cork Harbour SPA (Site Code: 004030) located 2.8km south of the proposed development.

9.1.2. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Small scale and domestic nature of the development
- The location of the development in a serviced urban area, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.

9.1.3. I conclude, 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. 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 planning permission should be granted, subject to conditions.

## **11.0 Reasons and Considerations**

- 11.1. Having regard to the provisions of the Cork City Development Plan 2022-2028, to the location of the site in an established residential area, the residential zoning objective and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. 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 plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 07<sup>th</sup> August 2025, 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 interests of clarity.

2. The flat roof to the ground floor extension hereby approved shall not at any time be used as a roof terrace/amenity area.

Reason: In the interests of residential amenity.

3. The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. 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.

5. Water supply and drainage arrangements, including the attenuation and 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

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.

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Bernadette Quinn  
Planning Inspector

06<sup>th</sup> January 2026

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ACP-323717-25
<b>Proposed Development Summary</b>	Construction of extension and new windows
<b>Development Address</b>	13 Glashaboy Woods, Sallybrook, Glanmire, Cork
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input checked="" type="checkbox"/> 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.  <b>No Screening required.</b>	
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<b>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)?</b>	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_