



An
Bord
Pleanála

Inspector's Report ABP-316392-23

Development	Provision of a prefabricated timber cabin for home gym/office use to side garden of dwelling and all associated site works.
Location	2 Meadowbrook Avenue, Baldoyle, Dublin 13, D13 X9K2.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	F23B/0022.
Applicant(s)	Karen & Kieran Flood.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party Appeal
Appellant(s)	Karen & Kieran Flood.
Observer(s)	None.
Date of Site Inspection	23-08-2023.
Inspector	Adam Kearney.

1.0 Site Location and Description

1.1. No, 2 Meadowbrook is located on the corner of Meadowbrook Avenue and Tuscany Park at Baldoyle, Dublin 13. The property comprising of an extended semi-detached dwelling has a stated area of 0.03 Hectares. The side garden is largely obscured from the public road by dense planting. The site is circa 500m southwest of Balydoyle village and circa 11km northeast of Dublin City Centre.

2.0 Proposed Development

The development consists of the provision of a single storey prefabricated timber cabin for home gym/office use to the side garden of existing dwelling and for all associated site works.

3.0 Planning Authority Decision

3.1. Decision

On the 30-03-2023 Fingal County Council Refused Permission for the Following Reason.

The proposed timber cabin by reason of the design, size and scale is not a subordinate form of development and together with the excessive breach of the front building line of the dwelling and inappropriate location within the front garden of the dwelling is considered to be haphazard and not a sympathetic development at this prominent location. The proposed development would present as an unduly dominant feature being incongruous to the streetscape and would be seriously injurious to the visual amenities of this prominent setting. The development would be inconsistent with the established character of the of the area and would fail to comply with Objective PM46 of the Fingal Development Plan 2017-2023 which seeks to Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The pertinent points of the PA report are as follows.

- Site is at a prominent location on a corner.
- The angular site configuration is acknowledged as a constraint but development such as that proposed is more appropriately placed to the rear.
- Development as proposed would breach the front building line by 7m.
- Ample planting along the side garden boundaries but should not be used to screen inappropriate development.
- The development in its proposed form is inappropriate and would fail to integrate with the receiving environment.

3.2.2. Other Technical Reports:

Transportation Planning Section: No objection subject to Conditions.

Water Services Department: No objection subject to Conditions.

4.0 Planning History

F96B/0483 - Single storey extension at front and side. Grant Permission

F15A/0465 -. The removal of the existing roof from a single storey side extension and for the construction of a first-floor bedroom extension (29.4 sq.m) with provision- to block existing-landing window and for-the-widening of the existing vehicular entrance to the front exiting onto Meadowbrook Avenue and for all associated site works. Grant Permission

FSS/058/22 Timber structure 6m x 6m home office/home gym/storage Is Not Exempted Development

5.0 Policy and Context

5.1. Development Plan

Fingal County Development Plan 2023 – 2029

Zoning: The site is zoned objective 'RS - Residential' with the objective 'to provide for residential development and protect and improve residential amenity'.

Section 3.5.13.1 Residential Extensions

The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.

Policy SPQHP41 – Residential Extensions

Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

Objective SPQHO45 – Domestic Extensions

Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

Section 3.5.13.2 Family Flats

- 5.2. Family flats are a means of providing additional accommodation with a level of independence for an undefined temporary period of time. Family flats allow for semi-independent accommodation for an immediate family member (dependent on the main occupants of the dwelling). Applications for family flats will be considered favourably subject to criteria set out in Chapter 14 Development Management Standards.

Objective SPQHO46 – Family Flats

Ensure family flats:

- Are for a member of the family with a demonstrated need.
- When no longer required for the identified family member, are incorporated as part of the main unit on site.
- Do not exceed 75 sq m in floor area.
- Comply with the design criteria for extensions, as above.

Section 14.10.2.1 Front Extensions

Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house. The scale, height, and projection from the front building line of the dwelling should not be excessive so as to dominate the front elevation of the dwelling. The porch should complement the existing dwelling, and a contemporary design approach may be considered.

Section 14.10.2.2 Side Extensions

Side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation) and impacts on residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. In certain cases, a set-back of the extension's front facade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape and avoid a 'terracing' effect. External finishes shall generally match the existing.

Section 14.10.4 Garden Rooms

Garden Rooms can provide useful ancillary accommodation such as a playroom, gym, or study/home office for use by occupants of the dwelling house. Such structures should be modest in floor area and scale, relative to the main house and remaining rear garden area. Applicants will be required to demonstrate that neither the design nor the use of the structure would detract from the residential amenities of either the main residence or of adjoining property. External finishes shall be

complementary to the main house and any such structure shall not provide residential accommodation and shall not be fitted out in such a manner including by the insertion of a kitchen or toilet facilities. Such structures shall not be let or sold independently from the main dwelling.

Section 14.4.8 Building Lines

In achieving a high quality of design within the public realm, the Council will seek to ensure that development is not carried out in front of established building lines, or in a position that would conflict with a building line. The form and pattern of extant development and relationship to existing building lines should also be considered in all new proposals.

5.3. Natural Heritage Designations

The site is located c. 0.5km to the south-west of the Baldoyle Bay SPA (Site Code 004016) and Baldoyle Bay SAC (Site Code 000199).

5.4. EIA Screening

Having regard to the nature and scale of the proposed development, to the absence of emissions therefrom, the nature of receiving environment as a built-up urban area and the distance from any European site, it is possible to screen out the requirement for the submission of an NIS and carrying out of an AA at an initial stage.

6.0 The Appeal

6.1. Grounds of Appeal

- Existing home accommodates four adults and one child
- One adult works from home and has a requirement for additional space for remote working and exercise.
- Personal circumstances are cited in the appeal.
- The bushes and foliage provide ample cover for the proposed cabin.
- Country is witnessing a housing crisis.

6.2. Planning Authority Response

- The development was assessed having regard to the development plan zoning objective as well as the impact on adjoining neighbours and the character of the area.
- The Fingal Development Plan 2017-2023 has now been superseded with, the Fingal Development Plan 2023-2029. Having regard to the needs of the family it is recommended that consideration could be given to the provision of a family flat.
- The development as proposed of a timber cabin forward of the front building line, in excess of 30 sq.m. in area is considered to be totally inappropriate at this location.
- There is an area of open space to the side of the house that could provide a location for a smaller shed for the uses proposed of gym/home office. This would maintain the building line and would be more acceptable if finishes similar to the house are used.

6.3. Observations

- None

6.4. Further Responses

- None

7.0 Assessment

- 7.1. I have read the file and visited the site and consider the main issue to be the typology and scale of the structure proposed and its proposed location within the curtilage of an irregular semi-detached urban plot.
- 7.2. The proposed use of this structure for exercise/remote working would normally be accommodated by way of an extension or garage/outbuilding to the rear, but in this instance due to the configuration of the site and the size of the proposed external room the structure is located forward of the building line in the front garden area.

- 7.3. Albeit there is an extension to the side of the existing dwelling there is sufficient residual side garden area remaining to locate a smaller more subordinate structure/room that would respect the general building line.
- 7.4. The location of a cabin structure with a form akin to a modular dwelling to the front would contravene the CDP in that it breaches the building line.
- 7.5. The applicant makes the case that the planting and foliage would provide ample screening, but I am not satisfied that this would be the case. The planting and foliage are in my opinion overgrown and occupy a substantial depth of the developable area. Successfully locating such a structure in the front garden would involve removing much of the foliage rendering the structure visible from the public realm and thereby negating the earlier argument.
- 7.6. Irrespective of the planting or building line the type and size of structure proposed is completely out of character with the area and would represent an incongruous intervention and set a precedent for similar substandard development.
- 7.7. Conclusion

Having regard to the above I am not satisfied that the proposed development is in accordance with the Fingal Development Plan 2023 – 2029, would not be in keeping with the established pattern of development in the area and would if permitted set an undesirable precedent for haphazard development and as a result would not accord with the proper planning and sustainable development of the area.

8.0 **Appropriate Assessment Screening**

Subject site is located to the southwest of the Special Area of Conservation for Baldoyle Bay (000199) and the Special Protected Area for Baldoyle Bay (004016) and to the north of the Special Area of Conservation for North Dublin Bay (000206) and Special Protected Area for North Bull Island (004006). Having regard to the nature and scale of the proposed development in a built-up urban area and the absence of a pathway between the application site and any European site it is possible to screen out the requirement for the submission of an NIS and carrying out of an EIA at an initial stage.

9.0 Recommendation

I recommend that Permission is Refused for the following reason.

10.0 Reasons and Consideration

The proposed timber cabin by reason of its design, scale and siting to the front of the existing dwelling represents a haphazard form of development. The footprint proposed substantially breaches the building line and as a result contravenes Section 14.4.8 of the Fingal Development Plan (Building Lines). In addition, the modular dwelling style design with a timber finish located in the front garden would represent an unwelcome and incongruous intervention to the existing streetscape and would seriously injure the visual amenities of the residential area. The development would be inconsistent with the established character and pattern of development in the area and would fail to comply with Objective SPQHO45 of the Fingal Development Plan which seeks to *'Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area'*.

11.0 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.

Adam Kearney
Planning Inspector

28th August 2023