



An
Bord
Pleanála

**Board Direction
PL06F.248978**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22nd January 2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the Fingal Development Plan 2017-2023, including zoning objective 'TC' and Objective Skerries 3, which encourage the inclusion of a residential element in redevelopment proposals, to the nature and scale of the proposed development which seeks alterations to a previously permitted development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity or detract unduly from the character or setting of Skerries ACA, and would be acceptable in terms of traffic safety and convenience. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, except as may otherwise to 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 the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 16th day of September 2015 under planning register reference number F14A/0527, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. 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.

4. (a) The car parking spaces proposed to serve the apartments shall be reserved solely for use by the occupants of the apartments and / or visitors to the apartments. A revised site layout showing the provision of five car parking spaces shall be submitted and agreed with the planning authority prior to commencement of development. Spaces shall not be sold separately, or let to avoid non-take-up of residents.

(b) The practice of night time closing of the adjoining car park which serves the supermarket shall continue and arrangements shall be put in place to ensure occupants of the apartments can access the car spaces reserved for their residential parking after the car park closes.

Reason: To provide for suitable car parking for future occupants of the apartments.

5. The following requirements in relation to façade design shall be complied with in full:-

- (i) No windows fronting onto Church Street shall comprise of obscure glazing;
- (ii) The windows on the Church Street elevation shall be up and down sliding timber sash windows;
- (iii) There shall be no projecting signage or projecting external lighting. Prior to commencement of development the developer shall submit to the planning authority for its written agreement, details of all façade signage;
- (iv) The roofs of No. 56, 57 and 58 Church Street shall comprise natural slate. Prior to commencement of development the developer shall submit to the planning authority for its written approval agreement, details (including samples) of the natural roof slate. The natural roof slate shall match as closely as possible the historic slate used in the area which has a blue or purple hue rather than stark black, and
- (v) All rainwater goods shall be metal.

6. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, and apart from the signage agreed under condition 5(iii), no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

7. Prior to commencement of development, the developer shall submit to and

agree in writing with planning authority, the report of the consultant engineer on the structural condition of properties removed at numbers 55, 56 and 57 Church Street.

Reason: To protect the amenities of the Architectural conservation area for Skerries.

8. The management and maintenance of the proposed apartment development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of all communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

9. Proposals for a name, apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

10. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory

completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

11. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in lieu of 0.01 hectares of public open space. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

12. 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.

Board Member

Date: 25th January 2018

Eugene Nixon