

An  
Coimisiún  
Pleanála

Commission Order  
ABP-322305-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Fingal County Council**

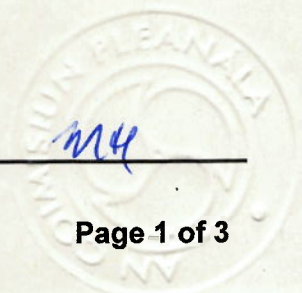
**Planning Register Reference Number: F25A/0074E**

**APPEAL** by Pat Martin care of Fingal Planning Consultants of Suite 7C, Balbriggan Street, Skerries, County Dublin against the decision made on the 20<sup>th</sup> day of March, 2025 by Fingal County Council to refuse permission.

**Proposed Development:** Retention of alterations to premises and for change of use from agricultural store to family flat. Permission for a link corridor linking the house and the family flat, all at Island View, Rush Road, Skerries, County Dublin.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.



## Reasons and Considerations

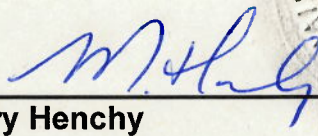
1. The proposed development by reason of its existing and proposed design and layout, does not comply with Objective SPQHO46 or Section 14.10.3, as they relate to family flats, and as such would contravene an objective of the Fingal Development Plan 2023-2029 and would be contrary to the proper planning and sustainable development of the area. Additionally, the proposed development would set an undesirable precedent for other such developments within the county
2. The development is out of character with the established pattern of development in the area and would seriously injure the residential and visual amenities of the area. The proposed development would have a harmful impact on lands zoned 'HA' and would be contrary to Policy GINHP28 (Protection of High Amenity Areas), Objective GINHO67 (Development and High Amenity Areas), Policy GINHP25 (Preservation of Landscape Types), and Objective GINHO55 (Protection of Skylines) of the Fingal County Development Plan 2023-2029. The proposed development would therefore represent an undesirable precedent within the area and would therefore be contrary to the proper planning and development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the totality of the file. The Commission disagreed with the Inspector and shared the opinion of the local authority that the proposed retention of alterations and change of use of an agricultural store to a family flat does not accord with Policy SPQHP42 or the development management standards for Family Flats as set out in Section 14.10.3 of Fingal Development Plan 2023-2028. In particular, the position of the structure on site, the lack of a practical connection to the main house, the own door access, and the level difference between it and the main dwelling (which does not accommodate subsuming it into the main dwelling), does not accord with the development plan requirements for family flats. The Commission did not



concur with the Inspectors conclusion that Section 14.10.3 provides for flexibility to the degree that a family flat can be an independent unit, the own door access does not remove the requirement to be connected to an existing dwelling.

The development is in a High Amenity Zoning, the proposed works to be retained detract from the character of the area and would set an undesirable precedent within the area.



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**Mary Henchy**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 14<sup>th</sup> day of Sept 2025.