

An
Coimisiún
Pleanála

**Commission Order
PL-500034-DF**

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/1173E

Appeal by John Doyle care of Hughes Planning against the decision made on the 16th day of September 2025 by to grant, subject to conditions, a permission to Darkbridge Limited care of Michael Fitzpatrick Architects in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of construction of new 2 Storey detached Creche facility (circa 528 square metres) with associated enclosed external play areas (circa 140square metres); staff and bicycle parking including designated basement staff parking within Skerries Point Development; single direction internal site road layout with drop off spaces including new site access/egress points and reconfiguration of Barnageeragh Road markings to facilitate right turn into the site; mods to existing brick boundary wall; building signage; hard and soft landscaping; street lighting, bin storage and all ancillary site service works, all at Skerries Point Shopping Centre, Barnageeragh Road, Skerries, County Dublin, as amended by further public notices received by the planning authority on the 20th day of August 2025.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the location of the site on lands zoned 'LC – Local Centre' with an objective 'to protect, provide for and/or improve local centre facilities' and to the planning policies, objectives and development standards of the Fingal Development Plan 2023-2029 (and specifically to development plan Objectives CIOSO27 and DMSO79, to the Childcare Facilities: Guidelines for Planning Authorities (2001), to the planning history of the site and to the nature, scale and design of the proposed development relative to adjoining properties, and to the existing pattern of development in the wider area, it is considered that subject to compliance with the conditions set out below, the proposed development is an acceptable form of development at this location, would not seriously injure the amenities of adjoining properties, and would therefore, be in accordance with the proper planning and sustainable development of the area.



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 information received by the planning authority on the 24th day of July 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 interest of clarity.

2. The following details shall be agreed in writing and a revised layout provided for the approval of the planning authority prior to commencement of the development:
 - (a) Location of the staff cycle parking shall be provided in a separate secure and covered structure and the short term cycle parking to the rear of the development shall be covered and secure.
 - (b) Cargo bike parking location and design (minimum of two spaces).
 - (c) Design and construction details signage and line marking for the Toucan Crossing.
 - (d) A drawing detailing the four metre reservation area required for the future pedestrian and cycle network along Barnageeragh Road.
 - (e) A revised layout detailing three staff car parking spaces of which a minimum of one space shall be an EV charging space. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points.
 - (f) Details for one parent and child space and one accessible parking space shall be provided.

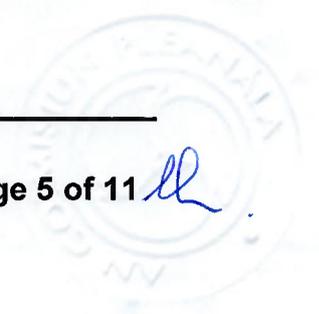
- (g) All the parking spaces shall be reverse only spaces and signed and lined as appropriate and shown on drawings.
- (h) A taking in charge drawing showing the areas along Barnageeragh Road to be taking in charge of the Council.

Reason: In the interests of traffic and pedestrian safety.

3. The following requirements of the planning authority shall be adhered to:
- (a) The design and construction of the Toucan Crossing shall be in accordance with the Councils taking in charge policy and specifications.
 - (b) The Toucan crossing and pedestrian infrastructure shall be in place and operational prior to the development becoming operational or otherwise agreed with the planning authority.
 - (c) All works required to the public road and footpaths to be taken in charge shall be taken in charge at a minimum from the back of footpath/cycle path on one side of the road to the back of footpath/cycle path on the other side of the road, as per the Councils 'taking in charge policy and specifications unless otherwise agreed in writing with the Council through the Councils formal taking-in-charge process.
 - (d) Road Safety Audits shall be conducted as part of the proposed development at all of the relevant stages as outlined in current edition of Transportation Infrastructure Ireland guidelines GE-STY-01027 May 2025. Any required amendments to the proposal resulting from the road safety audits shall be submitted to and agreed in writing with the council prior to construction.
 - (e) No objects, structures, landscaping or planting shall be placed or installed within the visibility splays (as defined by DMURS (Current Edition) and as per the submitted Additional Information Site Plan) exceeding a height of 900 millimetres, which would interfere or obstruct (or could obstruct over time) the required visibility splays.

- (f) Any works to the public footpath, verge and road carriageway to facilitate the development and any repairs to the public footpath, verge and road carriageway necessary as a result of the development shall be at the expense of the developer and completed to the Councils' standards for taking-in-charge and to the satisfaction of the Council.
- (g) A Mobility Management Plan/Travel Plan shall be submitted for approval in writing with the planning authority prior to commencement of development. The Mobility Management Plan shall be fully adhered to. The Mobility Management Plan shall be reviewed yearly, and recommendations from the review should be implemented. A Mobility Management Coordinator shall be appointed to ensure that the proposed measures identified in the Mobility Management Plan are successfully implemented, monitored and adjusted as necessary to achieve an effective plan.
- (h) All underground or overhead services and poles shall be relocated, as may be necessary, to a suitable location at the developer's own expense and according to the requirements of the relevant utility service provider/service owner/statutory undertaker.
- (i) Where works are required on the property of a third party to meet the requirements for visibility/access the applicant shall submit written evidence that it has the necessary legal consent/ rights of way etc. to undertake all such works. The Letters of consent shall be provided prior to commencement of the development.
- (j) All stormwaters shall be disposed of to soak pits or drains within the site and shall not discharge onto the public road.
- (k) All the above works shall be carried out at the Developer's expense.

Reason: In the interests of traffic and pedestrian safety.



4. The proposed childcare facility shall not operate outside the period of 0730 to 1800 hours Monday to Friday inclusive, and shall not operate on Saturdays, Sundays or public holidays.

Reason: In the interest of residential amenity.

5. The number of children to be accommodated within the premises shall not exceed 93 at any time on any day.

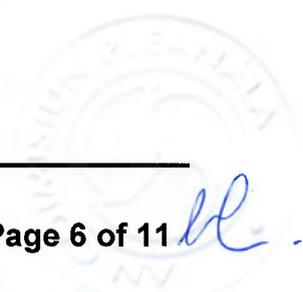
Reason: To limit the scale of development in the interest of local amenity.

6. (a) Existing hedgerows, trees and shrubs on site shall be preserved and fully protected in accordance with BS 5837:2012 – Trees in Relation to Design, Demolition and Construction Recommendations.
- (b) The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of biodiversity and the visual amenities of the area.

7. The external material finishes of the proposed development shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of orderly development and the visual amenities of the area.



8. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

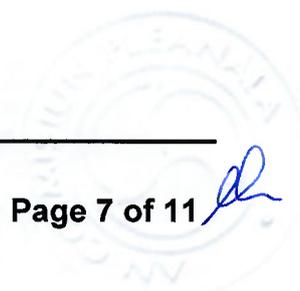
Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

9. 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 and surface water management.

10. Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, 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 retail units or within the curtilage of the site, unless authorised by a further grant of planning permission.

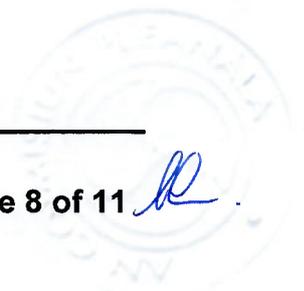
Reason: To protect the visual amenities of the area.



11. The proposed creche building shall be designed, constructed and maintained such that no access to Iarnród Éireann (IE) property or the railway embankment is required for routine maintenance or repair works, which shall be carried out wholly from within the applicant's site. Any works, overhang, encroachment or access onto IE lands (including for construction, maintenance, cranes, scaffolding or tree removal) shall be subject to prior agreement with IE via their Third Party Approvals procedure and/or the Commission for Railway Regulation (CRR), in accordance with the Railway Safety Act 2005 (as amended).

Reason: In the interests of railway safety and to ensure compliance with statutory obligations under the Railway Safety Act 2005 and IE third-party works requirements.

12. The following requirements of Iarnród Éireann shall be adhered to:
- (a) The Railway Safety Act 2005 places an obligation on any 3rd party working near the railway to ensure no danger or hazard is posed to railway operations. Due to the proximity of this site to the railway corridor, the Applicant must take due consideration of this obligation during the planning and construction of the development.
 - (b) Due to proximity of the Connolly to Border railway line, a 2.4 metre high suitably designed, solid block boundary treatment, should be erected by the applicant on the applicants' side of the property boundary. The maintenance of this boundary treatment rests with the Applicant and the Successor-in-Title. The exact location and details of this boundary treatment must be identified on site in co-operation with this office. Also, the existing railway fencing must not be removed or altered.



- (c) The security of the railway boundary must be maintained at all times during construction where new boundary treatment is to be installed. Preferably the permanent boundary treatment should be completed early in the construction programme.
- (d) At no point should the applicant or their representatives enter railway property to undertake the construction of this development. It is imperative that the railway always remains inaccessible to prevent trespassing, both during the construction phase and in the future. This includes safeguarding against unauthorized access, especially through scaffolding or any other means.
- (e) The development may not undermine the integrity of the embankment supporting the public road or the Bridge structure to the south of the development, for which Iarnród Éireann has a statutory obligation to maintain.
- (f) Should the development require the use of a crane that could swing over the railway property, then the developer must enter into an agreement with Iarnród Éireann / CIÉ regarding this issue.
- (g) No overhang of any part of the development over the railway property is to be allowed.
- (h) Lights from the proposed development, either during the construction phase or when the development is completed, should not cause glare or in any way impair the vision of train drivers or personnel operating on track machines.



- (i) Should it be intended to cut down trees that are in proximity of the railway line such that if they were to fall towards the line, they would block it, the Applicant must contact the Third-Party Co-ordinator by the email 3rdpartyapprovals@irishrail.ie for a safe system of work to be established to undertake this work.

Reason: In the interest of public safety.

13. Site development and building works shall be carried out only between the hours of 0700 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: To safeguard the amenity of property in the vicinity.

14. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/ demolition waste.

Reason: In the interest of public safety and amenity.

15. 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 Coimisiún 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.



Mick Long

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

Dated this *19th* day of *February* 2026