



An
Bord
Pleanála

Inspector's Report ABP-318693-23

Development	Enlarge both ground floor front windows.
Location	5 Rock Road, 20 Harbour Road, Skerries, Co. Dublin, K34HX36.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F23B/0109
Applicant(s)	Fingal Food and Drink Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Fingal Food and Drink Limited
Date of Site Inspection	04 th February 2024
Inspector	Colin McBride

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.0419 hectares, is located to the north of Skerries town centre at no. 20 Harbour Road. The appeal site is occupied by a two-storey structure in use as a restaurant (5 Rock). Adjoining properties include a two-storey property to the south in restaurant use (Stoop Your Head) and to the north a two-storey dwelling.

2.0 Proposed Development

- 2.1 Permission is sought for the enlargement of both ground floor windows on the front elevation of an existing restaurant premises. The proposal entails widening the windows from 1.07m to 3.21m with the new windows featuring three vertical window panes.

3.0 Planning Authority Decision

3.1. Decision

Permission refused based one reason...

1. The proposed development, which concerns the enlargement of front, ground floor window opes would have an adverse impact on the appearance and character of the original 19th/early 20th century building and would as a consequence, impact the streetscape along Harbour Road Skerries. The development would contravene materially Policy HCAP25 of the Fingal Development Plan 2023-2029 which seeks to encourage the retention of the original or historic fabric of older or historic buildings, whether protected or not, and would contravene materially Policy HCAP26 which recognises the importance of historic townscapes or streetscapes in creating a sense of place when the urban fabric or groups of buildings are read together and how gradual attrition of historic fabric or groups or detailing, or the demolition and replacement of individual modest buildings can fundamentally alter the character of the place. The development as proposed would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning Report (16/11/23): The existing structure is a 19th/early 20th century building and the proposal would have an adverse impact on the historic character of the existing structure and the existing streetscape. Refusal was recommended based on the reason outlined above.

3.2.2 Other technical reports

Conservation Officer (27/10/23): The proposal to enlarge the ground floor windows are not sympathetic to the historic character of the existing structure.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

F07A/0850: Permission granted for a change of use of existing residential property bar/restaurant with the construction of a two-storey extension.

F22A/0069: Permission granted for a single-storey flat roof extension to existing restaurant.

5.0 Policy Context

5.1. Development Plan

The relevant Development Plan is the Fingal Development Plan 2023-2029. The appeal site is zoned TC-Town Centre with a stated objective to 'protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities'.

Policy HCAP21 – Built Heritage Assets

Protect and enhance the historic environment and built heritage assets, including elements of historic street furniture, paving and historic boundary treatment.

Policy HCAP25 – Retention of Historic Fabric

Encourage the retention of the original or historic fabric such as windows, doors, wall renders, roof coverings, shopfronts, pub fronts and other significant features of older or historic buildings, whether protected or not.

Policy HCAP26 – Historic Townscapes

Recognise the importance of historic townscapes or streetscapes in creating a sense of place when the urban fabric or groups of buildings are read together and how the gradual attrition of historic fabric or detailing, or the demolition and replacement of individual modest buildings can fundamentally alter the character of the place.

Table 14.26: Direction on Development of Vernacular Buildings or Other Built Heritage Assets

Any proposed changes need to be sympathetic to the special features and character of the existing building by respecting the existing setting, form, scale and materials.

5.2 Natural Heritage Designations

None within the zone of influence of the project.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal has been lodged by Kane Architecture on behalf of the applicant Fingal Food and Drink Ltd. The grounds of appeal are follows...

- The appellants consider that the decision in this case is an inappropriate use of Policy HCAP25.
- The provision of enlarged windows will be a sustainable proposal and allow for showing the established use. The existing structure was comprehensively redeveloped on foot of permission ref no. F07A/0850 with no internal features or structures retained. The existing windows would not be in line with the type of seaside structure evident along the main routes in Skerries.
- The appellants considers that widening of the windows in sensitive manner will allow views of the established use and enhance the existing commercial use without impact on the historic streetscape.
- The appellants highlights that the streetscape has developed significantly and that a restaurant on the seafront should make use of the harbour view.

6.2. Planning Authority Response

6.2.1 Response by Fingal County Council.

- The PA refer to the planning report associated with this application and request that the Board uphold the decision of the Planning Authority.

7.0 Assessment

- 7.1 Having inspected the site and associated documents, the main issues can be assessed under the following headings.

Visual impact in the context of character of the existing building and streetscape:

- 7.2 Visual impact in the context of character of the existing building and streetscape:

- 7.2.1 The proposed development entails the widening of the 2 no. ground floor windows on the front elevation of an existing two-storey structure in restaurant use. The existing structure is late 19th century/early 20th century structure formerly a dwelling and extended and changed in use under ref no. F07A/0850. The existing structure is not on the record of protected structures or on the National Inventory of Architectural Heritage (area has been surveyed). Notwithstanding such the existing structure is located along the seafront streetscape and has retained its original external proportions despite being significantly altered as part of the authorised development on site. The applicants/appellants are clearly trying to maximise internal views of the harbour area.

- 7.2.2 The Development Plan does include a number of policies that seek to encourage retention of historic character and streetscape in the case of vernacular buildings regardless of their status in terms of the record of protected structures with the PA determining the proposal was contrary to the Policy HCAP25 and HCAP 26, which is outlined above. The appellants are of the view that the alteration would be acceptable in the context of the established streetscape and point to the fact that the existing streetscape has been significantly altered over time in terms of architectural character.

- 7.2.3 Having inspected the site, I would acknowledge that the existing structure is of a reasonable age and exhibits a good vernacular character. The proposed

development despite being significantly altered under ref no. F07A/0850 retained its external character and proportions. I would be of the view that the proposed alterations would have a negative impact on the historic proportions of the existing façade and would have an adverse impact in terms of visual amenity and streetscape character. I would acknowledge that the streetscape has clearly changed significantly and that there are a number of more recent structures with large format windows, however such appear to be completely new structures and the proposal is for alteration of an existing original structure within the streetscape. I would consider that the proposal is contrary to Development Plan policy HCAP25 and HCAP26 and would have an adverse impact in terms of the character of an existing structure of vernacular character and the overall streetscape at this location. In this regard the proposal would have an adverse impact in terms of visual amenity and streetscape character and would be contrary to the proper planning and sustainable development of the area.

8.0 Appropriate Assessment

- 8.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

I recommend refusal based on the following reason:

10.0 Reasons and Considerations

1. The proposal entails enlargement of windows on the front facade of an existing vernacular structure that retains its external historic architectural character and proportions. The proposal would have an adverse impact on the historic character of

the existing structure, would be detrimental to visual character of the existing streetscape and the visual amenities of the area. The proposed development would also be contrary to Policies HCAP 25 and HCAP26 of the Fingal Development Plan 2023-2029, which seeks to protect historic building and streetscape character whether structures are protected or not. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

Colin McBride
Senior Planning Inspector

06th February 2024