

An  
Bord  
Pleanála

## Inspector's Report

ABP-321360-24

<b>Development</b>	Two-storey house, incorporating building services with connections to the public wastewater and foul main, one car parking space, and all associated site works.		
<b>Location</b>	Site between 15 and 16 The Square, Skerries, Co. Dublin.		
<b>Planning Authority Ref.</b>	F24A/0381.		
<b>Applicant(s)</b>	Richard Beastall.		
<b>Type of Application</b>	Permission	<b>PA Decision</b>	Grant with conditions.
<b>Type of Appeal</b>	First Party v Conditions	<b>Appellant</b>	Richard Beastall
<b>Observer(s)</b>	None on file		
<b>Date of Site Inspection</b>	26.03.2025	<b>Inspector</b>	Des Johnson

## Context

### 1. Site Location/ and Description

1.1 The site is located on the east side of The Square in central Skerries. It is a vacant site between Nos 15 and 16, both two-storey dwellings. The Square is in the central historic core of the town and contains the remnants of the medieval street pattern.

1.2 Dwellings in the area are a mixture of single and two-storey. The adjoining houses have a staggered front building line, and both have car parking spaces parallel to their front building lines. There is a narrow footpath to the front of

No.17 but this does not continue either side of the dwelling. There is a footpath on the eastern side of The Square

1.3 The site is cleared of buildings and is fenced off.

## **2. Description of development.**

2.1 The proposal is for a two-storey house, incorporating building services with connections to the public wastewater and foul main, one car parking space and all associated site works.

2.2 The gross floor area of proposed works is stated to be 123.8sqm. The site area is stated to be 0.01837ha.

2.3 The site was previously occupied by a 19<sup>th</sup> Century single storey stone shed, demolished on foot of a previous planning permission.

2.4 Proposed finishes include sand and cement render, hardwood windows, and slate to roof.

2.5 Proposed ridge level is 12.30, compared with 11.40 at No.15 and 13.10 at No.16.

2.6 Further Information submitted on 9<sup>th</sup> September 2024 states the following:

- Welsh Slate – Penrhyn Bangor Blue is proposed.
- Relationship with No.15 – negotiated solution is proposed.
- The proposed roof ridge is to be 1 metre closer to The Square but retaining its height.
- Drawing A1-02 is submitted which shows proposals for land transfer to FCC to provide additional road space.
- A report and drawing is submitted showing an approved SuDS surface water drainage proposal.
- A drawing is submitted showing bin storage and bicycle parking.

2.7 Clarification of Further Information was submitted on 10<sup>th</sup> October 2024. This is as follows:

- Revised drawing is submitted showing revised roof design with proposed roof pitch matching No.15 (Drawing 25742-02 Rev02)

- Omission of the bin/bicycle store and car parking space, and revised layout showing reconfigured boundaries.

### **3. Planning History.**

3.1 06F.245179 – Permission granted on appeal for demolition of existing structures and construction of a two-storey dwelling on a site between 15 and 16, The Square, Skerries, Co. Dublin.

Condition 2 of the permission requires the design of the development to be in accordance with Additional Information received by the planning authority on 3<sup>rd</sup> June 2015 (Drawing PL-A1-02 Additional Information). The reason for the condition is 'in the interest of clarity'. The Inspector's report recommends that the perpendicular car parking space to the front be omitted, and that car parking arrangements be provided as per Drawing 14-140 PL2 submitted on 11<sup>th</sup> February 2015. This drawing shows a car parking space parallel to the front of the dwelling; the Board did not accept this recommended condition.

3.2 Reg Ref. F07B/0373 – Permission granted to demolish single storey and partial first floor extension and construction of a 1 and 2 storey extension to side and rear of 15, The Square.

### **4. Planning Policy**

4.1 The Fingal Development Plan 2023-2029 is the relevant plan. The Plan came into effect on 5<sup>th</sup> April 2023.

4.2 The site is zoned TC Town and District Centre. It is an objective to protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities in such areas. Residential development is permitted in principle in this zoning.

4.3 The site lies within a designated Architectural Conservation Area.

4.4 Table 14.4 refers to Infill Development. It states that Infill Development presents unique opportunities to provide bespoke architectural solutions to gap sites and plays a key role in achieving sustainable consolidation and enhancing public realms. Proposals for infill development will be required at a minimum to:

- Provide a high-quality design response to the context of the infill site, taking cognisance of architectural form, site coverage, building heights, building line, grain, and plot width. "
- Examine and address within the overall design response issues in relation to over bearing, overlooking and overshadowing. "

- Respect and compliment the character of the surrounding area having due regard to the prevailing scale, mass, and architectural form of buildings in the immediate vicinity of the site. "
- Provide a positive contribution to the streetscape including active frontage, ensuring that the impacts of ancillary services such as waste management, parking and services are minimised. "
- Promote active street frontages having regard to the design and relationship between the public realm and shopfronts of adjacent properties

4.5 Objective DMSO31 refers to Infill Development. The objective states that new infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings

## **5. Natural Heritage Designations**

- North West Irish Sea SPA – c.140m to the north
- Rockabill to Dalkey Island SAC – c.2.9km to the east
- Rockabill SPA – c.2.9km to the east
- Rogerstown Estuary SAC, SPA & pNHA – c.7.9km to the south
- Malahide Estuary SAC, SPA & pNHA – c.12.5km to the south.

## **Development, Decision and Grounds of Appeal**

### **6. PA Decision.**

6.1 By Order PF/2889/24, dated 4<sup>th</sup> November 2024, the Planning Authority decided to grant permission, subject to 13 conditions.

6.2 The conditions relate to the following:

1. Compliance with plans, particulars, and specifications lodged with then application, as amended by Additional Information and Clarification of Additional Information
2. Dwelling to be used as a single residential unit, apart from what may be an exempted development use under the Regulations
3. Connection agreement with Uisce Eireann.
4. Surface water drainage requirements

5. Revised drawings showing proposed planted area or planter boxes, and land transfer. Revised drawings showing design and finishes of planed area or planter boxes, and paving.

6. Part V requirements.

7. Road between the private front space and public road to be constructed to taking in charge standards. Ceding of land to FCC. Other Planning Authority requirements relating to front of the development at the developer's expense, and to the satisfaction of the Planning Authority.

8 Finishes.

9. Bathroom/en suite windows to be fitted and permanently maintained with obscure glazing.

10.Spillage/dirt requirements, and any damage caused to the adjoining public road.

11. Hours of construction.

12. Undergrounding of service cables.

13. Financial contribution.

6.3 Additional Information was requested on 16<sup>th</sup> June 2024 and submitted on 9<sup>th</sup> September 2024. Clarification of Additional Information was requested on 4<sup>th</sup> October 2024, and submitted on 7<sup>th</sup> October 2024.

6.4 **The Planner's reports** note that a dilapidated stone structure previously on site has been demolished. Vehicle access is possible up to the site boundary along The Square. The site is zoned 'TC Town and District Centre' and within Coastal Landscape Character Area, the Coastal Highly Sensitive Landscape designation, and Skerries Architecture Conservation Area. Objection/submission received, raises concerns regarding front elevations and dimensions, roof design, impact on adjoining site, no access for bin storage, and sewer line running through the site. The development is not expected to cause additional overshadowing or loss of light. There would be no overlooking or loss of privacy. The site is within Zone 1 in the CDP where 1 parking space is the maximum permitted. The parking proposal is not acceptable to the Transportation Section. Following the submission of Further Information and Clarification of Further Information, the proposed development would not adversely impact on the residential amenity of adjacent properties or significantly detract from the character of the surrounding area.

6.5 The Transportation Planning Department has no objections subject to conditions. The conditions are attached to the permission.

Water Services has no objection subject to conditions.

Conservation Officer raises no objection.

Uisce Eireann raises no objection.

## **7. First Party Appeal.**

7.1 These are submitted by Kieran O'Malley & Co. Ltd on behalf of the 1<sup>st</sup> Party. The appeal is against conditions 1, 5, 6, 7 & 13 of the Planning Authority's decision. Modification of conditions 1 and 13 is requested, along with the omission of conditions 5, 6 and 7.

Condition 1 reads as follows:

*The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and as amended by the Additional Information received on the 9<sup>th</sup> of September 2024, and Clarification of Additional Information received on 10<sup>th</sup> of October 2024, save as may be required by the other conditions attached hereto.*

**Reason:** *To ensure that the development shall be in accordance with the permission, and that effective control be maintained.*

Condition 5 reads as follows:

*Prior to the commencement of development, the following shall be submitted for the written agreement of the Transportation Planning Section and the Conservation Office of the Planning Authority:*

- (a) Revised drawings showing the proposed planted area or planter boxes placed adjacent to the building line to either side of the entrance to the proposed dwelling to accommodate a stronger street presence, provide privacy and a buffer area for pedestrians to dwell after stepping out from the front door and the private space and paving to be retained by the applicant/developer reduced to 2.0m in width. A revised drawing shall be provided for compliance and land register.*
- (b) Revised drawings to include elevation drawings clearly indicating the design and finishes of the proposed planted area or planter boxes and the paving. The colour palette and material for the paving should be consistent to that in the immediate vicinity and the planters should be a simple design and a muted colour.*

**Reason:** *In the interest of clarity, visual amenity, and orderly development.*

Condition 6 reads as follows:

*Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates, shall enter into an agreement in writing with the Planning Authority in accordance with the requirements of Section 96 of the Planning and Development Act 2000, as amended, unless an Exemption Certificate shall have been applied for and been granted under Section 97 of the Act, as amended.*

**Reason:** *To comply with the requirements of Part V of the Planning and Development Act 2000 as amended, and to comply with the requirements of the housing strategy in the Development Plan of the area.*

Condition 7 reads as follows:

*The following requirements of the Planning Authority shall be adhered to:*

- (a) The road between the private front space and the public road shall be constructed to taking in charge standards and ceded to Fingal County Council.*
- (b) No front fence/hedge or boundary wall shall be construed to the front of the development*
- (c) Where permeable paving areas adjacent roads are proposed, construction details preventing the road edge being undermined by surface water shall be implemented*
- (d) All works to the public road to facilitate the development, including any repairs to the public road, relocation of street furniture and services necessary as a result of the development, shall be at the expense of the developer and completed to the satisfaction of the Planning Authority*
- (e) All the above works shall be carried out at the developer's expense according to the Specification and Conditions of Fingal County Council*
- (f) All underground or overhead services and poles shall be relocated, as may be necessary, to a suitable location adjacent to the new boundary*
- (g) All stormwater shall be disposed of to soakpits or drains within the site and shall not discharge onto the public road*
- (h) All the above works shall be carried out at the Developer's expense according to the Specification and Conditions of Fingal County Council.*

**Reason:** *In the interests of traffic and pedestrian safety.*

Condition 13 reads as follows:

*Prior to commencement of development the developer shall pay the sum of E16,878.04 (updated at date of commencement of development, in accordance with changes in the Tender Price Index) to the Planning Authority as a contribution towards expenditure that was and/or that is propose to be incurred by the Planning Authority in respect of public infrastructure and facilities benefiting development in the area of the Authority, as provided for in the Contribution Scheme for Fingal County made by the Council. The phasing of*

*payments shall be agreed in writing with the Planning Authority prior to the commencement of development.*

**Reason:** *It is considered reasonable that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting development in the area of the Planning Authority and which is provided, or intended to be provided by, or on behalf of the Local Authority.*

The grounds of appeal are summarised as follows:

7.2 The Board is invited to approve the proposed site layout forward of the front building line including one car parking space as shown on Drawing JEA DRWG No.2574-2-01 lodged on 25<sup>th</sup> April 2024, or alternatively approve the proposed layout forward of the front building line including one car parking space as shown on Drawing JEA DRWG No.2574-A1-02 lodged on 9<sup>th</sup> September 2024. The preference is for the former.

7.3 The site was purchased in November 2017 with the benefit of a permission (granted on appeal) for a two-storey house with one car parking space to the front. The development was delayed due to protracted legal proceedings and the permission lapsed in early 2021.

7.4 The combined effect of conditions 1, 5 and 7 taken together is to create a 2m wide buffer zone across the site frontage with planter boxes at the front door. The remainder of land between this 2m strip and the existing public road is to be ceded to the local authority to widen the public road.

7.5 The Board previously accepted justification for a parking space to the front of the site approving a slightly different arrangement. The speed limit at the time was 50 km/hr. and is now reduced to 30 km/hr. The permission granted did not require the ceding of any land. The current proposal has regard to the planning history of the site, and the zoning objective 'TC, Town and District Centre'.

7.6 The Transport Planning Section submitted 3 reports. The first notes 'ad hoc' parking at The Square, and concludes that designated car parking in this area is not acceptable. There is no objective basis or explanation for this assertion. There is no planning policy or any local development objective to support the ceding of land to the local authority. There is no obvious need to widen the road at this point.

7.7 In curtilage parking at Nos.15 and 16 means that there is no footpath on either side of the site, and the 2m wide buffer across the site (as per condition 5(a)) would be an isolated piece of infrastructure. Pedestrians would likely use the footpath opposite. The requirement for the 2m wide strip is piecemeal, arbitrary and serves no useful planning purpose.



- 7.8 There is no public safety or transport related basis for refusing car parking to the front of the property. The Transport Planning Section has no objection to parking on the public road in front of the appeal site, but objects to the applicant parking on his own land. There is no rational basis for this. The Planning Authority assessment of the car parking proposal is arbitrary and unreasonable.
- 7.9 The details of a land transfer/landscaping and hardscape plan shown on Drawing No. 2574A1-02 Rev 01 do not form part of the application.
- 7.10 If the Board considers it appropriate that land be ceded to increase the road width to 4.8m, and where it grants permission for 1 car parking space within the retained land, the 1<sup>st</sup> party is willing to cede the small parcel of lands required generally is shown in the FI lodged on 9<sup>th</sup> September 2024.
- 7.11 The lodged plans included details of an application to the Housing Department for an Exemption Certificate pursuant to Section 97, and an Exemption Certificate issued. Condition 6 is moot and should be omitted.
- 7.12 The applicable rate for financial contribution is E 128.84 per sqm floor area. The proposed floor area is 123.8sqm. The contribution should be E 15,950.39 and not E 16,878.04.
- 7.13 The Board is requested to amend Condition 1 to omit any reference to Clarification of Further Information, and to explicitly state that the permission included 1 car parking space. Conditions 5 and 7 should be omitted or amended to provide for 1 car parking space at the front of the site. Condition 6 should be omitted. Condition 13 should require an amended contribution.

The grounds of appeal include a Counsel Opinion by Barth O'Neill BL which may be summarised as follows:

- The Planning Authority is obliged to pay for facilities in excess of the immediate needs of a proposed development. Subsection 34(4) lists areas in which conditions may be imposed. This does not include standalone footpaths in the absence of a road being part of the permission. The Planning Authority must use the general power to impose conditions if they relate to matters outside 34(4) and the condition must be rationally justified.
- The main reasons for the imposition of conditions must be stated. This has not been done for conditions 5, 6 and 7. The reason for condition 5 does not appear in 34(4) and has no basis in the Planning Act, and is unlawful. Similarly, the reason given for the imposition of condition 7 is unlawful.
- The ceding of land for the purposes of a footpath with no connections is not proper planning or sustainable development. There is no statutory basis for the

ceding of land to the Planning Authority, who have the powers of CPO for the purposes of a “road scheme” under the 1993 Roads Act. There is no “road scheme” in this case. Under section 179 of the Planning and Development Act 2000, as amended (the Act), to be legally permissible, the land take must be part of a greater scheme of works.

- There is no power in the Act that gives the Planning Authority the power to request an applicant to cede lands for the purpose of public works or to pay for works that are to benefit the public.
- It may be inferred from the request for Further Information that unless land was ceded, and the car parking space omitted, permission would have been refused. The condition requiring the ceding of land in this case is an unjust attack on the property rights of the 1<sup>st</sup> party. The requirement is arbitrary, unfair, or based on irrational considerations.
- There has been no change in circumstances at The Square since the previous 2015 decision to grant permission.
- The Planning Regulators Practice Note 3 states that conditions requiring the ceding of lands should not be imposed.
- The 1<sup>st</sup> party wishes to assert a right to access the highway and to be able to park on his property as was the case for the previous owner of the property.

## **8. PA Response**

8.1 The Planning Authority has no further comment and requests the Board to uphold the decision. The total contribution was reviewed and calculated as follows: 131sqm at E128.84 per sqm = E16,878.04.

## **Environmental Screening**

### **9. EIA Screening**

Having regard to the nature and scale of development in a built up, urban setting, and the absence of any significant environmental sensitivity in the vicinity of the site, there is no real likelihood of significant effects on the environment arising from the proposed development either alone or in-combination with other plans or projects. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **Assessment**

10.1 This is a 1<sup>st</sup> Party appeal against 5 of the 13 conditions attached by the Planning Authority to a grant of permission for development comprising a two-storey house incorporating building services with connections to public wastewater and foul main, one car parking space, and all associated site works. The site is zoned TC- Town and District Centre, and is within Skerries Architectural Conservation Area (ACA). In 2015, the Board granted permission for a two-storey house on the same site, when the Fingal Development Plan 2011-2017 was in effect. The site was zoned TC and within a designated ACA under that Plan. In these circumstances, and having regard to the nature of the conditions under appeal, I consider that the appeal should be considered under Section 139 of the Planning and Development Act 2000, as amended.

### **Condition 13**

This is a financial contribution condition requiring the payment of E16,878.04 in respect of public infrastructure and facilities. The relevant Scheme is the Fingal Development Contributions Scheme. There is agreement between the parties that the applied rate should be E 128.84 per sqm. The Planning Authority calculation is based on a floor area of 131sqm, whereas the 1<sup>st</sup> Party calculation is based on 123.8sqm. The planning application form states that the gross floor space of proposed works is 123.8sqm. In the absence of a convincing explanation as to why the contribution is based on 131sqm, I submit that the calculation should be as follows:  $123.8 \times 128.84 = \text{E } 15,950.39$ . I recommend that the condition and reason be retained.

### **Condition 6**

This relates to Part V. An Exemption Certificate was applied for and granted. As such, I consider that this condition is moot and should be omitted.

### **Conditions 5 and 7**

The implications of these two conditions have their origins in the Planning Authority request for Additional Information (AI) on 18<sup>th</sup> June 2024, and Clarification of AI made on 4<sup>th</sup> October 2024. In particular, the request for AI clearly indicates that the proposed car parking arrangement is not acceptable, that the on-street car parking space should be omitted, a privacy/buffer strip should be provided to the proposed house, and that the remaining site area to the front of the house should be ceded to Fingal County Council to provide for improved road space.

Two key issues arise for the Boards consideration. These relate to the omission of the on-site car parking space, and the ceding of land to Fingal County Council for improved road space.

Permission was granted in October 2015 for demolition of structures and construction of a two-storey house on this site. The approved plans included 1 car parking space (4.8m x 2.4m) perpendicular to the public carriageway. The Inspector recommended that the perpendicular car parking space be omitted, and that the car parking space be parallel to the house frontage for reason of visual amenity and traffic safety. The Board did not accept the recommendation to amend the design and omit the perpendicular car parking space, and concluded that the development would be generally acceptable in terms of traffic safety and convenience. The permission has now expired.

I submit that the only significant material change in circumstances since 2015 (other than the adoption of the Development Plan 2023-2029) is the reduction of the speed limit from 50km/hr to 30km/hr in the area. While the Development Plan has been replaced by a new Plan, the zoning remains the same, and the area continues to be designated as an ACA. The adjoining houses both have on-site parallel parking. In these circumstances, I consider that the requirement to omit the car parking space parallel to the house frontage is unreasonable.

The Planning Authority requires the ceding of land for the purposes of providing improved road space. While the provision of improved space may be seen as desirable, the site is in the 1<sup>st</sup> Party ownership. There is no evidence of any road scheme proposed for the area. The previous permission granted by the Board for the site did not require the ceding of land to Fingal County Council. In these circumstances, I consider to require the ceding of lands to be unreasonable. Notwithstanding this consideration, the Board should note the 1<sup>st</sup> Party willingness to cede lands to increase the road width to 4.8m in circumstances where it considers that permission may be granted for 1 car parking space within the retained land; this would be in accordance with AI lodged on 9<sup>th</sup> September 2024.

Condition 5 requires revised drawings to be submitted showing the proposed planted area or planter boxes, and reduced paving area to be reduced to 2.0m in width to the front of the proposed house. Drawings are to show design and finishes to the planted area or planter boxes, and paving. The condition states that a revised drawing shall be provided for compliance and land transfer. The reason given for the condition is *in the interest of clarity, visual amenity and orderly development*. Having regard to the conclusions reached regarding car parking and the ceding of lands, I recommend that this condition be omitted.

Condition 7 should be read along with condition 1 which requires the development to be carried out with the plans, specifications, and particulars lodged with the application, as amended by the submission of AI and Clarification of AI, save as may be required by other conditions. In effect this requires the omission of the car parking space and the ceding of lands to Fingal County Council. Further to my recommendations regarding the

car parking space and ceding of lands, I consider that this condition should be amended to require detail of finishes to the area between the proposed house and the public carriageway to be agreed in writing with the Planning Authority, including proposals for the demarcation between the site and the public carriageway.

### **Condition 1**

In light of the above conclusions regarding car parking space and ceding of lands, I recommend that this condition be amended to require the development be in accordance with the plans, particulars and specifications lodged with the application, as amended by Additional Information received on 9<sup>th</sup> September 2024 except for Drawing 2574 AI-02, save as required by other conditions attached.

### **Appropriate Assessment Screening**

I have considered the permitted development, as conditioned, in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The subject site is an infill site located in an established urban residential setting, separated from designated European sites as detailed in Section 5 of this report. The proposed development consists of the construction of a two-storey dwelling, car parking space, and connection to public services. No nature conservation concerns are raised. Having regard to the location of the site, the nature of the proposal, and separation from and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### **Recommendation**

Having regard to the nature of the conditions the subject of this appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection 1 of section 139 of the planning and Development Act 2000, as amended to:

- (a) Amend condition number 1 and reason therefor to read as follows:

*The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and as amended by the*

*Additional Information submitted on 9<sup>th</sup> September 2024, except for except for Drawing 2574 AI-02 insofar as it relates to 'Land transfer to enhance public roadway', save as may be required by other conditions attached hereto.*

**Reason:** *To clarify the development hereby permitted by this decision.*

(b) Omit Condition 5 and the reason therefor

(c) Omit Condition 6 and the reason therefor

(d) Amend Condition 7 and the reason therefor to read as follows:

*Before development commences, details of all finishes to the paved area to the front of the house, between it and the public carriageway, shall be submitted and agreed in writing with the Planning Authority. These details will indicate:*

- *Details of physical demarcation between the site and the public carriageway*
- *Surface water disposal*
- *The undergrounding of services*

*The development shall be completed in accordance with the agreed written details.*

**Reason:** *In the interest of orderly development and visual amenity.*

(e) Amend Condition 13 and the reason therefor to read as follows

*Prior to commencement of development the developer shall pay the sum of E15,950.39 (updated at date of commencement of development, in accordance with changes in the Tender Price Index) to the Planning Authority as a contribution towards expenditure that was and/or that is propose to be incurred by the Planning Authority in respect of public infrastructure and facilities benefiting development in the area of the Authority, as provided for in the Contribution Scheme for Fingal County made by the Council. The phasing of payments shall be agreed in writing with the Planning Authority prior to the commencement of development.*

**Reason:** *It is considered reasonable that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting*

*development in the area of the Planning Authority and which is provided, or intended to be provided by, or on behalf of the Local Authority.*

## **Reasons & Considerations**

*Having regard to the Town and District Centre zoning as set out in the Fingal Development Plan 2023-2029, the established pattern of development in the area, the planning history for the site, and the town centre location, it is considered that the nature, design and scale of the proposed development is acceptable, and that the proposed development would not endanger traffic or pedestrian safety, and is in accordance with then proper planning and sustainable development of the area.*

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Des Johnson

Planning Inspector

Date

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.

## **Form 1**

## EIA Pre-Screening

<b>An Bord Pleanála Case Reference</b>	321360-24		
<b>Proposed Development Summary</b>	Two storey house.		
<b>Development Address</b>	Site between 15 and 16 The Square, Skerries, Co. Dublin.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	Yes
		<b>No</b>	
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>	Yes	Schedule 5, Part 2, Class 10(b)(i). (Construction of more than 500 dwelling units)	Proceed to Q3.
<b>No</b>			
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			
<b>No</b>	No		Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	Yes	More than 500 units.	Preliminary examination required (Form 2)
<b>5. Has Schedule 7A information been submitted?</b>			
<b>No</b>	No		



Yes		
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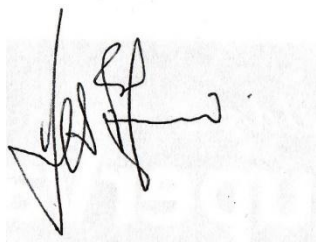
Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference Number</b>	ABP- 321360-24
<b>Proposed Development Summary</b>	Two storey house.
<b>Development Address</b>	Site between 15 and 16 The Square, Skerries, Co. Dublin..
<p><b>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>	
Construction of a two-storey dwelling, one carparking space, and connection to public services.	The development has a modest footprint, on an infill site in an established residential area, comes forward as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not

	pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.	
<b>Location of development</b> Site between 15 and 16, The Square, Skerries, Co. Dublin.	Site within Skerries Architecture Conservation Area. Proposed connection to public services.	
<b>Types and characteristics of potential impacts</b> No significant impacts on the wider environment. Localised impacts resulting from infill nature of development. No significant negative impacts.	Potential impacts on Skerries Architecture Conservation Area due to design of house. There is no potential for significant effects on the environmental factors listed in section 171A of the Act.	
<b>Conclusion</b>		
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>	<b>Yes or No</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.	EIA not required



Inspector:

Date: 24.03.2025

DP/ADP: \_\_\_\_\_

Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)