



An  
Bord  
Pleanála

## Inspector's Report

### ABP-321733-25

<b>Development</b>	Demolition of extension and construction of rear extension and garden room, together with all associated site works.
<b>Location</b>	63 Strand Street, Skerries, Co. Dublin, K34 T042
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F24A/0981E
<b>Applicant(s)</b>	Susan Hynes
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First v Refuse
<b>Appellant(s)</b>	Susan Hynes
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	23 <sup>rd</sup> April 2025
<b>Inspector</b>	Gerard Kellett

## **1.0 Site Location and Description**

- 1.1. The site relates to 63 Strand Street Skerries which is centrally located within the core area of Skerries Town Centre, Co. Dublin. It accommodates a two-storey terraced dwelling with bay windows, double chimneys, and a small front garden separated from the public footpath by a low boundary wall with castellated detailing. The rear of the dwelling features an existing two-storey extension and sunroom positioned along the southern boundary wall within a long, narrow garden. The site is surrounded by similarly styled residential dwellings and nearby commercial uses, including retail outlets, banks, restaurants, and public houses. It is situated close to the intersection of Strand Street and Church Street. The site area is stated to be 0.025 hectares.

## **2.0 Proposed Development**

- 2.1. Permission is sought for:
- a) Demolition of the existing two-storey and sunroom extension to the rear of the dwelling; 66 sqm in total.
  - b) Construction of a new part single-storey (3.8 metres in height), part two-storey rear extension (7.9 metres in height); 217 sqm in total.
  - c) Construction of a new garden room (3.0 metres in height) opening onto the rear lane (14 sqm).
  - d) Installation of new metal railings to the front garden wall.
  - e) All necessary site works related to the development.
  - f) No alterations are proposed to the front elevation.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The Planning Authority refused permission on the 18<sup>th</sup> of December 2024 for the following reason:

- 1) The proposed rear extension, by virtue of its length at both the ground and first-floor levels, its ground floor height and overall two-storey ridge height, along with the sloping design of the ground floor roof element; is substantially larger than both that previously permitted on the site and that recently permitted on the neighbouring property to the south; and would result in an overbearing impact and be seriously injurious to the visual and residential amenities of neighbouring properties to both the north and south. As such, the proposed development does not accord with Section 14.10.2.4 of the Fingal Development Plan 2023-2029 and contravenes materially Policy SPQHP41 and Objective SPQHO45 of the Fingal Development Plan 2023-2029 and would be contrary to the proper planning and sustainable development of the area.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- The Planner's Report forms the basis for the decision to refuse permission. stating:

#### Design & Visual Impact

- The proposed development is larger than previously permitted (Reg. Ref. F20A/0251) would be seriously injurious to the visual amenities of the surrounding area due to its excessive height, length, and sloping roof design.

#### Residential Amenity

- The PA considered the height, bulk, scale, and mass of the proposed extension, particularly at the first-floor level, would result in an overbearing impact on neighbouring properties (No. 62B Strand Street to the north and No. 64 Strand Street to the south).
- The proposed development does not comply with Section 14.10.2.4 of the Fingal Development Plan 2023-2029, Policy SPQHP41, or Objective

SPQHO45, which aim to ensure residential extensions are compatible with the surrounding area and do not negatively impact neighbouring properties.

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#### Other

- The Water Services Department of FCC noted that the proposed soakaway may not meet required distances due to the limited site size and sought an alternative proposal via condition.
- The Transportation Planning Section of FCC sought further information about the proposed garden room and its potential use for vehicular access.
- The Conservation Officer of FCC raised concerns about replacing the existing castellated front boundary wall with railings, as it would be inconsistent with the grouping/terrace of properties on Strand Street. The Conservation Officer recommended retaining a solid wall.

### 3.2.2. Other Technical Reports

- Water Service – No objection subject to conditions
- Parks and Green Infrastructure Division – No objection
- Transport Planning – Requested a revised layout that provides for pedestrian and vehicle inter-visibility, including a planted privacy strip or buffer area when exiting the development, along with all necessary works and setbacks to achieve this. Furthermore, the applicant was advised to discuss the treatment of the area between the proposed new boundary wall line and the edge of the lane.
- Conservation Officer – No objection to the proposed elements pertaining to the rear elevation, however it is considered that the boundary wall should be a solid wall to remain consistent within this grouping/terrace and has sought this element of the proposal be omitted.

### 3.3. Prescribed Bodies

- Uisce Eireann – No objection

### 3.4. Third Party Observations

None

## 4.0 Planning History

### Site

- 4.1. **PA REF: F19A/0393:** Refers to a refusal of permission on the 21<sup>st</sup> of October 2019 for demolition of the existing two-storey extension and sunroom, construction of a new part single-storey and part two-storey extension, alterations to the rear boundary wall for vehicular and pedestrian access, solar panels, roof lights, and associated site works. Reasons for refusal relate overbearing impact and overshadowing of neighbouring properties (No. 62B to the north and No. 64 Strand Street to the south)
- 4.2. **PA REF: F20A/0251:** Refers to a grant of permission on the 3<sup>rd</sup> September 2020 for the following: partial demolition of the existing two-storey extension and sunroom, construction of a new part single-storey and part two-storey extension, solar panels, roof lights, and associated site works. Expires 2<sup>nd</sup> September 2025.

### Adjacent Site to the South (No. 64 Strand Street

- 4.3. **PA REF: F23B/0124:** Refers to grant of permission on 19<sup>th</sup> of March 2024 for partial demolition of an existing rear shed and construction of a new single-storey extension to the rear of the dwelling and shed.

### Adjacent Site to the North (No. 62 Strand Street

- 4.4. **PA REF: F14B/0249:** Refers to grant of permission on 3<sup>rd</sup> November 2014 for a two-storey extension to the rear, modifications to the front elevation, and changes to the mews layout, fenestration, and vehicular entrance.

## 5.0 Policy Context

### 5.1. Development Plan

#### **Fingal County Development Plan 2023 – 2029**

The Fingal County Development Plan 2023 – 2029 is the relevant Development Plan for the subject site.

The subject site is zoned “TC – Town Centre” which has zoning objective, *“Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities”*.

The site is located the Skerries Architectural Conservation Area (ACA)

#### **3.5.13.1 Residential Extensions**

Policy SPQHP41 – Supports extensions of appropriate scale, subject to the protection of residential and visual amenities.

Objective SPQHO45 – Domestic Extensions: Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

#### **Chapter 14 Development Standards**

#### **14.10.2 Residential Extensions**

The need for housing to be adaptable to changing family circumstances is recognised and acknowledged and the Council will support applications to amend existing dwelling units to reconfigure and extend as the needs of the household change, subject to specific safeguards. In particular, the design and layout of residential extensions must have regard to and protect the amenities of adjoining properties, particularly in relation to sunlight, daylight and privacy. The design of extensions must also have regard to the character and form of the existing building, its architectural expression, remaining usable rear private open space, external finishes and pattern of fenestration. Additionally, careful consideration should be paid to boundary

treatments, tree planting and landscaping. The following section provides guidance in relation to, front extensions, side extensions, rear extensions, first floor rear extensions, roof alterations including attic conversions and dormer extensions.

#### 14.10.2.3 Ground Floor Extensions (rear)

Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. The proposed extension should match or complement the existing dwelling house.

#### 14.10.2.4 First Floor Extensions

First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities.

In determining applications for first floor extensions the following factors will be considered: Overshadowing, overbearing, and overlooking – along with proximity, height, and length along mutual boundaries; Remaining rear private open space, its orientation and usability; Degree of set-back from mutual side boundaries; External finishes and design, which shall generally be in harmony with existing.

#### 14.10.4 Garden Rooms

Garden Rooms can provide useful ancillary accommodation such as a playroom, gym, or study/home office for use by occupants of the dwelling house. Such structures should be modest in floor area and scale, relative to the main house and remaining rear garden area. Applicants will be required to demonstrate that neither the design nor the use of the structure would detract from the residential amenities of either the main residence or of adjoining property. External finishes shall be complementary to the main house and any such structure shall not provide residential accommodation and shall not be fitted out in such a manner including by the insertion of a kitchen or toilet facilities. Such structures shall not be let or sold independently from the main dwelling.

#### 14.19.3.3 Architectural Conservation Areas

Changes and development within ACAs should be carried out in a manner sympathetic to its distinctive character and so the following should guide proposed new works within ACAs:

## **5.2. Natural Heritage Designations**

The subject site is located within any Natura 2000 sites. The nearest are:

- North-west Irish Sea SPA (004236) c 90 metres to the east.
- Skerries Islands SPA (004122) c 800 metres to the south-east.

## **6.0 Environmental Impact Assessment Screening**

- 6.1. Having regard to the nature and scale of the development, it is not considered that it falls within the classes listed in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended), and as such preliminary examination or an Environmental Impact Assessment is not required. See Appendix 1.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

A first party appeal has been lodged against the Planning Authority's decision to refuse permission. The grounds of appeal can be broadly summarised as follows:

- Design
  - The Council has accepted the general concept of a replacement rear extension containing single and two-storey elements and raises no objection to the architectural design of the development.
  - The Council's sole concern relates to the scale of the rear extension, particularly its length, height, and roof design. However, the appellant argues that the



design is sensitive and appropriate, considering neighbouring properties and the surrounding area.

- **Floorspace Errors:** The appellant highlights errors in the Council's assessment of the proposed floorspace. The Council incorrectly calculated the total floorspace of the proposed development, leading to an exaggerated perception of its scale.
- **Building Height:** The appellant contends that the Council's assessment of the building height does not align with current national policy, particularly the Urban Development and Building Height Guidelines. These guidelines encourage increased building height and density in urban areas, which the appellant believes supports the proposed development.
- **Residential Amenity:** The appellant asserts that the proposed development would not have a profound impact on residential amenity and falls within reasonable tolerance. They argue that the Council's opposition is overly restrictive and fails to consider the broader context of the area.
- **Other Matters**
  - **Garden Room:** The garden room element of the proposal is deemed uncontentious, as the Council's planning officer acknowledged that it complies with relevant guidelines.
  - **Front Boundary Treatment:** The appellant argues that the proposed railings for the front boundary are appropriate, given that the dwelling is not a protected structure and does not hold significant historical value.

## **7.2. Planning Authority Response**

Response received dated 10<sup>th</sup> February 2025 requesting the Board to uphold the decision of the Planning Authority. If the appeal is successful, provisions for financial contributions, bond/cash security of 2 or more units, tree bond, and contributions for play provision facilities should be included in conditions for approval.

### 7.3. Prescribed Bodies

DAU – No comments received.

Failte Ireland – No comments received.

Heritage Council – No comments received.

An Taisce – No comments received.

An Chomhairle Ealaíon – No comments received.

### 7.4. Observations

None received.

## 8.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Design & Visual Amenity
- Residential Amenity
- Other matters

### 8.1. Principle of Development

- 8.1.1. The site is zoned 'TC – Town Centre' with an objective to *"Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities"*. Extensions are permitted to existing residential dwellings within this zoning objective, and as such the proposed development is acceptable in principle.

## **8.2. Design & Visual Amenity**

- 8.2.1. The Planning Authority as the first reason for refusal determined the proposed development namely the ground floor and first-floor extension by reason of its length, height and roof slope design would result in an overbearing impact and be seriously injurious to the visual amenity of the surrounding area. The grounds of appeal maintain the design is sensitive and appropriate, considering neighbouring properties and the surrounding area. That the building height aligns with Urban Development and Building Height Guidelines. Reference is made to two storey extension to the neighbouring property to the south which has been approved under PA REF: F23B/0124, and it is argued that the two developments will complement each other.
- 8.2.2. I note the prevailing character of the area around Strand Street, is residential with a mix of architectural styles and building forms. The area includes predominantly terraced two storey dwellings, with variations in height and design. There are many dwellings in the area that have two storey rear extensions. No. 64 to the south is undergoing a similar construction of a single and two storey rear extension under PA REF: F23B/0124 which the grounds of appeal refer too.
- 8.2.3. In that context, I have had regard to the relevant provisions of the Fingal Development Plan 2023–2029, in particular policy SPQHP41 which supports extensions of appropriate scale, subject to the protection of residential and visual amenities and objective SPQHO45 which encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area. Furthermore section 14.10.2 (Residential Extensions) which support extensions to existing dwellings where they meet changing household needs and protect neighbours' sunlight, privacy, and amenity. The design must respect the existing house, open space, and surroundings; section 14.10.2.3 (Ground Floor Extensions (rear)) refers to ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. The proposed extension should match or complement the existing dwelling house; section 14.10.2.4 (First Floor Extensions) relates to first floor rear extensions will be considered on their merits,

noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities; section 14.10.4 (Garden Rooms) which refers to garden rooms may be used as non-residential spaces like offices or gyms. They must be small, complement the house, not impact neighbours, and cannot include kitchens, toilets, or be used or sold as separate dwellings. Moreover section 14.19.3.3 (Architectural Conservation Areas) is relevant and relates to changes and development within ACAs should be carried out in a manner sympathetic to its distinctive character.

#### *Ground and first floor extension*

- 8.2.4. The subject site comprises a mid-terraced dwelling. The proposed development involves a single-storey flat-roofed rear extension and a first-floor extension. I note that a similar development a flat-roofed rear extension with a first-floor extension was previously granted planning permission at the adjoining property, No. 64, immediately to the south. In my view, this establishes a precedent and provides an appropriate context for the proposed form and scale of development on the subject site.
- 8.2.5. While the proposed extension is modestly larger than the neighbouring precedent increasing the height of the existing two-storey rear extension by approximately 900mm and widening the first-floor extension from 3.9m to 4.2m (an increase of 300mm), I consider the overall size, scale, and massing to be acceptable. In my opinion, the proposal would complement the existing dwelling, remaining consistent and not contravene materially with the relevant provisions of the Fingal Development Plan 2023–2029, in particular policy SPQHP41 which supports extensions of appropriate scale, subject to the protection of visual amenities and objective SPQHO45 which encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment and sections 14.10.2.3 (Ground Floor Extensions (Rear)) and 14.10.2.4 (First Floor Extensions) of the Development Plan. Furthermore, having regard to the location of the proposed development to the rear of the property where visibility from the public road is limited and the varied architectural character to the rear, which contributes to a diverse streetscape, I

consider that the proposal would not result in an overbearing form or adversely impact the visual amenity of the area and therefore in my view would not contravene materially policy SPQHP41 or objective SPQHO45 of the plan.

8.2.6. The site is located within the Skerries Architectural Conservation Area I note section 14.19.3.3 (Architectural Conservation Areas) of the plan requires development within ACAs should be sympathetic to the area's distinctive character and in general extensions should be subservient in size with materials, finishes and roof profiles that complement the principal structure. The character along Strand Street is defined by two storey terraced properties. The rear areas of most properties in the vicinity are defined with tow storey extensions of various forms. The proposed rear extension in my view would be subservient in size, set below the ridge of the main dwelling, with the materials and finishes would be in keeping with the existing dwelling and the roof profile matching the existing dwelling and similar in design and appearance to the two-storey rear extension granted under PA REF: F23B/0124 to the immediate south. Furthermore, I note the Conservation Officer of the PA raised no concerns regarding the proposed rear extension. Given the above it is my view the proposed rear extension by reason of its design and form would not adversely impact the character of the ACA and would be in accordance with section 14.19.3.3 (Architectural Conservation Areas) of the plan.

8.2.7. Having regard to the foregoing, I consider the proposed development is acceptable and would not contravene materially policy SPQHP41, which supports extensions of appropriate scale subject to the protection of residential and visual amenities; nor contravene materially objective SPQHO45, which encourages sensitively designed extensions that do not negatively impact on the environment or adjoining properties; section 14.10.2 (Residential Extensions), which supports extensions that respect the existing dwelling and its surroundings; and sections 14.10.2.3 and 14.10.2.4, which specifically support ground and first floor rear extensions that complement the existing house; and section 14.19.3.3 (Architectural Conservation Areas), which requires that development within ACAs be sympathetic to the area's distinctive character. Therefore, it is recommended that permission be granted.

### *Garden room*

- 8.2.8. In terms of the garden room, I note the Conservation Officer of the PA or the Planning Authority did not express any concerns regarding size, scale and massing of the garden room. The floor plans submitted indicate the use would be for a 'garden room' ancillary to the main dwelling on site. It is my view that the use of the structure could be addressed by way of an appropriate condition if the Board is of a mind to grant permission to be used ancillary to the main dwelling.
- 8.2.9. I note section 14.10.4 (Garden Rooms) of the plan which refers to garden rooms may be used as non-residential spaces like offices or gyms. They must be small, complement the house, not impact neighbours, and cannot include kitchens, toilets, or be used or sold as separate dwellings. Moreover section 14.19.3.3 (Architectural Conservation Areas) relates to changes and development within ACAs should be carried out in a manner sympathetic to its distinctive character and the detailing, materials and overall design must be carefully handled and of a high quality to ensure the proposal does not compromise the integrity and character of the area.
- 8.2.10. The garden room would be single storey in character, 3.0 metres in height, and would be located along the rear boundary with access onto the adjoining laneway and would have a total floor area of 14sqm. Like the rear extension, the walls would be finished with high quality render finish which would be in keeping with the existing main dwelling. As the garden room is single storey it would not prominently visible from the public road. Furthermore, there are many examples of flat roof structures in the area such as the permitted garden room to the immediate south granted under PA REF: F23B/0124. Given this, I consider the garden room acceptable and would adversely affect the visual amenity of the area or impact on the character of the area.
- 8.2.11. Having regard to the foregoing, it is my view the structure would be accordance with section 14.10.4 (Garden Rooms) and section 14.19.3.3 (Architectural Conservation Areas) which relates to changes and development within ACAs should be carried out in a manner sympathetic to its distinctive character. Therefore, it is recommended that permission be granted for this structure.

### 8.3. Residential Amenity

- 8.3.1. As part of the reason for refusal the Planning Authority determined the proposed development namely the ground floor and first-floor extension by reason of its length, height and roof slope design is considered would result in an overbearing impact and be seriously injurious to the residential amenity of the neighbouring properties to the immediate north and south.
- 8.3.2. Policy SPQHP41 supports extensions of appropriate scale, subject to the protection of residential and objective SPQHO45 which encourage sensitively designed extensions to existing dwellings which do not negatively impact on adjoining properties. Furthermore section 14.10.2 (Residential Extensions) which support extensions to existing dwellings where they protect neighbour's amenity. Moreover section 14.10.2.3 Ground Floor Extensions (rear) and section 14.10.2.4 (First Floor Extensions) of the plan both will only be permitted where there will be no significant negative impacts on surrounding residential amenities.

#### *Ground and first floor extension*

- 8.3.3. In relation to the proposed ground and first-floor rear extensions, the ground floor extension would project 15.3 metres from the rear wall, while the first-floor extension would project 9.7 metres. In my opinion, this is acceptable, as the first-floor element would be set back 2.6 metres from the neighbouring northern boundary, ensuring that it would not result in any undue overbearing impact on the adjoining property and therefore in my view would not contravene materially policy SPQHP41 or objective SPQHO45 of the plan.
- 8.3.4. I note that an obscured windows are proposed on the first-floor northern and southern elevations, thereby mitigating any potential for overlooking. Although the footprint of the proposed ground and first-floor extensions would extend beyond that of the previously permitted extension to the south, it is my view that this additional projection is appropriately scaled and would not result in any significant overbearing impact on the residential amenity of the adjoining properties. Furthermore, having regard to the

sites north to south orientation, the 2.6 metre setback from the boundaries edge to the north which in I consider acceptable, it is my view that this element would not result in any undue overshadowing to the neighbouring property to the north and therefore in my view would not contravene materially policy SPQHP41 or objective SPQHO45 of the plan.

- 8.3.5. Having regard to the foregoing, I am satisfied that the proposed ground and first-floor rear extensions would not adversely affect the residential amenity of adjoining properties. The development would not contravene materially policy SPQHP41, which supports appropriately scaled extensions that protect residential amenities; nor objective SPQHO45, which encourages sensitively designed extensions that do not negatively impact neighbouring properties. Moreover, section 14.10.2 (Residential Extensions), which supports residential extensions where neighbour amenity is protected; and sections 14.10.2.3 (Ground Floor Extensions (Rear)) and 14.10.2.4 (First Floor Extensions), which require that extensions do not result in significant negative impacts on surrounding residential amenities. Therefore, it is recommended that permission be granted for the development.

#### *Garden room*

- 8.3.6. In terms of the garden room, I note the Planning Authorities did not express any concerns regarding residential amenity. I have regard to section 14.10.4 (Garden Rooms) of the plan refers to garden rooms may be used as non-residential spaces like offices or gyms and that they must be small, complement the house, and not impact neighbours.
- 8.3.7. In that context, the garden room would be single storey in character, 3.0 metres in height and would be located along the rear boundary with access onto the adjoining laneway and would have a total floor area of 14sqm. As the garden room is single storey it would not prominently visible from the public road. Furthermore, there are various examples of flat roof structures sited to the rear garden in the area such as the permitted garden room to the immediate south granted under PA REF: F23B/0124.



Given this, I consider the garden room acceptable and would adversely affect the residential amenity of the area.

- 8.3.8. Having regard to the foregoing, it is my view the structure is in accordance with section 14.10.4 (Garden Rooms), policy SPQHP41 which supports extensions of appropriate scale, subject to the protection of residential amenities and objective SPQHO45 of the plan which encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area. Therefore, it is recommended that permission be granted.

#### 8.4. **Other Matters**

##### *Surface Water Drainage*

- 8.4.1. The Water Services Department of FCC noted that the proposed soakaway in the rear garden may to be resized and sought an alternative proposal via condition. I note the submitted site layout plan highlights the surface water management measures, such as a rainwater tank and a permeable landscaped area are proposed which I consider acceptable. This in my view shows that surface water measures can be provided on-site to ensure that all surface water generated within the site is collected and disposed of within the site and that no surface water discharges are onto the public road or adjoining properties. Therefore, I am satisfied that details of surface water drainage regarding the subject development could be reasonably considered through agreement with the Planning Authority by way of appropriate condition(s) if the Board was minded to grant permission.

##### *Garden room*

- 8.4.2. The Transportation Planning Section of FCC sought further information regarding the proposed garden room and its potential use for vehicular access. I have reviewed this aspect of the development, which is described as a garden room. While I note the inclusion of a roller door on the eastern elevation, the internal dimensions measuring approximately 3.4 metres in depth by 4.0 metres in width would, in my opinion, be

insufficient to accommodate a standard car, given that a typical car parking space generally measures 4.8 metres in length by 2.4 metres in width. This element of the proposal is similar to that granted permission to the immediate south under PA REF: F23B/0124. Notwithstanding this, even if a small vehicle were to be accommodated within the structure, I am satisfied that, given the location of the garden room and its access onto a rear laneway that is not heavily trafficked, the proposal is unlikely to give rise to traffic hazard concerns.

#### *Front boundary*

- 8.4.3. The Conservation Officer of Fingal County Council raised concerns regarding the proposal to replace the existing castellated front boundary wall with railings, recommending that the solid wall be retained, as its removal would be inconsistent with the established character of the terrace along Strand Street.
- 8.4.4. In assessing this element of the proposal, I have had regard to Section 14.19.3.3 (Architectural Conservation Areas) of the Fingal Development Plan, which states that changes and development within ACAs should be carried out in a manner sympathetic to their distinctive character.
- 8.4.5. It is my opinion that the existing castellated front boundary wall is a modern addition, featuring a concrete capping, and does not appear to be an original or historically significant feature of the property. Furthermore, it is not a distinct or defining element of the wider streetscape. The existing wall appears to imitate the boundary treatments of Nos. 4, 5, and 6 Holmpatrick Street, located further to the south.
- 8.4.6. It is noted that Strand Street and Holmpatrick Street display a wide variety of boundary treatments, including low solid block walls with hedging, and low plinths with railings above. In this context, the proposed replacement railing would not be an uncommon feature and would reflect similar boundary treatments present along the street.
- 8.4.7. Having regard to the foregoing, I consider that the proposed replacement of the modern castellated wall with railings would be consistent with the character of the area

and would comply with section 14.19.3.3 of the Development Plan, as the works would be carried out in a manner sympathetic to the Architectural Conservation Area.

## **9.0 Appropriate Assessment Screening**

9.1. I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.

9.2. The proposed development is located within a residential area and comprises an extension to an existing dwelling and all associated site works. The site is not located within or adjacent to any designated Natura 2000 site. The closest European Sites are as follows:

- North-west Irish Sea SPA (004236) c 90 metres to the east.
- Skerries Islands SPA (004122) c 800 metres to the south-east.

9.3. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- Small scale and domestic nature of the development
- The location of the development in a serviced urban area, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.

9.4. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

## 10.0 Recommendation

10.1. I recommend that PERMISSION should be GRANTED for the reasons and considerations as set out below.

## 11.0 Reasons and Considerations

11.1. Having regard to the nature, scale, location and design of the development to be carried out, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the zoning objective for the site, the provisions of Fingal Development Plan 2023 – 2029 in particular policy SPQHP41 (Residential Extensions), objective SPQH045 (Domestic Extension), section 14.10.2 (Residential Extensions), section 14.10.2.3 (Ground Floor Extensions (Rear)); section 14.10.2.4 (First Floor Extensions), and section 14.19.3.3 (Architectural Conservation Areas) of the plan, would not seriously injure the visual or residential amenity of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1. The development shall be carried in accordance with the plans and particulars lodged with the application, 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 and the development shall be retained in accordance with the agreed particulars.

**Reason:**           **In the interest of clarity.**

2. The 'garden room' shall be for domestic related uses only, ancillary to the use of the existing dwelling on the application site. These uses shall be as indicated in the plans and particulars submitted to the planning authority at application stage (that is, home office) and shall not be used for human habitation.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area.

3. The 'garden room' shall not be sold, let or otherwise transferred or conveyed, save as part of the existing dwelling on the site.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area.

4. The glazing to the bathroom and en-suite window on the northern elevation and the glazing to the southern elevation shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

**Reason:** In the interest of residential amenity.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

6. Site development and building works required to implement the development shall be carried out only between the hours of 0800 to 1900 Monday to Fridays, 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:** In order to safeguard the residential amenities of adjoining property in the vicinity.

7. 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.

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.

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Gerard Kellett  
Planning Inspector  
29<sup>th</sup> April 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

<b>An Bord Pleanála Case Reference</b>	ABP-321733-25		
<b>Proposed Development Summary</b>	Demolition of building and construction of rear extension and garden room, together with all associated site works.		
<b>Development Address</b>	63 Strand Street, Skerries, Co. Dublin, K34 T042.		
<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>	√
		<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>			
<b>No</b>	√	Alteration/extension to the existing dwelling is not specified as a Class of Development as per the regulations.	No further action required.
<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>	√		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>			Preliminary examination required (Form 2)
<b>5. Has Schedule 7A information been submitted?</b>			
<b>No</b>	√	Screening determination remains as above (Q1 to Q4)	
<b>Yes</b>			

Inspector: \_\_\_\_\_

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