



An
Coimisiún
Pleanála

Inspector's Report

ACP-322896-25

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| Development | Demolition of rooms, construction of 2 dwellings with all associated site works |
| Location | Site to rear of The Coast Public House, 66 Church Street, facing on to New Street, Skerries, Co. Dublin. |
| Planning Authority | Fingal County Council |
| Planning Authority Reg. Ref. | F25A/0342E |
| Applicant(s) | Pilobay Limited |
| Type of Application | Permission |
| Planning Authority Decision | Refuse |
| Type of Appeal | First Party |
| Appellant(s) | Pilobay Limited |
| Observer(s) | 1. Ian Campbell 2. Norma MacMaster 3. Gordon Dootson |
| Date of Site Inspection | 24 th September 2025 |
| Inspector | Emma Gosnell |

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1.0 Site Location and Description

- 1.1. The appeal site is located to the rear of The Coast Public House (a Protected Structure (2-storey part at No. 66 Church Street)) which is located at the junction of Church Street and New Street in the Townparks area of Skerries, Co. Dublin.
- 1.2. The site is bounded to the north by New Street, to the west by a gated car park and a single storey commercial building (The Rock Bakery) and, to the south by No's 1 and 2 The Orchard, Tennis Court Lane (2-storey detached residential properties). New Street is generally characterised by 1-2 storey terraced buildings with pitched roof profiles and symmetrical (typically 3-bay) fenestration patterns. Whilst on-street parking is available in the vicinity, there are double yellow lines adjoining the site.
- 1.3. The c. 0.041 ha site comprises of a smoking area, back-of-house storage areas and function room serving the existing public house. The site is currently accessed from the rear of the pub and also from 2 no. pedestrian entrances off the public footpath on New Street.
- 1.4. The site comes within the Architectural Conservation Area (ACA) of Skerries Town Centre.

2.0 Proposed Development

- 2.1. The proposed development for which permission is sought comprises of the:
 - (i) Demolition of existing function room, and storage rooms serving existing public house (c.419sq.m of floorspace).
 - (ii) Construction of 2 no. semi-detached 3-storey 4-bed dormer dwelling houses (c. 207sq.m maximum height of 9.4 sq.m), storm water percolation area, and associated site works with on-street parking provision for each dwelling.

3.0 Planning Authority Decision

3.1. Decision

Permission refused on 12/06/2025 for 2 no. reasons:

1. The proposed development by reason of its design and scale is not sympathetic to, and does not complement, the established character of New Street. As such, the proposed development would be seriously injurious to the visual amenity of the area, would adversely affect and detract from the Skerries Architectural Conservation Area (ACA) and would materially contravene Objective HCAO24 of Fingal Development Plan 2023-2029, which requires proposals for any development affecting building(s) that contributes to the character of an ACA be sensitively designed, compatible with the special character of the ACA and appropriate in terms of the proposed scale, mass, height, architectural treatment, materials and impact on architectural features. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed development by reason of its height, design, scale and massing, does not provide for consistency with the character and form of development in the surrounding area, would be seriously injurious to the amenity of the area and would materially contravene Objective DMSO31 of the Fingal Development Plan 2023-2029 with regard to infill development sites. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

1 no. planning report (dated 12/06/2025) formed the basis of the planning authority's (PA) assessment. Key points of note raised in the report are as follows:

- *Principle of Development* – proposal acceptable due to 'TC – Town Centre' zoning.
- *Housing Quality* – compliant with Objective DMSO19 and 2007 Quality Housing Guidelines and 2024 Compact Settlement Guidelines (design/ floor areas).
- *Private Open Space* – c. 86.5sq.m rear gardens comply with SPPR2 of 2024 Compact Settlement Guidelines (require minimum of 50sq.m. for 4-bed house).
- *Separation Distances* – comply with FDP Section 5.3.1 and SPPR1 of the 2024 Compact Settlement Guidelines.

- *Residential Amenity* – positioning of first floor front bedrooms gives rise to concerns with regard to overlooking of No's 13 and 14 New Street given the separation distance of c.11m from same. Layout of units should be reconsidered.
- *Visual Amenity* –
 - Height (9.4m) is visually dominant and overbearing on street when compared to max. 8.7m ridge height of existing 2-storey buildings on New Street.
 - Houses are out of mass/ scale/ character with neighbouring single storey buildings and their skewed front fenestration pattern gives rise to visual incongruity.
 - Proposal would negatively affect the visual amenity of the area and would materially contravene FDP Objectives DMSO31 and HCAO38.

Refusal recommended on this basis.

- *Impact on ACA* – the proposal (ridge height, depth, proportions, materiality, box eaves and projecting verges), does not respect the architectural character and established building type pattern of New Street and would have an unacceptable, negative impact on the historic character (i.e. 19th century predominantly terraced single-storey 3-bay houses with consistent building lines, roof pitches, chimney positions etc.) of the streetscape which is not compliant with Objective HCAO24.

Refusal recommended on this basis.

- *Access and Parking* –
 - Proposal for no car parking is acceptable due to infill nature, location in parking zone and proximity to Skerries Train Station.
 - No cycle parking proposed but sufficient space in rear gardens to provide for 5 no. covered and secured cycle parking spaces accessed from an alley off the adjoining car park (may require 3rd party consent). If consent cannot be secured, units would need to be redesigned facilitate bike access from footpath.

Request for further information recommended (but not pursued).

- *Drainage and Services* – no objection subject to attachment of standard conditions.
- *Part V* – noted that applicant has not submitted an exemption certificate.

3.2.2. Other Technical Reports

Water Services Department (26/05/2025) – no objection to proposal subject to the attachment of standard conditions in respect to surface water management.

Transportation Planning Section (06/06/2025) – proposal for no car parking is acceptable and provision is required to be made on site for cycle parking – FI sought.

Conservation Officer (28/05/2025) – proposed design is inappropriate/ unacceptable in its current form and would have negative impact on historic character of streetscape.

3.3. Prescribed Bodies

No submissions received.

3.4. Third Party Observations

3 no. submissions were received from neighbouring property owners (Gordon Dootson, Ian Campbell and Norma MacMaster). Given the commonality in the issues raised, they are summarised by theme rather than individually:

Zoning

- Proposal to remove pub's ancillary facilities is non-compliant with TC zoning.

Design

- Proposed design is overbearing and out of character with streetscape.
- Scale and bulk of proposal will render it overly visually dominant.
- Height and design not in-keeping with the ACA/ existing built character of street.
- Proposal constitutes overdevelopment of a small site.
- Importance of relationship between proposal and properties to its rear incl. height and treatment of rear (19th century boundary) wall.
- Height will give rise to unacceptable overbearance and visual incongruity.

Visual Impact

- Proposal would block existing views of Skerries windmills (important local landmark) which undermines the ACA.

Residential Amenity

- Proposed first-floor windows directly overlook opposing bedrooms (across street).
- Height of proposal would give rise to overshadowing of neighbouring properties.

- Concerns raised in respect to overlooking and design's impact on privacy.

Parking

- Proposal is for on-street parking in an area with significant parking pressures and limited parking capacity and non-availability for current residents.
- Unclear as to whether designated on-street parking spaces are proposed and objection raised to granting on-street parking permits to new residents.

Construction

- Concerns raised in respect to construction phase disturbance, traffic etc.
- Inadequate detail provided on proposed building works on lane to rear.

4.0 Planning History

The site and adjoining lands have an extensive, complex planning history reflective of their urban location. The most recent/ relevant applications are detailed below:

4.1. Site

P.A. Ref. F07A/0825 – Application for alterations to previously approved planning permission (Reg. Ref. F01A/0956) incl. internal alterations at ground floor level rear, retention of 2 no. stores and boiler room at the rear and additional toilets, stores and ancillary offices at first floor rear at The Coast Inn (Protected Structure) with frontage on to New Street, granted on 04/10/2007 subject to 11 no. conditions.

Neighbouring Sites

Adjoining Lands to South

P.A. Ref. F20A/0320 – Application for construction of a detached two storey 150 sqm dwelling on a 0.03 ha site at Tennis Court Lane (to the rear of 61 Church Street), granted on 24/02/2021 subject to 15 conditions.

P.A. Ref. F01A/0825 – Application for 2 no. new townhouses, entrance and ancillary site works at rear at 63 Church Street, granted on 13/12/2001 subject to 8 no. conditions (The Orchard).

Other Local Residential Infill Applications

P.A. Ref. F24A/0825E – Application for construction of a detached 4-bed house (143 sq.m) at 25A New Street, refused on 04/11/2024 for 2 no. reasons relating to its design

and scale: 1. Material contravention of Objective HCAO24 (re: ACA), 2. Material contravention of Objective DMSO32 (re: infill development).

P.A. Ref. F18A/0370 – Application for change of use of existing public house at 3 Church Street to 2 no. terraced domestic dwellings, and associated site works to include construction of two storey flat roofed extension to rear, granted permission on 24/09/2025 subject to 16 no. conditions [cited in GOA].

P.A. Ref. F17A/0506 – Application for retention permission for two semi-detached houses at 1A and 1B Balbriggan Street as constructed under planning permission Reg Ref. F13A/0220, granted on 20/11/2017 subject to 2 no. conditions [cited in GOA].

P.A. Ref. F15A/0259 – Application for construction of 2 no. new semi-detached dwelling houses and associated site works at Church Street (east side), granted on 09/11/2015 subject to 15 no. conditions [cited in GOA].

5.0 Policy Context

5.1. National Policy

Project Ireland 2040 – National Planning Framework (2025):

- NPO 3c (deliver 30% new housing in existing built-up footprint) [cited in GOA].
- NPO 6 (regenerate cities, towns and villages) [cited in GOA].
- NPO 13 (performance based approach to urban development) [cited in GOA].

Climate Action Plan (2024 & 2025) and Ireland's 4th National Biodiversity Action Plan (NBAP) 2023-2030.

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH, 2024), SPPR 1 - Separation Distances, SPPR2 – Private Open Space, SPPR 3 – Car Parking (replaced (2009) Guidelines).

Urban Design Manual (DoEHLG) [cited in GOA].

Architectural Heritage Protection: Guidelines for Planning Authorities (2011) [cited in GOA].

Sustainable Residential Development Guidelines (2009) [cited in GOA].

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007).

5.2. Regional Policy

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 (RSES)

- Skerries as self-sustaining town [cited in GOA].
- RPO 3.2 (achieving compact growth) [cited in GOA].
- RPO 4.3 (delivering mixed tenure housing in established settlements) [cited in GOA].
- RPO 8.3 (promoting sustainable transport by locating housing near services and transit) [cited in GOA].

5.3. Development Plan

The Fingal Development Plan (FDP) 2023-2029 applies.

Skerries

Section 2.7.2 (Role of Each Settlement) – Self-Sustaining Towns incl. Skerries.

Policies CSP34 – Consolidate Growth of Self-Sustaining Towns, CSP36 - Focus Growth Within and Contiguous to Core in Self-Sustaining Towns and CSP38 - Malahide, Balbriggan, Lusk, Portmarnock, Rush and Skerries.

Objective CSO55 - Development and Growth of Balbriggan and Skerries.

Zoning

The site is zoned 'TC – Town and District Centre' with the objective to 'Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities'. Residential is a use class which is permitted in principle under the TC zoning.

The stated vision for this zoning objective is, inter alia, to develop and consolidate these centres with an appropriate mix of uses, and to enhance and develop the urban fabric of these centres with urban design, conservation and sustainable development.

The site is also located within a 'highly sensitive', 'coastal' landscape character area.

Residential Development

Section 14.6 (Design Criteria for Residential Development in Fingal).

Sections 14.6.6.3 (Separation Distances), 14.6.6.4 (Overlooking and Overbearance), 14.8 (Housing Development/Standards), 14.8.3 (Private Open Space) and 14.9 (Residential Developments – General Requirements).

Objective SPQHO38 – Residential Development at Sustainable Densities.

Objective DMSO23 – Separation Distance.

Infill Development

Section 14.5 (Consolidation of the Built Form: Design Parameters) and Objective SPQHO37 – Residential Consolidation and Sustainable Intensification.

Sections 14.10 (Additional Accommodation in Existing Built-up Areas) and 14.10.1 (Corner/Infill Development).

Tables 14.3 (Brownfield Opportunities and Regeneration), 14.4 (Infill Development), 14.24 (Direction for Proposed Development within Architectural Conservation Areas).

Objective HCAO24 – Alteration and Development of Protected Structures and ACAs: Require proposals for any development, modification, alteration, extension or energy retrofitting affecting a Protected Structure and/or its setting or a building that contributes to the character of an ACA are sensitively sited and designed, are compatible with the special character, and are appropriate in terms of the proposed scale, mass, height, density, architectural treatment, layout, materials, impact on architectural or historic features [cited by PA in RR No. 1].

Objectives DMSO31 - Infill Development: 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 [cited by PA in RR No. 2].

Objective SPQHO39 – New Infill Development.

Objectives HCAO38 – Infill Development and SPQHO42 – Development of Underutilised Infill, Corner and Backland Sites.

Section 14.6.5 Open Space Serving Residential Development, Table 14.16.

Objective SPQHO36 – Public open Space: Public open space provision in new residential developments must comply with the quantitative and qualitative standards set out in Chapter 14 Development Management Standards.

Objective DMSO54 – Financial Contribution in Lieu of Open Space Provision in Smaller Developments (i.e. less than 3 no. units)

Architectural Conservation/ Heritage

Section 10.5.2.2 (Architectural Conservation Area (ACA)).

Policy HCAP11 – Conservation of Architectural Heritage.

Policies HCAP14 – Architectural Conservation Areas and HCAP15 – Character of Architectural Conservation Areas.

Objectives DMSO186 – Retention of Existing Building Stock within an ACA and DMSO187 – Planning Applications within an ACA.

Parking

Tables 14.18 (Car Parking Zones) and 14.19 (Car Parking Standards).

Table 14.17 (Bicycle Parking Standards).

Objective DMSO109 – Bicycle Parking: Ensure that all new development provides high quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, where feasible, practical and appropriate, having regard to local, national and international best practice.

Policy Cited in the Grounds of Appeal

Policy CSP17 – Socially and Economically Balanced Sustainable Communities.

Objectives HCAO24 (as detailed above) and SSO1 (no such objective in FDP).

Policies SS12, PM44 and DMS87 (no such policies in FDP).

6.0 Natural Heritage Designations

The appeal site is not located within or adjoining any designated site.

The nearest European Sites in close proximity to the appeal site are as follows:

- c. 300m from North-West Irish Sea SPA (Site Code 004236)
- c. 1km from Skerries Islands SPA (Site Code 004122)
- c. 3.5km from Rockabill to Dalkey Island SAC (Site Code 003000)
- c. 3km from Rockabill SPA (Site Code 004014).

The nearest Natural Heritage Areas in close proximity to the appeal site are as follows:

- c. 1km from Skerries Islands NHA (Site Code 001218)
- c. 2.3km from Loughshinny Coast pNHA (Site Code 002000).

7.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

8.0 Water Framework Directive Screening

I have concluded, on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment (refer to form in Appendix 2 for details).

9.0 The Appeal

9.1. Grounds of Appeal

A first party appeal submission was received (30/06/2025) and seeks to address the PA's reasons for refusal. The grounds of appeal (GOA) can be summarised as follows:

General Points

- Appeal site is underutilised and detracts from urban quality of Skerries.
- Proposal is a high quality, sustainable, responds appropriately to its context and preserves/ respects the character of the Skerries ACA.

- Well-considered design respects prevailing urban grain, height, building line of New Street and addresses existing gap in streetscape/ activates street.
- Proposal is supported by design rationale, shadow study, precedent and policy.
- Supports compact growth/ urban consolidation/ housing need/ climate action.
- Proposal accords with Urban Design Manual, Residential and Heritage Guidelines.
- Overview of the built character and historical context of New Street is provided.

Compliance with Development Plan

- Site's 'TC – Town Centre' zoning supports residential, infill development.
- Proposal supports FDP Objectives: CSP17, SSO1, SS12, PM44 and HCAO24.

Compliance with ACA Guidance

- ACA designation does not prohibit contemporary interventions.
- Dwelling design is informed by Architectural Heritage Protection Guidelines.
- Proposed dwellings use traditional materials, pitched roofs with dormer windows, respect established building line and reflect vernacular building form in the ACA.

Design Rationale

Proposed sensitive design is informed by a contextual analysis of New Street/ wider ACA and reflects traditional streetscape patterns whilst providing for modern living:

- Proportional Massing – 2.5 storey height and visually modest, recessed dormer design is consistent with examples along Church Street/ elsewhere in Skerries.
- Symmetry and Verticality – dwellings' vertical proportions and symmetry reflects the pattern of late Georgian and early Victorian dwellings in the ACA.
- Traditional Materials – material palette of render, slate roofs, timber doors and windows reflect the materiality of surrounding vernacular buildings.
- Recessive Roofline – integration of dormer windows within the pitched roofs and aligned with window opens below minimises their bulk and visibility.
- Streetscape Continuity – proposal extends the urban edge of New Street and closes an unsightly gap in the streetscape.

Refusal Reason No. 1: Impact on ACA (Compliance with Objective HCAO24)

- Dwellings are modest in height and scale, secondary to more prominent buildings on Church Street, fill an existing gap in the streetscape and enhance the ACA.

Appellant is of the opinion that their proposal is fully compliant with this objective:

- Sensitive Scale - Proposed 2.5 storey dwellings are modest in scale and have recessed dormer level which reduces their bulk.
- Respect for Context – well detailed design mirrors historic forms (gable fronted buildings on narrow plots etc.) and materiality and is not pastiche.
- Amenity Protection – setbacks and boundaries minimise overlooking and overshadowing.
- Streetscape Improvement – high quality proposal reactivates an underused site and addresses the site's current detracting from the quality of the ACA.

The PA's refusal reasoning relies on a generalised assessment of ACA sensitivity.

There is an existing diversity of form, scale and typology along New Street.

Refusal Reason No. 2: Height, Scale Massing (Compliance with Objective DMSO31)

- Height not excessive relative to other dormer/ attic accommodation properties in ACA/ on Church Street.
- Recessed third storey dormer level reduces visual massing and overbearance.
- Gable to street orientation is in-keeping with traditional Irish urban/ backland form.
- Design creates a finer urban grain/ encloses the street without detrimental impacts.

Response to Third Party Observations

The appellant's response to the 3 no. third party observations reiterates many of the points raised previously in their grounds of appeal. New points are as follows:

- Height is minimised via roof articulation and sympathetic fenestration.
- Proposal does not constitute overdevelopment and complies with Policy DMS87.
- New Street has a varied architectural character (re: scale, typology & height).
- Fenestration design/ orientation/ placement avoids overlooking.
- Construction impacts can be addressed via management plan, insurance etc.
- Proposal located in parking zone 1 with flexibility around parking provision on account of proximity to train station and bus routes.

General

Whilst recognising the legitimacy of concerns raised by local residents in respect to the proposal, appellant considers that they would not justify a refusal of permission on the basis that the scheme complies with development standards; enhances the ACA through appropriate architectural design; has minimal impact on neighbouring/ visual amenity due to its orientation/ use of setbacks; and, promotes sustainable transport and town centre living.

Relevant Planning Precedents

The GOA provide information on a number of planning decisions where permission was granted for new infill residential development elsewhere in Skerries town core:

- P.A. Ref. F18A/0370 (3 New Street Skerries): infill 2-storey dormer house on narrow town centre plot adjoining a public house in the Skerries ACA.
- P.A. Ref. F17A/0606 (18 Thomas Hand Street): demolition and infill 2.5 storey dormer building in the Skerries ACA [noted this reg. ref. relates to a site in Santry).
- P.A. Ref. F15A/0259 (Rear of 61-62 Church Street): backland/infill development of 2 no. 2-3 storey townhouses (with dormer elements) to rear of public house.

The appellant argues that these permissions have set a precedent for infill residential development/ reuse/ regeneration of narrow town centre sites; use of dormers and pitched roofs; 2-3 storey buildings; and, high quality architectural detailing which enhances of streetscape.

9.2. Planning Authority Response

Response dated 16/07/2025 states that the PA have no comments to make in respect of the appeal and seeks that the Commission uphold their decision to refuse permission. In the event that their decision is overturned by the Commission they seek that, where relevant, conditions relating to the payment of a Section 48 Development Contribution, a bond/ cash security, tree bond and a payment to compensate for a shortfall in play facilities and/or open space be applied.

9.3. Observations

3 no. observations were received from neighbouring property owners (Gordon Dootson (received 09/07/2025), Ian Campbell (received 23/07/2025) and Norma

MacMaster (received 25/07/2025)). The issues raised therein are detailed below and are very similar in nature to those raised at planning application stage.

Procedural

- No exceptional circumstances that would allow the Commission to override the PA's decision to refuse permission.
- Dismissal of genuine third party concerns as generalised fears is not justified.
- Inaccurate statements made in respect to proximity to train station/ housing need.
- Compact growth should not be pursued to the detriment of local character/ amenity.
- Appeal should be dismissed and PA's decision upheld.
- Failure to provide adequate design details prevents full and proper assessment.

Impact on ACA

- Appellant's view that proposal enhances ACA is not substantiated.
- Reliance on precedent is inappropriate.
- The proposal fails to strike an appropriate balance between conservation and amenity.

Design

- Appellant's recessed dormer argument does not address the PA's concerns with regard to the bulk and visual impact of the proposal or the observer's concerns with regard to loss of light, privacy or loss of views of Skerries windmills.
- Setbacks and window placements do not address concerns raised in respect to privacy, overdevelopment and overshadowing (no independent assessment).
- Concerns in respect to height and visual intrusion of proposal on neighbouring properties and overbearance and overlooking of No. 1 The Orchard not addressed.
- Height and scale constitutes overdevelopment/ design is out of character with area.
- Design comparison to buildings on Church Street is irrelevant given site's location.

Parking/ Traffic

- Proposal's proximity to/ reliance on public transport should not negate the need to provide for parking or the giving rise to increased parking pressure on New Street.
- Proposal gives rise to demand for 4 no. car parking spaces on a road with significant existing pressure for residential parking.
- Traffic, parking and pedestrian impact of construction and operational phases.

9.4. Further Responses

None received.

10.0 Assessment

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

- Principle of Development
- Design and Impact on ACA
- Residential Amenity
- Parking
- Other

10.1. Principle of Development

- 10.1.1. The appeal site is zoned 'TC – Town Centre' with the objective 'Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities'.
- 10.1.2. The GOA state that the site's 'TC – Town Centre' zoning supports residential, infill development and that the proposal complies with compact growth policy.
- 10.1.3. The third named Observer contends that the proposal to remove the pub's ancillary, local facilities is non-compliant with the site's TC zoning. In this regard, I note that a substantial portion of the pub is to remain and that it will continue to operate.
- 10.1.4. On balance, I consider that the proposal for 2 no. residential dwellings on the TC zoned site is acceptable in principle, and in general compliance with national to local urban consolidation and compact growth policy, subject to the detailed considerations below.

10.2. Design and Impact on ACA

Background

- 10.2.1. The PA's refusal reason No. 1 concerned the design and scale of the proposal being injurious to the visually amenity of New Street, detracting from the Skerries ACA and therefore being in material contravention of Objective HCAO24. This objective requires proposals to be sensitively sited and designed to be compatible with the special character of the area in terms of their scale, mass, height, density, architectural treatment, layout and materiality. Refusal reason no. 2 also cited issues with the proposal's height, design, scale and massing on the basis of same being inconsistent with the character and form of development in the surrounding area and therefore giving rise to a material contravention of Objective DMSO31 with regard to infill sites. Given that the issues which gave rise to both refusal reasons are interlinked, they are dealt with as such in my assessment.
- 10.2.2. I note that the GOA make a number of references to the character of, and development precedent on, Church Street (street to the east onto which the front elevation of the public house faces) and to backland development elsewhere in Skerries. Given the proposed dwellings will front New Street and will be physically removed from, and not visible from, Church Street, I consider the built form of the latter street/ on backland sites to be largely irrelevant to the assessment of the proposal.

Siting

- 10.2.3. Having visited the site and considered the information on file with regard to the positioning, orientation, width, depth and terraced/ semi-detached arrangement of the proposed houses, I am satisfied that the proposal fronting New Street generally respects the historic urban grain, form and established building line on the street.

Scale and Height

- 10.2.4. The proposed dwellings have a pitched roof profile which generally reflects the roof forms visible elsewhere on Church Street. I note that whilst variation in roof heights is noted within the statement of character for Skerries ACA, the depth/ extent of the proposed roof slope (c. 5.5m at the eaves and with a ridge height of c. 9.43m) when combined with the proposed boxy roof overhang/ uPVC fascia and soffit arrangements, and centralised positioning of the dwelling's large chimney breast, gives rise to visual incongruity on a streetscape which is characterised by comparatively shallower roof slopes, more visually discreet roof drainage arrangements and gable chimney breasts. This visual disharmony is illustrated by the

applicant's proposed contiguous building line drawing (which also highlights the visibility of House B's roof above the original pub at No. 66 Church Street (a protected structure)). I consider that these issues when combined with the positioning of the proposed dwellings, next to single storey properties (notwithstanding there being other 2-storey properties on the street), accentuate the scale and massing of the proposal and render it visually incongruous when compared to the street's existing built form.

Design

- 10.2.5. Whilst the ACA designation does not preclude contemporary interventions, proposals are required to respect the design, architectural treatment and materiality of the area – in this case predominantly vernacular c. 19th century domestic architecture, which is characterised by simple materiality and visually balanced, symmetrical ope arrangements. I consider the proposed material palette of render, slate roof tiles and timber doors and windows sufficiently reflects the traditional materiality of the other buildings on New Street. However, having considered the solid to void ratios and fenestration pattern on the dwelling's front elevations (and particularly the quantum of window opes at first floor level and the sizing/ positioning of opes generally), I am not satisfied that they are in-keeping with the abovementioned ope arrangements which are a defining characteristic of the properties facing onto New Street, and I consider that they would give rise to visual incongruity on the streetscape.

Compliance with Objective DMSO31

- 10.2.6. In light of the foregoing, I am of the opinion that the overall height and scale of the proposal, which adjoins single storey structures, renders it overly visually dominant and out of character with the established pattern of development on New Street. This would not be in compliance with Objective DMSO31 which requires new infill development to respect the height and massing of existing residential units.

Compliance with Objective HCAO24

- 10.2.7. In light of the foregoing, I am also of the view that the proposed dwelling's height and scale when combined with the units' other defining design characteristics (outlined above), would unacceptably impact on the visual amenity of the streetscape (to the north) by undermining the existing local vernacular and, as such, would detract from, and be detrimental to the character of, the ACA which would not meet the requirements of Objective HCAO24.

10.3. Residential Amenity

Overlooking

- 10.3.1. FDP Section 14.6.6.3 and Objective DMSO23 (Separation Distances) provide no guidance on minimum requirements in respect opposing first floor front windows. SPPR1 (Separation Distances) of the 2024 Compact Settlement Guidelines states that there shall be no specified minimum separation distance to the front of houses and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy. Having reviewed the plans, I note that a separation distance of c.11.2m is proposed between the north (front) elevations of the proposed dwellings and the residential properties on the opposite side of New Street. Having considered this relationship, in the context of similar existing 'mutual visibility' relationships between other residential properties on opposite sides of New Street where there is a consistent building line on the north and south sides of the street, I am of the view that it is appropriate and in-keeping with existing, as-built arrangements in this urban area.
- 10.3.2. In respect to the relationship between the proposed first floor rear windows and 2nd storey rear dormers and the property to the south (No. 1 The Orchard), I note from the site plan drawing that the rear of House Type A faces the communal courtyard/ parking area to the front of No's 1-2 the Orchard with only House B (rear) facing the side gable of this property (which features what appears to be a landing or bathroom window on account of its size and placement) with no potential for overlooking of habitable rooms or its private amenity space which is located further to the east. Having considered these arrangements, it is my view that there is no potential for the proposal to give rise to overlooking of No. 1 the Orchard.

Overbearance

- 10.3.3. I note that the proposed dwellings are sited on the northern portion of the appeal site and c. 15m from the southern party boundary (c. 2m high stone wall) with No. 1 The Orchard (i.e. in a perpendicular arrangement) which is offset slightly from its side gable. Having considered this relationship together with the massing of the proposed dwelling's rear roofscape and the setback positioning of the propose rear dormer windows within same, I do not consider that the proposal would be likely to give rise to overbearance (or visual intrusion) on No. 1.

- 10.3.4. Notwithstanding, I consider that the issue of overbearance, on the streetscape and on neighbouring properties in general, cannot be considered in isolation from a wider consideration of the proposal's scale, design, height and harmonisation with the built character of New Street and compliance with Objectives HCAO24 and DMSO31. These matters are discussed in detail in Section 10.2 of this report.

Overshadowing

- 10.3.5. Having considered the layout, orientation and aspect of the proposal relative to that of neighbouring residential properties together with its physical separation from same (i.e. c. 11.2m from the properties to the north and c. 15m from the property to the south), I am satisfied that it would not be likely to negatively impact on sunlighting to their private amenity spaces or on their internal daylighting.

Loss of Views

- 10.3.6. The third named Observer raises the issue of the proposal blocking existing views of Skerries windmills and considers that the appellant's proposal to provide for a recessed dormer would not address their concerns with regard to loss of these views.
- 10.3.7. Having consulted the FDP, I note that the view of Skerries Mills from New Street is not subject to protection. Notwithstanding, I do have concerns in respect to the scale, design and massing of the dwellings which are outlined in Section 10.2 of this report.

Future Residential Amenity

- 10.3.8. The PA were satisfied as to the proposal's compliance with national policy guidance on private open space, floor areas and layouts as required in accordance with FDP Objective DMSO19. Having reviewed the proposals against the stated housing quality requirements for 4-bedroom houses detailed in Section 5 of this report, I am also satisfied that the proposal fully complies with same.

10.4. Parking

Car Parking

- 10.4.1. The description of development applied for states that permission is sought for 'on-street parking provision for each house'. The PA determined that no car parking was acceptable on account of the site's infill nature, location in parking zone 1 and proximity to Skerries train station.

- 10.4.2. The applicant has sought permission for 1 no. parking space per unit but has provided no details on the proposed location of these parking spaces. The site's location in parking zone 1 gives rise to a maximum parking allowance of 1 no. space per dwelling (as per the standards set out in Table 14.19 of the FDP) and, on this basis, the proposal to provide 1 no. parking space per dwelling complies with same.
- 10.4.3. I note the Observers' statements that New Street has insufficient parking presently, and that existing residents on the street cannot secure parking permits, however I consider that these operational matters fall under the remit of the local authority and thus, need not concern the Commission for the purposes of this appeal.

Cycle Parking

- 10.4.4. The applicant made no provision for cycle parking as part of their proposal and the PA determined that 5 no. covered and secured cycle parking spaces were required to be provided as part of their rear amenity space – either accessible via a third party car park to the west or off the public footpath to the north by way of a unit redesign – seeking to address this matter by way of a request for further information.
- 10.4.5. The proposal does not provide for any cycle parking, but I do not consider this to be a material contravention of FDP Table 14.17 (6 no. spaces per unit required in order to comply with the standards) on account of the wording of Objective DMSO109 which seeks to ensure bike parking provision in accordance with Table 14.17 where feasible.
- 10.4.6. I note that the proposed layout provides for rear pedestrian access to the houses from the adjoining public car park via an existing (blocked-up) gate that will be reopened. I am satisfied that the re-opening of this existing access will allow for bicycle access to the properties. I consider that the provision of Development Plan compliant cycle parking (i.e.) in the dwelling's rear gardens can be addressed by condition where the Commission are minded to grant permission.

10.5. Other

Planning Precedent

- 10.5.1. I note the nature and extent of the planning precedents provided in the GOA (detailed in Section 9.1 of this report) many of which relate to single storey infill or developments on other local streets which more closely matched the height, massing and

architectural character of neighbouring properties. On this basis, I consider them to be not particularly relevant to the appeal a hand.

- 10.5.2. Notwithstanding, I would note that every application is considered on its own merits having regard to the sensitivity of the receiving environment and the specifics of the proposal. In the case of this appeal, the crux of the matter is whether the proposed scale and design is compliant with the prevailing character of the area and its location within an ACA. This matter is considered in Section 9.2 of this report.

Procedural Issues

- 10.5.3. The observers raise various issues with statements made by in the application and in the GOA and they consider that the applicant has failed to engage with their concerns or to provide adequate design details to allow for a proper assessment of the proposal.
- 10.5.4. Whilst I note the nature and extent of the concerns raised, I am satisfied that I have given full consideration to same in addition to the merits of the subject proposal and have sufficient information on file to carry out my assessment.

Traffic and Construction Works

- 10.5.5. The first named Observer raises concerns in respect to construction phase parking, traffic and disturbance/ pedestrian impacts given existing capacity issues on New Street.
- 10.5.6. The second named Observer contends that the applicant has provided inadequate details in respect to the nature and extent of proposed building works on Tennis Court Lane (to the rear of the appeal site).
- 10.5.7. The appellant considers that construction impacts can be addressed via management plan and insurance etc.
- 10.5.8. Whilst I note the substance of the concerns raised, given that such traffic and construction impacts would be short term in nature, I am satisfied that they can be managed, mitigated and avoided by the measures which form part of the proposed scheme; through good construction management and practice; and, through the attachment of suitable planning conditions in respect to working hours etc.

Treatment of Southern Boundary Wall

10.5.9. The second named Observer is of the view that the appellant has given inadequate consideration to the height and treatment of the 19th century boundary wall delineating the site from No. 1 The Orchard to its rear.

10.5.10. Having reviewed the information on file, it would appear to me that the applicant is not proposing to make any changes the southern party stone boundary wall which would form the property boundary to the new walkway to the rear of the houses.

Drainage (New Issue)

10.5.11. The PA's Water Services Department cited no objections to the proposal subject to standard surface water management conditions. I note from the application form that the applicant proposes a new foul drainage connection to the public sewer but there is no Pre-Connection Inquiry or Confirmation of Feasibility correspondence from Uisce Eireann on the file. On this basis, I consider it appropriate that the matter of the feasibility of connecting to the UE network be addressed by condition where the Commission are minded to grant permission.

Part V

10.5.12. I note the statement by the PA that the applicant had failed to submit a social housing exemption certificate (SHEC) in respect of their proposal. Applications for, and the granting of, SHECs are a matter for the PA and need not concern the Commission.

Play Facilities

10.5.13. The PA, in their response, sought the payment of contribution in lieu of play facilities be applied where a shortfall in same is identified. FDP Section 14.13.3.2 (Playground Facilities) requires provision of same in schemes in excess of 50 no. units and as, such does not apply in this instance.

Public Open Space

10.5.14. The PA, in their response, sought the payment of contribution in lieu of public open space be applied where a shortfall in same is identified. Section 14.6.5 (Open Space Serving Residential Development) states that appropriate provision must be made for public open space within all new developments with all multi-unit residential schemes required to indicate all communal and public open space which will serve the scheme. Objective DMSO54 allows for the payment of a contribution in lieu of same in developments of less than 3 no. units. I consider the matter can be

addressed by the attachment of a contribution in lieu condition where the Commission are minded to grant permission.

11.0 AA Screening

11.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, specifically North-West Irish Sea SPA (Site Code 004236), Skerries Islands SPA (Site Code 004122), Rockabill to Dalkey Island SAC (Site Code 003000) and Rockabill SPA (Site Code 004014), in view of these sites' Conservation Objectives, and Appropriate Assessment (and submission of an NIS) is not therefore required.

11.2. This determination is based on:

- The relatively minor nature of the development.
- The location-distance from the nearest European Site and lack of connections.
- Taking into account the appropriate assessment screening undertaken by the PA.

11.3. I conclude that, on the basis of objective information, the proposed development would not have a likely significant effect on any European Site, either alone or in combination with other plans or projects.

11.4. Likely significant effects are excluded and therefore Appropriate Assessment (Stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

12.0 Recommendation

I recommend that permission be REFUSED for the reasons and considerations set out below.

13.0 Reasons and Considerations

1. Having regard to the pattern of existing and permitted development in the area, the nature, scale, height and design of the development proposed, it is considered that the proposed development would be out of character with the existing built form and

architectural character of New Street and would have a detrimental impact on the character and appearance of the Skerries Architectural Conservation Area (ACA) and would therefore be contrary to Objective HCAO24 (Alteration and Development of Protected Structures and ACAs) of the Fingal Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed infill development by reason of its height and scale, does not respect the character of existing residential units on New Street. It is therefore non-compliant with Objective DMSO31 (Infill Development) of the Fingal Development Plan 2023-2029. 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.

Emma Gosnell

Planning Inspector

9th October 2025

Appendix 1

Form 1 - EIA Pre-Screening

| | |
|---|--|
| Case Reference | ACP-322896-25 |
| Proposed Development Summary | Demolition of rooms, construction of 2 dwellings with all associated site works. |
| Development Address | Site to rear of The Coast Public House, 66 Church Street, facing on to New Street, Skerries, Co. Dublin. |
| | In all cases check box /or leave blank |
| 1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) | <input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. |
| | <input type="checkbox"/> No, No further action required. |
| 2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)? | |
| <input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP. | |
| <input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3 | |
| 3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds? | |
| <input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. | |

| | |
|---|---|
| No Screening required. | |
| <input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required | |
| <input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required) | <p>Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units. Proposal is for 2 no. dwelling units.</p> <p>Part 2, Class 10(b)(iv) - Urban development – 10 hectares (built-up area). Site is c. 0.041 ha.</p> |

| | |
|---|---|
| 4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)? | |
| Yes <input type="checkbox"/> | Screening Determination required (Complete Form 3) |
| No <input checked="" type="checkbox"/> | Pre-screening determination conclusion remains as above (Q1 to Q3) |

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

| | |
|--|---|
| Case Reference | ACP-322896-25 |
| Proposed Development Summary | Demolition of rooms, construction of 2 dwellings with all associated site works. |
| Development Address | Site to rear of The Coast Public House, 66 Church Street, facing on to New Street, Skerries, Co. Dublin. |
| This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith. | |
| Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of | The development is for 2 no. dwelling houses and related works and it comes forward as a standalone project, and it does not involve 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. |

| | |
|--|--|
| accidents/disasters and to human health). | |
| <p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p> | <p>The development is situated on a brownfield backland/ infill site located to the rear of The Coast Public House, in Skerries, Co. Dublin.</p> <p>The Mill Stream (Skerries) is located c. 500m away to the south, with the Northwestern Irish sea being located c. 300m to the east. These watercourses/ waterbodies provide very indirect hydrological links to the North-West Irish Sea SPA, Skerries Islands SPA, Rockabill to Dalkey Island SAC and Rockabill SPA. However, it is considered that there is no pathway from the appeal site to this river as per Section 10 of the Inspector's Report (AA Screening).</p> <p>The development is removed from sensitive natural habitats, dense centres of population and designated sites identified significance in the County Development Plan.</p> <p>The site's location within the Skerries ACA and within a sensitive, coastal landscape character area is dealt with as part of the Planning Assessment in the main body of the Inspector's Report.</p> |
| <p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p> | <p>Having regard to the nature of the proposed development, its location removed from sensitive habitats/ features; likely limited magnitude and spatial extent of effects; and, absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p> |
| Conclusion | |
| Likelihood of Significant Effects | Conclusion in respect of EIA |
| There is no real likelihood of significant effects on the environment. | EIA is not required. |

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 2 – AA Screening Determination

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposal comprising of the demolition of rooms, construction of 2 dwellings with all associated site works to the rear of The Coast Public House, 66 Church Street (facing onto New Street), Skerries, Co. Dublin in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located:

- c. 300m from North-West Irish Sea SPA (Site Code 004236)
- c. 1km from Skerries Islands SPA (Site Code 004122)
- c. 3.5km from Rockabill to Dalkey Island SAC (Site Code 003000)
- c. 3km from Rockabill SPA (Site Code 004014)

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Small scale nature of works/ development
- Location-distance from nearest European site and lack of connections
- Taking into account screening report/ determination by PA.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

Appendix 3

Screening the need for Water Framework Directive Assessment Determination

The appeal site is located to the rear of The Coast Public House, 66 Church Street (facing onto New Street), Skerries, Co. Dublin.

The Mill Stream (Skerries) is located c. 500m south of the appeal site.

The proposal comprises of the demolition of rooms, construction of 2 dwellings with all associated site works – see Section 2.0 of Inspector's Report for further details.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposal for permission and retention (described above) on this brownfield site at New Street, Skerries, Co. Dublin and I have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The de-minimus small scale nature and scale of the proposal.
- The location-distance from nearest water bodies, intervening land use and/or lack of hydrological connections.

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.