



An  
Coimisiún  
Pleanála

# Inspector's Report

## PL-500076-DF

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<b>Development</b>	Change of use to residential with all associated site works
<b>Location</b>	79-81 Church Street, Skerries, Co Dublin, K34 YC60
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F25A/0550E
<b>Applicant(s)</b>	DP Property and Developments Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Gerard Grimes on behalf of neighbouring residents
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	14 <sup>th</sup> January 2025
<b>Inspector</b>	Emma Gosnell

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## 1.0 Site Location and Description

- 1.1. The appeal site is located at 79-81 Church Street in Skerries, Co. Dublin and comprises of a 1-2 storey building (c. 312sq.m and formerly in use as a retail bank). It forms part of a mixed-use urban streetscape which is characterised by 1-2 storey properties of varying scale/ width, design and use (childcare, residential, professional services, auctioneering etc.). The site comes within the Skerries Architectural Conservation Area (ACA).
- 1.2. The site is adjoined to the north-east by a public footpath, a large street tree and parallel public parking bays which line the west side of Church Street. It is bound to the south-east by No. 78 Church Street (Protected Structure (RPS No. 210)) which is currently in use as a creche/ childcare facility. This property which presents to the street as a 1-storey thatched cottage also features a 2-storey pitched element and amenity space to its rear. To its north-west the appeal site adjoins No. 82 Church Street, a 1-storey residential property with dormer accommodation to the front with a 1-2 storey extension and small garden to the rear. To its west/ south-west the appeal site abuts the rear of the properties at No's 52 and 53 Thomas Hand Street together with the rear garden of the property at No. 54 Thomas Hand Street.
- 1.3. The appeal site is 0.036ha in area - the majority of which is given over to an existing building which was formerly in use as a retail bank. This building is 2-storey where it fronts onto Church Street, tapering to 1-storey to its rear. The front façade of the building features a pitched roof profile and narrow, angled windows at first floor level. The remainder of the site is given over to plant areas and external circulation space, with the pedestrian passageway which encircles the building being accessible from both the building and from the street.

## 2.0 Proposed Development

- 2.1. The proposed development comprises of: (a) The change of use of a former retail bank to residential (4 no. 2-bed apartment units) with all associated site works; (b) Alterations and a new extension to rear at first floor level; (c) Minor alterations to front elevation including new windows and doors; and, (d) Ancillary bicycle and bin storage facilities and all associated drainage and siteworks.

- 2.2. Further information stage changes concerned waste and bike storage arrangements, the provision of sedum roof(s) and the provision of additional details in respect to the materiality of the building's front (streetscape) elevation.

### 3.0 Planning Authority Decision

#### 3.1. Decision

Permission granted on 22/09/2025 subject to 12 no. conditions. Conditions of note:

- *Condition No. 2* – agree exact model of front elevation windows with PA.
- *Condition No. 5* – protection of existing mature street tree during construction.
- *Condition No. 6* – no surface water discharge to foul sewer system and surface water drainage to be in compliance with GDRCoP).
- *Condition No. 11* – payment of a contribution in lieu of open space.

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

2 no. planning reports formed the basis of the planning authority's (PA) assessment:

Planner's Report (12/08/2025) – Initial Application Stage

Key points of note raised in the report are as follows:

- *Principle of Development* – residential permitted in principle on 'TC' zoned lands.
- *Existing Residential Amenity* – site located in built-up urban area and abutted by multiple residential properties. PA note submission of Shadow Analysis with application and consider likely loss of direct sunlight to garden of No. 82 Church Street will not negatively affect residential amenity.
- *Standard of Accommodation* – privacy screening to courtyards acceptable on basis it prevents overlooking/ overbearance on neighbouring properties.
- *Conservation* – design and scale of proposed first floor rear extension respects neighbouring Protected Structure (No. 78 Church Street) and the streetscape of the Skerries ACA. Conservation Officer satisfied with proposal. Proposed changes

to/ new opes on front (street) elevation lack details on materiality. Proposed railing design, hedge & shallow depth garden/ defensible space to front of building is out of character with local area - should be omitted. **Further information requested.**

- *Car Parking* – no car parking is acceptable on basis that Table 14.19 car parking standards do not apply to town centre reuse/ refurbishment schemes.
- *Bike Parking* – proposal to provide 10 no. spaces not acceptable on basis 12 no. short stay and 2 no. long stay required. Location of cycle parking to rear of property next to waste storage area is not acceptable. **Further information requested.**
- *Servicing* – proposal to use existing public mains water/ foul/ surface water drainage connections is acceptable subject to standard conditions.
- *SuDS* – proposal not complaint with Objective DMSO206 requiring green roofs on apartment buildings. **Further information requested.**
- *Street Tree* – to be subject to protection measures during construction phase.
- *Public Open Space* – contribution in lieu of non-provision acceptable to PA.
- *Waste* – proposed refuse storage area to rear of building inadequate. **Further information requested.**
- *Noise* – PA note submission of operational noise assessment as part of application. Proposed plant and equipment will generate day and nighttime noise which is unlikely to adversely affect noise sensitive receptors.
- *AA Screening* – 4 no. Natura 2000 sites in close proximity but no pathways between these and proposal. No likelihood of significant effects.
- *EIA Screening* – proposal is subthreshold development. No EIAR required.

A request for Further Information (FI) issued on 13/08/2025 in relation to 3 no. items.

The applicant's response to the FI request was received on 26/08/2025 and consisted of a cover letter and revised plans. The response was not determined to be significant and did not require readvertising.

#### Planner's Report (18/09/2025) – Further Information Stage

Key points of note raised in the report are as follows:

- *FI Item 1 (Bins & Bike Storage):*

(a) – revised proposal to repurpose plant room to rear as a bin storage area for apartment unit's no's 1, 3 & 4 (with apartment no. 2 having its own private courtyard bin storage) all accessible via side access. Response acceptable.

(b) – bin storage changes have created room for provision of covered bike storage area which is also accessible via side access. Response acceptable.

- *FI Item 2 (SuDS Green Roof)*: proposal to provide sedum green roofs at first and second floor levels is compliant with Objective DMSO206. Response acceptable.

- *FI Item 3 (Front Opes & Privacy Treatments)*:

(a) – Metal/metal clad or timber finish and not uPVC windows will be provided on streetscape elevation. Proposal is acceptable where exact window model and material finish is agreed with the PA by condition.

(b) – Proposed ground floor railed enclosure removed. Response acceptable.

- AA & EIA Screening – FI proposals do not give rise to change in determinations.

Report concluded by recommending permission granted as detailed in Section 3.1.

### 3.2.2. Other Technical Reports

*Parks and Green Infrastructure (14/07/2025)* – no objection subject to conditions relating to street tree protection, application of tree bond and financial contribution in lieu of open space.

*Water Services (17/07/2025)* – no objection subject to standard surface water and foul drainage conditions.

*Conservation Officer (28/07/2025)* – seeks FI in respect to the materiality of windows and door on front elevation (not to be uPVC) and the omission of the proposed railed enclosure and planting to the front of the building.

*Transportation Planning Section (30/07/2025)* – seeks FI in respect to quantum and location of in-curtilage cycle parking.

### 3.3. Prescribed Bodies

None on file.

### 3.4. Third Party Observations

2 no. third party submissions were received from a Mr. William Boylan (neighbouring property owner) and Mr. Gerard Grimes on the behalf of multiple neighbouring residents of Church Street and Thomas Hand Street). These raised the following issues:

- Inadequate parking provided and local parking pressures.
- Inappropriate cycle parking design.
- Negative impact on residential amenity of No. 82 Church Street by reason of overbearance, overlooking, overshadowing, security, noise and nuisance.
- Overdevelopment, poor design and non-provision of community space.
- Poor standard of future residential amenity re: layout, aspect & daylight.
- Fire safety issues.

## 4.0 Planning History

### 4.1. Appeal Site

*P.A. Ref. F24A/0707E* – application for change of use of (former) retail bank to aparthotel, and for new extensions to rear at first and second floor level to provide an overall accommodation of 14 no. en-suite bedrooms, a common room, ancillary toilets, linen & general stores, minor alterations to front elevation including revised entrance canopy and new windows, doors and signage and all associated drainage & siteworks, refused on 23/09/2024 for 3 no. reasons:

*“1. The proposed development provides for a cramped, overdeveloped, and unacceptable standard of tourist accommodation which lacks an appropriate mix of unit types and adequate levels of amenity, facilities and services for guests and staff. The proposed third storey element of the development would have an unacceptable overbearing and overshadowing effect on neighbouring properties, and it is not considered the development, as proposed, is appropriate in terms of scale, mass, height and would seriously injure the amenity of existing properties in the area and the Skerries Architectural Conservation Area. The proposed development is therefore*

*considered to be contrary to the 'TC' – 'Town and District Centre' land-use zoning objective; Objective HCAO24; Objective DMSO71; Objective DMSO186; and Table 14.24 of the Fingal Development Plan 2023-2029 and the proper planning and sustainable development of the area.*

*2. The proposed development contravenes materially Objective DMSO109 of the Fingal Development Plan 2023-2029 which requires that all new development provide high quality, secure and innovative bicycle parking provision in accordance with the minimum bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in the Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

*3. The proposed development fails to accord with Objective DMSO5 of the Fingal Development Plan 2023-2029 which requires the submission of a Design Statement for all medium to large scale planning applications (in excess of 5 residential units or 300 sq m of retail/commercial/office development in urban areas). The proposed development fails to accord with the Fingal Development Plan 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area”.*

*P.A. Ref. F02A/0928 – application for new elevational treatment at ground floor level with new aluminium doors and display window, together with new signage relocated ATM with canopy and night safe as well as all associated site works, granted on 03/09/2002 subject to 3 no. conditions.*

#### **4.2. Neighbouring Sites**

##### 78 Church Street

*P.A. Ref. F22A/0194 – application to increase existing creche (granted under P.A. Ref. F09A/0257) capacity from 35 children to 43 children for a protected structure, granted permission on 13/06/2022 subject to 4 no. conditions.*

*P.A. Ref. F16A/0111 – application for works to a Protected Structure consisting of a change of use from an existing ground floor sessional pre-school & 2 storey, 3 bedroom dwelling, to an extended sessional pre-school and a 1 bedroom first floor apartment, granted on 13/06/2016 subject to 8 no. conditions.*

*P.A. Ref. F06A/0829* – application to demolish existing single storey extension to rear, replace 3 no. windows and construct chimney on existing structure, change of use of existing dwelling to commercial use and construct a commercial/residential 1 and 2 storey extension to the rear, granted on 14/09/2006 subject to 11 no. conditions.

82 Church Street

*P.A. Ref. F13B/0081* – application for part single storey & part 2 storey extension to the rear of existing dormer type dwelling and all associated alterations and siteworks, granted permission on 19/08/2013 subject to 7 no. conditions.

## 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).
- NPO 6 (regenerate cities, towns and villages).
- NPO 13 (performance-based approach to urban development).

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) - Policy and Objective 5.1 – Public Open Space.

Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023) – SPPRs & refurbishment scheme caveats.

Site layout planning for daylight and sunlight: A guide to good practice (BRE, 2022).

Architectural Heritage Protection: Guidelines for Planning Authorities (DoHLGH, 2011).

Development Management Guidelines for Planning Authorities (DoHLGH, 2007).

### 5.2. Regional Policy

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 - RPO 3.2 (achieving compact growth); RPO 4.3 (consolidation and re-

intensification of infill/brownfield sites); and, RPO 8.3 (promoting sustainable transport).

### 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 and CSP36 - Focus Growth Within and Contiguous to Core in Self-Sustaining Towns.

#### 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 and also forms part of the Skerries Architectural Conservation Area (ACA).

#### Residential Development

Section 3.5.11 and Policy SPQHP35 – Quality of Residential Development.

Sections 14.6 (Design Criteria for Residential Development in Fingal) and 14.6.4 (Residential Standard) and Objective DMSO19 – New Residential Development.

Sections 14.6.6.3 (Separation Distances), 14.6.6.4 (Overlooking and Overbearance), 14.6.6.1 (Daylight & Sunlight) and Objective DMSO22 – Daylight & Sunlight Analysis.

Sections 14.7 (Apartment Development/Standards), 14.13.3.4 (Apartment and Duplex Units) and Tables 14.4 (Open Space for Apartments) and 14.7 (Min. Requirements for Apartments) – note PA's have discretion in applying min. requirements in case of building refurbishment schemes on sites of any size.

Objectives DMSO71 – Overshadowing of Private Open Space, DMSO72 – Boundary Treatment to Private Open Space, DMSO73 – Balconies, Roof Terraces or Winter Gardens and DMSO74 – Screening of Private Open Space.

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.

Sections 14.6.5 (Open Space Serving Residential Development) and Table 14.6 (Open Space Categories).

Section 14.13.2 (Quantity), Objective DMSO52 states that public open space shall be provided in accordance with Table 14.12 (Recommended Quantitative Standards).

Table 14.12 (Recommended Quantitative Standards): Min. public open space standard of 12% of site area in case of new residential development on brownfield sites

Objective DMSO53 – Financial Contribution in Lieu of Public Open Space: Require minimum open space, as outlined in Table 14.12 for a proposed development site area (Target minimum amount of 15% except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply) to be designated for use as public open space. The Council has the discretion to accept a financial contribution in lieu of the remaining open space requirement to allow provision for the acquisition of additional open space or the upgrade of existing parks and open spaces subject to these additional facilities meeting the standards specified in Table 14.11. Where the Council accepts financial contributions in lieu of open space, the contribution shall be calculated on the basis of 25% Class 2 and 75% Class 1 in addition to the development costs of the open space.

Objective DMSO54 – Financial Contribution in Lieu of Open Space Provision in Smaller Developments: Require an equivalent financial contribution in lieu of open space provision in smaller developments of less than three units where the open space generated by the development would be so small as not to be viable. Where the Council accepts financial contribution in lieu of open space, the contribution shall be calculated on the basis of 25% Class 2 and 75% Class 1.

Section 14.20.12 (Waste Management).

## Refurbishment

Section 3.5.13 & Policy SPQHP38 (Compact Growth, Consolidation & Regeneration).

Objective SPQHO41 – Refurbishment and Refitting of Existing Buildings Promote measures to reduce vacancy and underuse of existing building stock and to support the refurbishment and retrofitting of existing buildings.

Objectives EEO103 – Use of Vacant Floor Space and Refurbishment and Replacement of Obsolete Units.

Objectives SPQHO37 – Residential Consolidation and Sustainable Intensification and SPQHO38 – Residential Development at Sustainable Densities.

## Architectural Conservation/ Heritage

Section 10.5.2.2 (Architectural Conservation Area (ACA)) and Policies HCAP12 – Interventions to Protected Structures, HCAP14 – Architectural Conservation Areas, HCAP15 – Character of Architectural Conservation Areas, HCAPO24 - Alteration and Development of Protected Structures and ACAs.

Objectives DMSO186 – Retention of Existing Building Stock within an ACA.

Section 14.19.3.3 (Architectural Conservation Area), Objective DMSO187 - Planning Applications within an ACA and Table 14.24 (Direction for Proposed Development within Architectural Conservation Areas) sets out direction for proposed development within ACAs. In relation to retention/ reuse and alterations the following is stated.

- Retain original building materials, finishes and features including windows, doors, roof coverings, boundary treatments (such as stone walls, hedges and railing) and other features of interest that contribute to the special character and enliven the streetscape.
- Alterations or modifications of existing facades, openings, finishes, roofscapes, etc. should not detrimentally impact on the character of the ACA or cause damage to the building.
- Extensions to buildings in ACAs that are visible from public places should be of a scale and proportion that respects that of the original building. In general extensions should be subservient in size with materials, finishes and roof profiles that complement the principal structure.

- Any new street furniture (such as bins, lighting, signage-poles etc.) shall be of a high quality and consistent design with consideration given to their siting and location.

#### Parking/ Other

Section 14.17.7 (Car Parking), Tables 14.18 (Car Parking Zones) and 14.19 (Car Parking Standards) and Section 14.17.11 (Pay & Display Parking) - Where Pay and Display systems are in operation, it may be possible that the parking demand created by new developments can be accommodated on-street. In instances where parking provision is reduced based on the provision of on-street parking, a contribution in lieu of parking may be appropriate.

Objective DMSO122 – Pay and Display In towns and villages with Pay and Display parking, developers may pay a contribution in lieu of car parking at a rate of up to €20,000 (twenty thousand euro) per space where deemed appropriate. The proposed development is not considered intensification in terms of parking.

Section 14.17.2 (Bicycle Parking) describes ‘long-stay’ bicycle parking in the following terms: These are to be designed for private use by residents and employees. Such cycle parking spaces should be located in a secure area that is easy to access, well-lit and covered.

Section 14.17.2.1 (Bicycle Parking and Residential Development) - The quality and quantity of bicycle parking provision in residential developments should encourage residents to adopt cycling as the preferred mode of travel for short trips.

Table 14.17 (Bicycle Parking Standards) and 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.

Objective DMSO241 – Construction and Demolition Waste Management Plan: is required for refurbishment projects generating in excess of 100m<sup>3</sup> in volume of C&D waste.

Objective DMSO5 – Design Statement.

## 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. 200m from North-West Irish Sea SPA (Site Code 004236).
- c. 1km from Skerries Islands SPA (Site Code 004122).
- c. 2.8km from Rockabill to Dalkey Island SAC (Site Code 003000).
- c. 3.4km 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).

## 7.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 & Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposal and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposal, 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 3 for details).

## 9.0 The Appeal

### 9.1. Grounds of Appeal

A third party appeal submission was received on 15/10/2025 from Gerard Grimes on behalf of his clients: Kate and John Keeley, William Boylan and Jackie Keane, Sondra and Sean Bulter, Frances Hanley, Joe Keane, Alan and Claire Crilly, Louise Mackle, Stuart and Mary McGealy, Ian and Collette Cullen, Alison and Paul Brennan, Colm and Sinead Hand, Rita Kettle, Patrick Dunne, Peter Kirk, James McGuire, and Brian Woodlock, who are all neighbouring residents.

The grounds of appeal (GOA) are as follows:

- *Overdevelopment.*
- *Adverse impact on existing residential amenity* – overbearance, overshadowing and loss of light to No. 82 Church Street and neighbouring properties.
- *Zero Car Parking* – will further exacerbate demand for limited on street parking.
- *Noise/ Disturbance* – arising from building plant, inefficient refuse disposal arrangements and design/ location of proposed balconies.
- *Security* – access to side passageway will increase risk to neighbour properties.
- *Residential Standards* – no provision for communal/ community/ amenity space for future occupants. Aspect, outlook and design of private amenity space is inappropriate. Poor standards of internal daylighting to proposed apartments.
- *Surface Water* – concerns raised re: design of drainage system via condition.
- *Fire Safety* – concerns raised regarding means of escape from bin/ bike area.

Various photographs are contained within the GOA and serve to illustrate the points being made in respect to residential amenity and on-street car parking etc.

The appeal is accompanied by a copy of a PA submission acknowledgement receipt (dated 22/07/2025) addressed to 'Gerard Grimes obo Church Street Residents'.

### 9.2. Applicant Response

The applicant, in their response to appeal received 12/11/2025, states the following:

## General

- *Procedural Issues* – appeal is invalid on basis of inadequate fee paid and fact it is lodged on behalf of a list of named individuals with no direct contact name/ address provided for the group (i.e. for the Residents Group/ Association).
- *Site Planning History* – previous refusal reasons overcome/ are not relevant.
- *Assessment* – PA were satisfied with the proposal and granted permission.
- *Policy Compliance* – proposal is fully compliant with national, regional and local/ FDP planning and development policy.

## Response to Points Raised in GOA

- *Loss of Residential Amenity* – no evidence submitted to support view that there will be a material loss of light or an increase in overshadowing.
- *Noise / Disturbance* – noise impact assessment submitted with application determined that proposed heat pump plant would have no adverse impact on surrounding noise sensitive locations. Removal of existing bank air conditioning units adjoining No. 82 will improve noise environment.
- *Security* - pedestrian alley is already in situ and secured by gate from Church Street and existing arrangements will be used by residents. Bringing a vacant building back into use will improve security via activity/ passive surveillance etc.
- *Car Parking* – zero provision is in-keeping with Government & FDP policy. Site is accessible to services & public transport. FCC Transport Dept. supported proposal.
- *Open Space / Light* – flexibility on communal and private provision / design requirements, aspect & daylight and contribution in lieu of public open space allowed in case of refurbishment schemes.
- *Refuse* – design and location are appropriate to scheme / accessible from street.
- *Surface Water* – no increase in surface water run-off from site and existing connection to public surface water sewer will continue to be utilised.
- *Fire Hazard* – fire safety is subject to a separate statutory code. Design of scheme has been reviewed by Fire Safety Engineer and subject to Technical Guidance Document B.

### 9.3. **Planning Authority Response**

The PA, in their response received 23/10/2025 state that they have no comments to make on the appeal and seek that their decision to grant permission be upheld and, 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 open space be applied.

### 9.4. **Observations**

None received.

### 9.5. **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
- Residential Standards
- Parking
- Other Matters

### 10.1. **Principle of Development**

- 10.1.1. Government policy is to encourage consolidation and compact growth in order to make efficient use of zoned and serviced land, with RPO 4.3 of the RSES 2019-2031 supporting the consolidation and re-intensification of infill/brownfield sites.

- 10.1.2. FDP Section 3.5.13, Policies SPQHP38 and HCAP15, and Objectives SPQHO37, SPQHO38 and DMSO186 encourage sustainable compact growth, consolidation and regeneration/ refurbishment whilst Objectives SPQHO41 and EEO103 promote the reuse and refurbishment of existing buildings (including those in designated ACAs). I am satisfied that the proposal, to redevelop and extend a vacant commercial bank building in Skerries town centre for residential use, is compliant with same.
- 10.1.3. 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'. 'Residential' is a use class which is permitted in principle under the 'TC' zoning and, on this basis, I am satisfied that the proposed change in the use of the building from retail to residential is acceptable in principle subject to the detailed considerations below.

## 10.2. Design and Impact on ACA

- 10.2.1. Permission is sought for the conversion of the existing 1-2 storey building (c. 312sq.m) to use for 4 no. residential apartments and for a full width, flat roofed extension (c. 20m in depth) to its rear at first floor level and related internal and external works (c. 192sq.m) to facilitate same. This change of use will necessitate the creation of new and amended opes on all elevations.
- 10.2.2. The submitted contiguous elevation drawings illustrate the applicant's proposals to replace the building entrance door from Church Street and existing windows on its front elevation with glazing of a different design and materiality. The nature and extent of the amendments are relatively minor and considering that no changes are proposed to the overall fenestration pattern on the building's front streetscape elevation or to its existing relationship with the public realm, I am satisfied that there is no potential for the proposal to negatively impact on the visual character of the ACA. Notwithstanding, to ensure the quality and visual character of the streetscape is fully protected at this location, I recommend that a condition is attached where the Commission are minded to grant permission to require the applicant to agree with the PA scheme glazing of a design and materiality which is visually in-keeping with same with the PA.
- 10.2.3. I note that the applicant's previous proposal under P.A. Ref. F24A/0707E was refused permission on the basis of the scale, mass, height of their (max. 3-storey) proposal

being likely to seriously injure the amenity of existing properties in the area and the Skerries Architectural Conservation Area.

- 10.2.4. The first floor rear extension subject of this appeal reaches a height of c. 6.54m which is below the c. 8.41m ridge height of the main building and, as such, would not be visually perceptible from the public realm. Having regard to my inspection of the surrounding built form and to the information on file, I am also satisfied that the extension is of a design, scale and proportion that respects both the existing building and the adjoining Protected Structure at No. 78. I note that the PA's Conservation Officer was of the same view.
- 10.2.5. In light of the foregoing considerations, I am satisfied that there is no potential for the proposal's height, scale or massing to injure the amenity of the Skerries ACA and I consider the proposal to be fully compliant with Section 14.19.3.3 (Architectural Conservation Area), Table 14.24 (Direction for Proposed Development within Architectural Conservation Areas), Policy HCAP14 – Architectural Conservation Areas and Objective HCAPO24 - Alteration and Development of Protected Structures and ACAs. Furthermore, I do not consider that the proposal would negatively impact on the character or setting of the adjoining Protected Structure. I deal with the matter of the proposals impact separately in Section 10.3 below.

### 10.3. Residential Amenity

#### Overshadowing/ Loss of Daylight

- 10.3.1. The matter of overshadowing and loss of light to No. 82 Church Street and neighbouring properties is raised in the GOA. The applicant contends that no evidence is submitted to support view that there will be a material loss of light or an increase in overshadowing.
- 10.3.2. I note that concerns regarding the overshadowing effect on neighbouring properties gave rise to the previous refusal on the site under P.A. Ref. F24A/0707E. In respect to their current proposal, the applicant has submitted a Shadow Analysis of their proposal prepared by their Architects. The PA were satisfied with the assessment provided by same and considered that, whilst there would be a loss of direct sunlight to the garden of No. 82 Church Street, it would not be likely to negatively affect the residential amenity of that property.

10.3.3. I note that the BRE 209 Guidelines (2022 edition) recommend that at least half of a garden or amenity area should receive at least two hours of sunlight on March 21st (the equinox) to appear adequately sunlit throughout the year. The appeal site and the properties adjoining it have a south westerly aspect with potential for the proposal to impact light to the properties generally to its west in the earlier part of the day and those to the east in the mid-to-latter part of the day on account of same. The properties at this location are also located in a relatively dense and built-up town centre context which is characterised by a compact, urban built form where some degree of overshadowing is inevitable and unavoidable. In this context, the proposal for further 2-storey development would not appear to be an excessive or unreasonable level or scale of development for such a town centre site.

10.3.4. I understand the concerns raised by the appellant in respect to sunlight and daylight. Whilst the submitted Shadow Analysis submitted does indicate that there will be a degree of additional impact – such as on part of the rear gardens of No. 82 Church Street and No. 54 Thomas Hand Street, it also suggests that adjoining properties will still receive adequate levels of internal daylight and sunlighting to their external amenity spaces for such a location. On this basis, I am satisfied that significant negative impacts on neighbouring properties will not arise.

#### Overbearance

10.3.5. The applicant was previously refused permission under P.A. Ref. F24A/0707E for 3 no. reasons including on the basis that the third storey element of the development would have an unacceptable overbearing effect on neighbouring properties (reason no. 1). The issue of overbearance (specifically on No. 82) is also raised in the GOA.

10.3.6. In the case of the proposal subject of this appeal, there is no 3-storey element with permission being sought for a 2-storey element by way of a first floor level rear extension (which is not full depth and whose rear building line would generally extend as far as the existing rear elevation of No. 78's rear extension). As detailed in Section 10.2 of this report, I am satisfied that the rear extension on account of its siting and height would not be visually perceptible from the public realm. Section 14.6.6.4 (Overlooking and Overbearance) of the FDP requires consideration to be had to levels of overbearance and to the bulk and massing of the proposed scheme relative to neighbouring properties. I acknowledge that, on account of the dense, compact urban

nature of this location, the proposed rear extension will be visible from neighbouring properties and will give rise to a change in the existing outlook from same. I would also draw the Commission's attention to the fact that the existing building's single storey rear extension extends almost the full depth of its linear plot – with such a uniform extent of projection being a-typical in the immediate built environment. Notwithstanding, having considered the proposal against the height, scale and form of adjoining properties, incl. No. 78 (a single storey cottage with a large 2-storey rear extension the vertical and horizontal outline of which can be seen on the existing/ proposed southeast east elevation drawings and the proposed floor plans) and particularly those properties to the south-east which would have a more equivalent plot form to the appeal site, I am satisfied that its bulk and mass is acceptable and generally in-keeping with character of the existing built form at this location and would not give rise to undue overbearance on its immediately neighbours – including No's 78 and 82 Church Street and No. 54 Thomas Hand Street.

#### Overlooking

- 10.3.7. The appellant has raised concerns regarding the potential for overlooking of neighbouring properties. Having reviewed the proposed plans and elevations (and specifically the north-west, south-west and south-east elevations which face adjoining properties), I am satisfied that there is no potential for the proposal to impact neighbouring privacy on the basis of the, siting of first floor level amenity space, provision of 1.8m high screen glazing to the apartments private amenity spaces and also on account of the retention of all existing site boundaries and the provision of obscured glass or high level windows on the side elevations at first floor level.

#### Noise/ Disturbance

- 10.3.8. The GOA outline concerns with regard to noise and disturbance arising from the building's plant, its inefficient refuse disposal arrangements and the design/ location of the external amenity space serving the proposed apartments.
- 10.3.9. Whilst I acknowledge that, on account of the site's dense built-up urban location, some limited additional noise and disturbance may arise from residents' use of their private amenity space and waste/ bicycle storage areas, I consider that, as this is a relatively small development of 4 no. apartment units containing a total of 8 no. bedspaces, this

would be in-keeping with that already generated by neighbouring property owners in their use of their own yards and rear gardens etc. adjoining the appeal site.

- 10.3.10. No specific mechanical or building plant forms part of the description of development applied for or is shown on the proposed floor plans or elevations. However, it is proposed that a number of wall mounted air conditioning units on the building's side (north-west) elevation adjoining No. 82 Church Street (and the rear gardens of No's 52 and 53 Thomas Hand Street are proposed to be removed. Notwithstanding, in respect to the impact of the building's plant on ambient noise levels, I note that the applicant undertook a baseline noise survey (in May 2025) and an assessment of the project against relevant operational noise limits (i.e. BS4142 and EPA NG4) – submitting the results as a Noise Impact Assessment with their application. This report showed the location of the proposed plant as being to the north-west of the building at roof level and states that "As the project's design is currently at its early stages, the plant and equipment is not yet confirmed and therefore indicative plant based on the operation of the development have been outlined in this section. It is understood that plant and equipment on the development will consist of 1no. heat pump per dwelling (4no. total) which will be located in the designated louvred plant area at first floor level".
- 10.3.11. The report determines that the proposal would be unlikely to give rise to an adverse impact on noise sensitive locations (neighbouring properties) during either day and nighttime periods, On the basis of the available information, I am satisfied that plant can be installed and operated without undue impacts on residential amenity. Notwithstanding, in the event the Commission are minded to grant permission, I recommend the attachment of a condition to manage plant noise.

#### Security

- 10.3.12. Concerns have been expressed regarding apartment residents' access to the pedestrian passageway to the side of the building and the resulting risk to the security of neighbouring properties. I note that no changes are proposed to the gated side passageway, which is already in-situ, or to its access arrangements from the public realm on Church Street. Given that the building (formerly a retail bank) is currently vacant/ not in use, I acknowledge that the use of the passageway is likely to increase from the current baseline as apartment residents utilise it intermittently to access the scheme's waste storage and bike parking areas (located to the rear of the building).

However, given that the pedestrian passageway and access from the street is already in situ and, having regard to the scale of the significant c. 2m height of the boundary walls between the appeal site, No. 82 Church Street and other adjoining properties (which are to be retained), I am satisfied that no new security risk arises from the proposal.

#### 10.4. Residential Standards

- 10.4.1. The appellant raises a range of concerns regarding the proposed standard of residential accommodation and seeks to specifically draw the Commission's attention to non-provision of community/ communal amenity space, the poor aspect of/ and internal daylighting to the proposed apartments to same and the substandard design of their private amenity spaces.
- 10.4.2. The applicant was previously refused permission under P.A. Ref. F24A/0707E for 3 no. reasons including for their proposed cramped, overdeveloped, and unacceptable standard of tourist accommodation which lacked an appropriate mix of unit types and adequate levels of amenity.
- 10.4.3. In respect of the current proposal, I note that the PA were satisfied with the standard of accommodation as proposed.
- 10.4.4. At the outset, I draw the Commission's attention to the fact that the development subject of this appeal constitutes an application for the change of use of an existing retail bank building to residential apartments, with this repurposing being in line with FDP policy with regard to the retaining and refurbishment of existing buildings in ACAs.
- 10.4.5. However, this also necessitates the accommodating of the proposed apartments generally within the existing built form (which is to be extended at first floor level) and on a relatively constrained urban site which presents certain design challenges. In this context, I note that the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023), in certain instances, provide for PA's to apply discretion in relation to their compliance with minimum apartment standards in the case of building refurbishment schemes on sites of any size. This flexibility is also provided for under Section 14.6 (Design Criteria for Residential Development in Fingal) of the FDP which states that "*While the minimum standards will be sought in relation to refurbishment schemes, it is acknowledged that this may not always be possible, particularly in relation to historic buildings, 'Living*

*over the Shop' projects and in certain urban infill developments. In some instances, and on a case-by-case basis, quantitative standards may be relaxed subject to the provision of excellent quality accommodation, and where the proposal secures compact growth, benefits from high quality transport links, is proximate to community infrastructure and renews underutilised building stock/sites. It must be satisfactorily demonstrated that the internal design and overall layout is closely aligned to the specific needs of occupants and proposals governing future management requirements are robust and enforceable".*

10.4.6. Section 14.7 (Apartment Developments/ Standards) states that "*Applications for apartment developments will be assessed against the requirements of Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020 (or updated guidance as may be in place at the time of lodgement of the planning application)*". The development plan policy guidance goes on to state that this includes the quantitative standards relating to unit mix, floor areas, aspect, floor-to-ceiling heights, storage and private amenity space.

10.4.7. Section 14.6.4 (Residential Standards) of the FDP states that "*The minimum size of habitable rooms for houses/apartments/and flats shall conform with appropriate National guidelines/ standards in operation at the date of application for planning permission*". 4 no. 2-bed apartments are proposed which range in size from c. 79sq.m to 89sq.m. I am satisfied that this unit sizing and mix is compliant with the 2023 Apartment Guidelines' policy requirements with regard to housing mix as per SPPR 2 which states that where up to 9 residential units are proposed there shall be no restriction on dwelling mix provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units and SPPR3 (min. apartment floor area of 73sq.m for a 2-bed 4-person apartment).

10.4.8. SPPR4 of the 2023 Apartment Guidelines requires that a minimum of 33% of dual aspect apartments be provided in an apartment scheme located in a central/ accessible urban location such as Skerries. In terms of the units' aspect, I am not satisfied that any of the apartments could be reasonably considered to be dual aspect on account of their siting, glazing design and aspect/orientation and the constrained nature of the site. Notwithstanding, I note that subsection iii of the SPPR allows for case specific discretion in the compliance with the aforementioned standard in the case of building refurbishment schemes subject to the achievement of overall high

design quality in other aspects. In light of the generous sizing of the apartments and their amenity areas (i.e. their meeting and/ or exceedance of the min. internal storage requirement of 6sq.m, min. 30sq.m/24.4sq.m of aggregate living and bedroom space and private amenity space of 7sq.m required in compliance with Appendix 1 of the Guidelines together with the c. 2.7m floor to ceiling heights required in compliance with SPPR5 of same) and despite the design constraints posed by the site, I am satisfied that the proposal meets this threshold.

10.4.9. In terms of the appellant's specific concerns regarding the poor aspect of and daylighting to the proposed apartments, I would again reiterate my view that this is an existing building (which is being repurposed) on a constrained town centre /urban site which gives rise to significant design challenges, including with regard to delivering optimum levels of daylighting to all rooms. Notwithstanding, I note that each apartment (and crucially, all living spaces) is served by window opens on 2 no. separate elevations, with the first floor level apartments also benefiting from rooflights. I would also note that the general aspect/ outlook of the 4 no. apartments is in-keeping with that of existing, adjoining properties.

10.4.10. The third party has also raised a concern in respect to the design of the apartments' private amenity spaces. The submitted plans illustrate that each apartment is served by a south-west facing balcony or terrace the sizing of which exceeds the qualitative min. standard of 7sq.m for a 2-bed apartment. In respect to the quality of these spaces, whilst their aspect / solar orientation is favourable, the proposed south-west elevation illustrates the extent of screen glazing proposed to same in order to provide for privacy in line with the requirements of Section 14.7.6 and Objective DMSO72 of the FDP. On balance, whilst I acknowledge that the requirement for such screening is likely to detract somewhat from the enjoyment of these amenity spaces, having regard to the constrained nature and location of this site in a dense urban area and adjoining existing residential properties, these measures are needed to safeguard neighbouring privacy and, as such, are appropriate.

10.4.11. In respect to the third party concerns raised regarding the proposed bin storage arrangements, having considered the applicant's proposals and the changes made at FI stage, I am satisfied that the proposed arrangements are adequate and reasonably accessible. I deal with the matters of communal amenity space and public open space separately under Section 10.6 of this report.

## 10.5. Parking

- 10.5.1. Concerns are raised by third parties regarding the proposal to provide for no car parking (which I note was acceptable to the PA) in an area which is already subject to significant demand for on-street parking. Having considered the parking requirements arising from the extant use on the site, I am satisfied that the proposed residential use of the site would not give rise to further car parking demand on the basis of the car parking standards set out under Table 14.19 of the FDP.
- 10.5.2. I note from my inspection that pay and display and residential parking permit systems are in operation on Church Street in order to manage this demand and that the site is located in a highly accessible town centre location proximate to multiple Dublin Bus routes (No's 33/33A/33E/33X/100 on Thomas Hand Street and the R128) and to the Skerries Train Station (c. 900m to the south-west). On the basis of its accessibility to a high quality bus service and a rail station, the site is classified as being located in Car Parking Zone 1 which gives rise to a maximum requirement of 0.5 spaces per 2-bed unit or 2 no. spaces overall. However, it is stated in Section 14.17.7 (Car Parking) of the FDP that "*A reduced car parking provision may be acceptable where the Council is satisfied that good public transport links are already available or planned*" and also that "*These requirements do not apply to development located in town centres as identified in this Plan where the development involves the re-use/refurbishment of an existing occupied or vacant building, any change of use or where small-scale infill developments (including residential) are proposed*". Having considered same, I am satisfied as to the proposal's compliance with the development plan requirements in this regard and I consider that it is unlikely that the proposal will give rise to additional parking pressure on Church Road on the basis of its proximity to high quality public transport and the on-site provision of adequate resident and visitor bicycle parking in compliance with Table 14.17 (Bicycle Parking Standards) and Objective DMSO109.

## 10.6. Other Matters

### Procedural Issues

- 10.6.1. It is the applicant's view that the appeal is invalid on the basis of the fee paid and the inadequacy of the contact details provided the residents group. I note that a single appeal was lodged by an individual (a Mr. Gerard Grimes (on the behalf of a group of local residents who are each listed with their contact addresses also given)) who paid

the standard €220 fee in respect of their single third party appeal and provided a postal address for further appeal related correspondence. I also note that the individuals listed in the GOA are the same as those listed in the earlier observation made on the planning application. As such, I can find no evidence to question the validity of the appeal made.

#### Surface Water

- 10.6.2. The appellant raises concerns in respect to what they consider to be the design of the scheme's surface water drainage system by condition with related concerns being raised about infiltration testing and the need for a soakpit or soakaway. The applicant, in their response to the appeal, note that an existing connection to the public mains will be utilised with no increase in run-off being generated by the proposal.
- 10.6.3. In answer to Q.20 on the planning application form, it is stated that surface water disposal will be via a public sewer/ drain i.e. the public surface water sewer only. The existing floor/ roof plan drawing submitted with the application illustrates the location of the site's existing connection to the public surface water sewer to the north-east on Church Street (which will continue to be used), with proposed site plans and floorplans submitted at further information stage illustrating the proposal to incorporate green sedum roofs on the proposed rear extension in order to provide multiple ecosystem services including managing the rate of run-off from the site into the public system. The aforementioned surface water management measures were considered acceptable to the PA who attached a standard drainage condition (No. 6) requiring, inter alia, that no surface water discharge to foul sewer system. In light of the foregoing considerations, I am satisfied that sufficient information is already available on the design of the scheme's surface water drainage system, with no further changes required to be made by condition.

#### Wastewater/ Water Supply

- 10.6.4. The property has existing connections to the public wastewater (foul drainage) network and to the public water supply mains which are to continue to be used to serve the proposed apartments. Whilst I note that there is no correspondence on file from Uisce Eireann (UE), I am satisfied that there is no evidence to suggest that the local water supply distribution network or foul drainage network are over capacity and I am satisfied that 4 no. additional units will not give rise to significant additional demand.

## Public Open Space

- 10.6.5. The issue of the non-provision of public open space on the site was raised by the PA's Parks and Green Infrastructure Division (report of 14/07/2025) who sought that the applicant provides a financial contribution in lieu of what they estimated to be a c. 150sq.m shortfall in provision. In the case of the subject proposal, the payment of a contribution in lieu of open space was applied under condition No. 11 attached to the PA's decision. This requirement is reiterated by the PA in their response to appeal. Section 19 of the Fingal County Council Development Contribution Scheme 2026-2030 makes provision for such contributions in lieu.
- 10.6.6. Section 14.6.5 (Open Space Serving Residential Development) provides that appropriate provision must be made for public open space within all new multi-unit residential developments (with Section 14.13.2 (Quantity) and DSMSO51 (Minimum Public Open Space Provision) requiring a minimum public open space provision of 2.5 hectares per 1000 population). Objective DMSO52 (Public Open Space Provision) states that public open space shall be provided in accordance with Table 14.12 (Recommended Quantitative Standards) which in turn requires a minimum of 12% of site area on brownfield sites. I note that the flexibility to provide for an equivalent financial contribution in lieu of open space provision in smaller developments under DMSO54 does not apply in the case of this development for 4 no. residential units.
- 10.6.7. Therefore, whilst I note that the FDP provides some flexibility to accept a financial contribution in lieu of part of the open space (i.e. as per DMSO53 (Financial Contribution in Lieu of Public Open Space)), I conclude that given the conflicting provisions of the plan with regard to the application of this flexibility, the non-provision of public open space on the appeal site would materially contravene Section 14.13.2 and Objective DMSO52.
- 10.6.8. In these circumstances, I consider that it is open to the Commission to grant permission for the proposal under Section 37(2)(a) of the Planning and Development Act (2000) as amended on the basis of the provisions of Policy and Objective 5.1 – Public Open Space of the 2024 Compact Settlement Guidelines which allows for the setting aside of the development plan public open space requirement where it is

considered unfeasible to locate same on site (i.e. on account of the site layout and existing building footprint) in favour of a financial contribution in lieu. I recommend such a condition in this instance.

#### Communal Open Space

10.6.9. FDP Table 14.7 (Minimum Requirements for Apartments) provides that each 2-person 4-bed apartment is required to provide 7sq.m communal open space. However, Section 14.7.7 (Communal Amenity Space) goes on to state that “For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality. On the basis of my assessment set out under Section 10.4 of this report, I am satisfied that a full relaxation should apply in this instance.

#### Street Tree

10.6.10. I did not observe any trees on site during my site. However, I did note the existence of a large, mature street tree west within the public footpath to the immediate south-east of the site. I consider that this tree should be subject to protection measures during construction phase and also to a tree bond as suggested by the PA’s Parks and Green Infrastructure Department. These minor matters can be addressed by condition where the Commission are minded to grant permission.

#### Design Statement

10.6.11. The applicant was previously refused permission under P.A. Ref. F24A/0707E for 3 no. reasons including for the non-provision of a Design Statement and non-compliance with Objective DMSO5 which requires the provision of same for applications for proposals in excess of 5 no. residential units. Given that the proposal subject of this appeal before the Commission relates to 4 no. residential units only, I am satisfied that this is not a relevant policy consideration.

#### Fire Safety

10.6.12. The GOA raise fire safety concerns regarding inadequate means of escape from the waste storage and bike parking areas in the curtilage of the property. The Development Management Guidelines (2007) state that fire safety considerations, which are covered and governed by a separate statutory code, can only be considered

where they are relevant to the proper planning and sustainable development of the area. In this case, issues have been raised in respect to fire access for the proposed development. Fingal County Council are the competent authority on such matters, however, there are no reports on file from their Building Control Office or Fire Safety Officer. Notwithstanding, I note that the proposal constitutes the change of use of an existing building, located in a built-up town centre area, with no change to its overall built footprint, side passages or external pedestrian access & circulation arrangements or to its front/ side (external) access arrangements. I do not consider that these constitute grounds to refuse permission in this case.

## **11.0 Recommendation**

I recommend a GRANT of permission subject to the following conditions.

## **12.0 Reasons and Considerations**

Having regard to the location of the site on lands zoned 'TC – Town and District Centre', to the planning policies, objectives and development standards of the Fingal Development Plan 2023-2029, to the provisions of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023) particularly in relation to building refurbishment schemes, to the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH, 2024), to available infrastructural capacity, and having regard to the previous extant use on the site, to the nature, scale and design of the proposed development relative to adjoining dwellings, and to the existing pattern of development in the wider area, it is considered that subject to compliance with the conditions set out below, the proposed development would constitute an acceptable form of development at this location, would provide for an acceptable standard of future residential amenity and would not seriously injure the amenities of adjoining properties, and in particular would not give rise to undue overshadowing or overbearing impacts on adjoining properties, would not give rise to significant impacts on Skerries ACA or on the character and setting of the adjoining Protected Structure, and would not give rise to an undue demand for parking in the surrounding area. The

proposed development would therefore, be in accordance with the proper planning and sustainable development of the area.

### 13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further information received by the planning authority on the 26/08/2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>All bathroom/ en suite windows shall be fitted and permanently maintained with obscure glass. The use of film is not acceptable.</p> <p><b>Reason:</b> In the interests of residential amenity.</p>
3.	<p>(a) External finishes shall be in accordance with the details submitted with the application unless otherwise agreed in writing with the planning authority.</p> <p>(b) The applicant shall confirm in writing to the planning authority, prior to the commencement of development, the exact model of window that will be used for the front elevation of the building including the colour and materials.</p> <p><b>Reason:</b> In the interest of orderly development, conservation heritage and the visual amenities of the area.</p>
4.	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and surface water management.</p>
5.	<p>During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at any point along the boundary of the site. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To protect the [residential] amenities of property in the vicinity of the site.</p>
6.	<p>The existing mature tree at the front of the above development shall be protected in accordance with BS 5837:2012 – Trees in Relation to Design, Demolition and Construction – Recommendations.</p>

	<p><b>Reason:</b> In the interest of orderly development and the visual amenities of the area.</p>
7.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the protection of the street tree to the front of the site and to make good any damage caused during the construction period. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p><b>Reason:</b> To secure the protection of trees on the site.</p>
8.	<p>A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.</p> <p><b>Reason:</b> In the interest of residential amenities, public health and safety and environmental protection.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> To safeguard the amenity of property in the vicinity.</p>
10.	<p>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.</p> <p><b>Reason:</b> 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.</p>

<b>11.</b>	<p>The developer shall pay to the planning authority a financial contribution in lieu of the shortfall in respect of the public open space requirement which applies in accordance with the adopted Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any indexation provisions of the Scheme at the time of payment.</p> <p><b>Reason:</b> 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.</p>
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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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Emma Gosnell  
Planning Inspector  
13<sup>th</sup> February 2026

## Appendix 1

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	<b>PL-500076-DF</b>
<b>Proposed Development Summary</b>	Change of use to residential with all associated site works.
<b>Development Address</b>	79-81 Church Street, Skerries, Co Dublin, K34 YC60.
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<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.	

<b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units. Proposal is for refurbishment of building to provide 4 no. dwelling apartment units.  Part 2, Class 10(b)(iv) - Urban development – 10 hectares (built-up area). Site is c. 0.036 ha.

<b>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)?</b>	
Yes <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

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

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	<b>PL-500076-DF</b>
<b>Proposed Development Summary</b>	Change of use to residential with all associated site works.
<b>Development Address</b>	79-81 Church Street, Skerries, Co Dublin, K34 YC60.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b> (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 the refurbishment & redevelopment of a former retail bank building in order to provide for its conversion to 4 no. apartment units 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

accidents/disasters and to human health).	disaster, or is vulnerable to climate change. It presents no risks to human health.
<p><b>Location of development</b></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 site constitutes an existing 2-storey building which forms part of the existing mixed-use streetscape on Church Street (main street) in the village of Skerries in Co. Dublin.</p> <p>The Mill Stream (Skerries) is located c. 600m away to the south with this watercourse outfalling to the North Western Irish Sea to the south-west, beyond South Strand Street, and in proximity to the North-West Irish Sea SPA (Site Code 004236) and also to Skerries Islands SPA (Site Code 004122), Rockabill to Dalkey Island SAC (Site Code 003000) and Rockabill SPA (Site Code 004014). However, it is considered that there is no realistic pathway from the appeal site to this river as per Section 10 of the Inspector's Report (AA Screening) on account of the intervening distance involved and lack of hydrological connectivity.</p> <p>The development is generally removed from sensitive natural habitats, dense centres of population and designated sites identified significance in the County Development Plan. 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. The site adjoins a Protected Structure. No significant impacts on the ACA or the character and setting of the protected structure are likely.</p>
<p><b>Types and characteristics of potential impacts</b></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>
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
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 change of use of a former retail bank to residential (4 no. apartment units) with all associated site works, alterations and a new extension to rear at first floor level at No's 79-81 Church 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. 200m from North-West Irish Sea SPA (Site Code 004236).
- c. 1km from Skerries Islands SPA (Site Code 004122).
- c. 2.8km from Rockabill to Dalkey Island SAC (Site Code 003000).
- c. 3.4km 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 in a town centre location, 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:

- The small scale and nature of the development.
- The location of the development in a serviced urban area, its distance from European Sites and the urban nature of intervening habitats and the absence of ecological pathways to any European Site.
- 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 subject site is located at 79-81 Church Street, Skerries, Co Dublin.

The Mill Stream (Skerries, Code: IE\_EA\_08M030500 which has a Poor Ecological Status and is At Risk) is located c. 600m to the south of the appeal site and separated from same by intervening commercial and residential developments, a town park and sports pitches. The site is underlain by the Balrothery groundwater body (Code: IE\_EA\_G\_043) which has a Good ecological status and is Not At Risk. The Northwestern Irish Sea coastal waterbody (Code: IE\_EA\_020\_0000), which has a Good ecological status but is At Risk, is located c. 300m to the west of the appeal site.

The proposal comprises of the change of use of a former retail bank to residential (4 no. apartment units) with all associated site works, alterations and a new extension to rear at first floor level – 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 on this brownfield site at Church 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 relatively small scale nature and scale of the development.
- The location-distance from nearest water bodies, intervening land uses and lack of hydrological connections.

#### Conclusion

I conclude that, on the basis of objective information, 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.