

An  
Bord  
Pleanála

**Board Direction  
ABP-315938-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/03/2024.

The Board decided, as set out in the following Order, that

**WHEREAS** a question has arisen as to whether the provision of temporary steel containers within the applicant's lands at No. 145c Slaney Close for the period of a permitted development P.A. Ref. No. 3199/20 is or is not development or is or is not exempted development:

**AND WHEREAS** BA Steel Fabrication requested a declaration on this question from Dublin City Council under P.A. Ref. No. 0013/23 and the Council issued a declaration on the 10<sup>th</sup> day of February, 2023, stating that the matter was development and was not exempted development:

**AND WHEREAS** BA Steel Fabrication referred this declaration for review to An Bord Pleanála on the 1<sup>st</sup> day of March, 2023:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

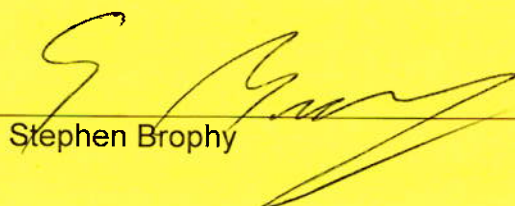
- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 3(2) of the Planning and Development Act, 2000, as amended,
- (d) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,

- (e) Article 6(2) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (f) Class 16 and Class 17 of Schedule 1, Part 1 of the Planning and Development Regulations, 2001, as amended,
- (g) The planning history of the site, and in particular P.A. Ref. No. 3199/20 Condition No. 1 and 8,
- (h) The pattern of development and the character of the site's setting as part of Dublin Industrial Estate,
- (i) The nature, scale, and use of the containers at this site,
- (j) The report of the Inspector.

**AND WHEREAS** An Bord Pleanála has concluded the provision of temporary steel containers within the applicant's lands at No. 145c Slaney Close for the period of a permitted development P.A. Ref. No. 3199/20 is development and is not exempted development.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by Section 5(3) of the 2000 Act, hereby decides that the provision of temporary steel containers within the applicant's lands at No. 145c Slaney Close for the period of a permitted development P.A. Ref. No. 3199/20, hereby decides it is **development and is not exempted development.**

**Board Member:**

  
Stephen Brophy

**Date:** 13/03/2024