



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 0057/19

WHEREAS a question has arisen as to whether the change of use from furniture manufacturer and storage facility to a commercial self-storage facility at 132a Richmond Road, Dublin is or is not development or is or is not exempted development:

AND WHEREAS Brendan Stanley care of Green Design Build requested a declaration on this question from Dublin City Council and the Council issued a declaration on the 6th day of March, 2019 stating that the matter is development and is not exempted development:

AND WHEREAS Brendan Stanley referred the declaration for review to An Bord Pleanála on the 1st day of April, 2019:

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

- (a) sections 2, 3, 4 and 157 of the Planning and Development Act 2000, as amended,
- (b) Articles 5 and 10 of the Planning and Development Regulations, 2001, as amended and Classes 4 and 5 of Part 4 of Schedule 2 to those Regulations,
- (c) the planning history of the site,
- (d) the provisions of the Dublin City Development Plan 2016-2022, and
- (e) the submissions on file from the referrer:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the previous use of the site for light industrial purposes as a sawmill for furniture manufacturing and associated storage and change to the current use of the site for commercial self-storage, constitutes a change of use, which is considered to be a material change of use, and is, therefore, development within the meaning of section 3 of the Planning and Development Act, 2000, as amended,

- (b) there are no provisions in the Planning and Development Act, 2000, as amended or in the Planning and Development Regulations, 2001, as amended, whereby the change of use is exempted development,
- (c) on the basis of the planning history of the site, the Board is satisfied that the commercial self-storage use is not an authorised use,
- (d) on the basis of the evidence submitted on the file, the Board is satisfied that the commercial self-storage use did not commence prior to the 1st day of October, 1964, being the operative date of the Local Government (Planning and Development) Act, 1963 and, therefore, is satisfied that the use is not an established use, and
- (e) the provisions of the Planning and Development Act, 2000, as amended, which prevent the issuance of a warning letter or enforcement notice, or the taking of proceedings for any offence under the Act in respect of unauthorised development after a period of seven years from the commencement of that development, do not alter the status of that development nor do they establish it as exempted development:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the change of use from furniture manufacturer and storage facility to a commercial self-storage facility at 132a Richmond Road, Dublin is development and is not exempted development.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Maria FitzGerald
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.