



An  
Bord  
Pleanála

**Board Order**  
**ABP-315822-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F22A/0664**

**APPEAL** by Stateline Transport Limited care of CWPA Planning and Architecture of Unit 10 North Street Business Park, Seatown West, Swords, County Dublin against the decision made on the 20<sup>th</sup> day of January, 2023 by Fingal County Council to refuse a permission.

**Proposed Development:** Retention permission for the use of an existing depot for the storage of empty containers on a circa 2.7-hectare site, associated security hut of 9.5 square metres, security fencing, seven number lighting columns and flood lighting and all associated site works at Compass Distribution Park, Santry, Dublin.

## Decision

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

1. The site is located in an area zoned 'Metro and Rail Economic Corridor' (MRE), the Objective of which is to 'facilitate opportunities for high-density mixed-use employment generating activity and commercial development, and to support the provision of an appropriate quantum of residential development within the Metro and Rail Economic Corridor' as set out in the Fingal Development Plan 2023-2029. The Board noted that uses not permitted included "Cargo yard" and "Logistics."

The Board considered that the development proposed to be retained would materially contravene the zoning objective, as set out in this plan. The Board, pursuant to the provisions of section 37 (2)(b) of the Planning and Development Act, 2000, as amended, is precluded from the granting of planning permission for the development proposed for retention as none of the provisions of section 37(2)(b) (i), (ii), (iii) or (iv) of the said Act apply in this case. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is an objective of the planning authority to require the provision of a Traffic and Transport Assessment (TTA) where new development is likely to have a significant effect on traffic demand and the capacity of the surrounding transport network, including the road network, as

indicated in Objective DMSO113 of the Fingal Development Plan 2023-2029. The Board considers this objective reasonable. In the absence of a Traffic and Transport Assessment, the Board cannot be satisfied that the proposal would not have a significant adverse effect on the capacity of the surrounding road network, in particular, on the Old Ballymun Road, Northwood Avenue and R108 and on the Old Ballymun Road / Northwood Avenue junction, the Northwood Avenue/ R108 and the R108/M50 junctions. The proposed development would, therefore, be contrary to the said objective DMSO113 and contrary to the proper planning and sustainable development of the area.

  
Liam Bergin

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

Dated this 17<sup>th</sup> day of April 2024.

