

An
Bord
Pleanála

Board Order
ABP-319202-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0751

Appeal by Aramex Ireland 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 7th day of February, 2024 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Extensions to existing warehouses and the replacement of internal offices with new offices as part of the logistic warehousing complex. The proposed development consists of the following: (1) change of use of the existing two storey offices to storage within Warehouses 1 and 6 and the construction of a new two and part three storey office accommodation to Warehouses 1 and 6 (Office Block 1, circa 1,683 square metres Gross Floor Area), (2) warehouse extension to the east of the existing Warehouse 6 (proposed Warehouse 9 circa 2,035 square metres Gross Floor Area), and to the south of this warehouse (proposed Warehouse 8 circa 478 square metres Gross Floor Area), (3) demolition of part of existing Warehouse 1 (circa 497 square metres Gross Floor Area), (4) change of use of existing mezzanine offices within Warehouses 2 and 5 to storage and the provision of new single storey office accommodation (Office Block 2, circa 323 square metres Gross Floor Area), (5) extension to existing Warehouse 3

(proposed Warehouse 10, circa 2,742 square metres Gross Floor Area) and new single/two storey office accommodation (Office Block 3, circa 197 square metres), (6) extension to existing Warehouse 4 (proposed Warehouse 9, circa 2,041 square metres Gross Floor Area), (7) the relocation of the northern vehicular site entrance together with modification works consisting of widening of entrance to facilitate a 7.5 metres access road, provision for pedestrian access, extension of existing car park with provision of 86 number spaces, landscaping and associated lighting and the construction of one number single storey security hut (circa 19 square metres Gross Floor Area). The northern entrance will serve all the existing warehouses and warehouse extensions within the development, (8) demolition of existing dwelling, previously approved for change of use under register reference F13A/0175 to offices ancillary to the existing logistic complex, to facilitate car parking area to front of new office building, (9) the relocation of the southern vehicular site entrance serving existing two storey office building, new façade treatment and window configuration to these offices and extension to existing car park to the south to provide 94 number spaces to the south of subject site. Works to include new landscaped areas and berms, (10) re-alignment of front boundary of subject site to accommodate sightlines at both the northern and southern entrances and associated walls, fencing, gates and landscaping, (11) provision of new 2.4 metres boundary fencing to the north, east and south boundaries as indicated, (12) provisions of all necessary disabled parking, electric vehicle charging stations and secure bicycle parking provision, (13) HGV waiting parking area with associated dock levellers and circulation space to proposed buildings and provision for truck wash facility, (14) one number ESB substation and provision of internal site lighting, (15) provision of new on-site wastewater treatment plant (WWTP) and (16) all associated site works necessary to facilitate the development, including above and below ground services at Belinstown, Ballyboughal, County Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the established use of the site and the zoning of the majority of the site for “Warehousing and Distribution” purposes within the Fingal Development Plan 2023-2029, the policies and objectives of the Plan including Objective ZO4, the provisions of Section 37 2(b) of the Planning and Development Act 2000, as amended, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in compliance with the provisions of the Fingal Development Plan 2023-2029, would not seriously injure the residential or visual amenities of the area and would not be prejudicial to public health or constitute a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received by An Bord Pleanála on the 5th day of March, 2024 and the layout indicated on drawing number 23058-PL-45.1 Proposed Overall Site Plan – Proposed Layout – Option C, 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.

Reason: In the interest of clarity.

2. Prior to commencement of development, revised documentation and drawings illustrating the following details shall be submitted to, and agreed in writing with, the planning authority:
 - (a) Floor plans and elevations of Proposed Office Block 1 and the existing residential dwelling as illustrated on drawing number 23058-PL-45.1 Proposed Overall Site Plan – Proposed Layout – Option C. Noting that this Office Block (Option C) measures approximately one third the length of that originally proposed.
 - (b) Revised lighting proposals which include details of measures to control potential light spillage during the operational phase of the development.
 - (c) An updated Road Safety Audit which addresses the proposed entrances to the site and internal site layout and revised plans which incorporate the recommendations of the Road Safety Audit.

Reason: In the interests of clarity, traffic safety and to protect rural and residential amenity.

3. The use of the proposed Warehouse Structures shall be in accordance with that specified within the planning application (primarily storage).
The permitted office floorspace shall be used as an office ancillary to the logistic complex and the office structure shall not be separated from the adjoining logistic complex by way of site, lease or otherwise.

Reason: In the interests of clarity and traffic management.

4. All goods and materials shall be stored within the building and shall not be stored/stockpiled within the curtilage of the site, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of public health, traffic safety, public safety and amenity.

5. Prior to the commencement of development, the developer shall submit a revised landscaping plan for the written agreement of the planning authority which details the following:

- (a) provide details of existing hedging to be retained and removed on site as well of details in relation to sufficient tree and mixed hedgerow planting. There should be no net loss in hedgerow within the site and it is preferable to retain existing hedgerows,
- (b) a three metres separation distance shall be maintained between the wastewater treatment plant and sand polishing filter and any trees, and
- (c) a Tree Protection Plan in accordance with BS5837:2012 indicating the location of protective fencing for retained trees.

Reason: In the interests of residential and visual amenity.

6. Visibility splays at the proposed site entrances shall be provided and maintained in accordance with the planning authority requirements and the standards set out within Transport Infrastructure Ireland (TII) guidance document Design Manual for Roads and Bridges (DMRB). Prior to the commencement of development, the developer shall submit details of measures to ensure the maintenance of visibility splays at the proposed site entrances for the written agreement of the planning authority.

Reason: In the interests of pedestrian and traffic safety.

7. Prior to the commencement of development, the developer shall liaise with the planning authority to ascertain their requirements relating to traffic management improvement works to the adjoining road network to facilitate the development. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the requirements of the planning authority.

Reason: In the interest of orderly development and to ensure traffic safety.

8. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

9. The wastewater treatment system and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority, and in accordance with the requirements of the EPA Wastewater Treatment Manual Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (EPA 1999).

Reason: In the interest of public health.

10. Prior to the commencement of development, the developer shall provide details of disposal of wastewater from the proposed truck wash for the written agreement of the planning authority.

Reason: To provide for the appropriate management of wastewater and in the interest of protecting the environment.

11. The developer shall enter into water connection agreement with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

12. All public services to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

Reason: In the interest of visual amenity

13. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs, advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

14. The construction of development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall provide a demolition management plan, together with details of intended construction practice for the development, including a detailed traffic management plan, measures to ensure the protection of the adjoining watercourse and noise management measures.

Reason: In the interests of public safety and residential amenity.

15. A plan containing details for the management and disposal of waste within the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and in the interest of protecting the environment.

16. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.

Reason: In order to safeguard the amenities of property in the vicinity.

17. 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.

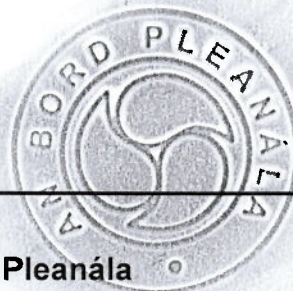
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Declan Moore

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 24th day of April 2025.