



An
Bord
Pleanála

Inspector's Report

ABP-317687-23

Development	Construction of an eco-self-storage facility comprising 300 storage containers etc.
Location	Lands north of Meakstown Cottages access road, Dubber, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW23A/0149
Applicant(s)	Melvin Properties Limited
Type of Application	Permission (S. 34)
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party (S. 37)
Appellant(s)	Melvin Properties Limited
Observer(s)	None
Date of Site Inspection	21 st August 2024
Inspector	Philip Maguire

1.0 Site Location and Description

- 1.1. The appeal site is located along and north of a private laneway at Meakstown Cottages, Dubber, Co Dublin. It lies east of the L30801, near its junction with the R122 and immediately north of the M50 motorway. The appeal site and surrounding area are therefore transitional in nature, with a concentration of traditional housing with long linear back gardens immediately west, some commercial development to the north, farmland to the east and residential development to the south, beyond the M50 and the R104. The wider area to the north includes more comprehensive commercial development including the Horizon Logistics Park and Dublin Airport Logistics Park.
- 1.2. The appeal site is irregular shaped and has a stated area of 1.45ha. It is accessed via the R122, L30801 and laneway east of Meakstown Cottages which continues east past the site towards community allotments, an animal sanctuary and stables. This laneway is gated, has a tarmac surface and flanked by street lighting to the north. An agricultural gate provides for vehicular access to the southwest corner of the site.
- 1.3. The appeal site is currently under grass, relatively flat and firm underfoot. There is a large telecoms structure to the southeast corner of the field, albeit outside the site boundary. It is enclosed with high palisade fencing. Part of the southern boundary lies just north of the field boundary and is therefore undefined. The remainder lies to the south of the private laneway and is defined by palisade fencing, albeit overgrown in places with trees and hedgerow. The remaining field boundaries are defined by mature trees and hedgerow, save for paladin fencing along the eastern boundary. The appeal site boundaries would appear to be stepped in from the field boundaries.

2.0 Proposed Development

- 2.1. Planning permission is sought for a self-storage facility.
- 2.2. The proposed development is described in the statutory notices as:

An eco self-storage facility comprising 300 no. storage containers (each 6.1m x 2.44m x 2.59m) provided in 9 no. rows internal circulation network, parking (9 no. spaces), landscaping, lighting and boundary palisade fence and gate with vehicular and pedestrian access taken from Meakstown Cottages. Relocation of existing gate and

ESB pole at western end of Meakstown Cottages access road to the east of site entrance and minor widening of access road.

- 2.3. The storage container rows are generally on a north-south alignment and back-to-back, apart from Row 09 (19 no. units) located along the eastern boundary. Rows 01 and 02, near the western boundary, contain 84 no. units. Rows 03 and 04, 05 and 06, and 07 and 08, are located centrally and contain 79, 69 and 49 no. units respectively.
- 2.4. The drawings illustrate the footprint of a typical 20-foot container unit as 6.058m by 2.438m with a height of 2.591m and total floor area of 13.87sq.m. The palisade fencing is shown as 2.40m high around the main container storage area and indicated as 1.80m high along the access. The lighting columns are indicated as 6m high (Types A and B) and evenly distributed around the container rows and vehicular circulation.
- 2.5. The existing palisade gate is to be relocated some 53m east across the laneway.
- 2.6. In addition to a Planning Report (JSA, May 2023), application documents include:
 - Engineering Report (Muir Associates, May 2023)
 - Site Specific Flood Risk Assessment (Muir Associates, May 2023)
 - Photomontages (Chris Shackleton Consulting, May 2023)
 - Lighting Report (Sabre, May 2023)
 - Management Plan (MD Property, May 2023)
- 2.7. In addition to an appeal statement (JSA, July 2023), appeal documents include:
 - Bat Fauna Impact Assessment (Altemar, July 2023)
 - Design and Sustainability Statement (Muir Associates, July 2023)
 - Engineering Report (Muir Associates, July 2023)
 - Outdoor Lighting Report (Sabre, July 2023)
- 2.8. Additional drawings were also submitted with the appeal. They include:
 - Minor revisions to the site layout to include extended footpath to the west along the existing laneway, 10 no. covered cycle spaces, and revised fencing to the south
 - Sightline layout drawing (2.4m x 50m west and 2.4m x 90m east)
 - Lighting layout with reduction in average wattage of Type B lanterns (29w LED)

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Permission was refused on 6th July 2023 for the following reasons:

1. *The proposed development would be is contrary to the 'GE' zoning objective for the site in the Fingal County Development Plan 2023-2029 having regard to its incompatibility with the vision associated with the objective as it would not promote an opportunity for compatible industry and general employment uses and intensive employment purposes and would contravene materially Policy EEP2 and Objective EEO4 of the Fingal Development Plan 2023-2029 and would therefore be contrary to the proper planning and development of the area.*
2. *The proposed development would be visually obtrusive, having regard to the quantum of shipping containers being proposed, upon the residential properties adjoining the site to the west at the Dubber Rural Cluster, would adversely affect the amenities of property in the vicinity depreciating the value of same by virtue of noise and disturbance, would contravene objective ZO2 of the Fingal County Development Plan 2023-2029 and would therefore be contrary to the proper planning and development of the area.*

3.2. Planning Authority Reports

3.2.1. The Planning Officer's Report (04/07/23) can be summarised as follows:

Principle of Development

- States that the proposal is neither permitted nor not permitted in the zoning matrix associated 'GE' General Employment and therefore should be assessed in terms of its contribution towards the zoning objective and vision, and compliance and consistency with the policies and objectives of the Development Plan.
- Considers that the proposal would not be a sustainable employment generating use as it is not intended to have any on-site workforce.
- Notes that Objective EEO4 seeks to ensure that space extensive uses are in appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to public transport nodes or within built-up areas.

- Notes that the site is located within an area designated for the preparation of a framework plan and considers it important that any proposal can demonstrate that it would not be contrary to the co-ordinated development of the lands.
- Highlights concerns regarding the information submitted in terms of noise and disturbance impacts on adjacent residential properties by virtue of private car use.
- Considers that the proposal would not be in accordance with the vision of the zoning objective and would be contrary to Policy EEP2 and Objective EEO4 as it would not promote an opportunity for compatible industry and general employment uses and intensive employment purposes and recommends a refusal.

Design, Layout and Visual Impact

- Notes the proximity of the site to Dubber Cross Rural Cluster which is zoned 'RC' and the transitional nature between the zonings.
- Notes that whilst the storage units would be 15m from the boundary of the residential units, considers that they would give rise to a negative impact upon both the residential amenity and visual amenity of the adjoining residents, and would be overbearing on private amenity space of these residential units.
- Considers that the proposal would be visually obtrusive upon the adjoining residential properties in contravention of Objective ZO2 and would therefore negatively impact upon the visual amenities of the surrounding area.

Landscape and Boundary Treatment

- Considers the provision of palisade fencing unacceptable on zoned GE lands, having regard to Table 14.15 of the Development Plan.
- Considers that the proposed boundary treatment would be visually obtrusive and would have a negative visual impact on adjoining residential amenities.

Archaeology

- Notes the report from NMS which recommends Archaeological Monitoring.

Transportation

- Not satisfied that the access arrangements are appropriate to serve this area of the framework plan lands and unclear that DMURS standards can be achieved.

- Considers the quantum of car parking acceptable but raises concerns regarding the lack of cycle parking provision and notes the observation in this regard.

Water Services

- Considers the surface water management proposals acceptable.
- Notes that there are no water or foul drainage network connections proposed.

Ecology

- Notes the report from the NPWS regarding the impact on surrounding hedgerow and concerns in relation to the impact of the proposed lighting on bats.
- Considers these concerns should be dealt with during the application process.

EIA and AA

- No issues arise.

Conclusion

- Concludes that the proposal is not compatible with the zoning vision, would be contrary to Policy EEP2 and Objectives EEO4 and ZO2, and would negatively impact amenities of the RC zoning associated with Meakstown Cottages.

3.2.2. Other Technical Reports

- Parks (26/06/23): No objection subject to conditions.
- Roads (26/06/23): Further information required.
- Water (26/05/23): No objection subject to conditions.

3.3. Prescribed Bodies

- DAU-NMS (23/06/23): No objection subject to conditions.
- DAU-NPWS (23/06/23): No objection subject to conditions.
- Uisce Éireann (28/06/23): No objection subject to conditions.

3.4. Third Party Observations

- 3.4.1. An observation (A. Blennerhassett) related to the provision of bicycle parking.

4.0 Planning History

4.1. No history on the appeal site.

4.2. Adjacent sites:

9 Meakstown Cottages (due west of appeal site)

4.2.1. PA ref. F12B/0058 – in June 2012, the planning authority granted permission for the demolition of extension and erection of new extension to rear/northeast of dwelling.

10 Meakstown Cottages (due west of appeal site)

4.2.2. PA ref. F13B/0192 – in March 2014, the planning authority granted planning permission to retain an extension to the rear of the existing dwellinghouse.

18 Meakstown Cottages (NW of appeal site)

4.2.3. PA ref. FW19A/0181 – in March 2020, the Board upheld the decision of the planning authority and refused permission (ABP-306553-20) for a bungalow to the rear. Having regard to its location and inadequate frontage, the Board considered that the proposal would constitute inappropriate backland development which would seriously injure the amenities of property in the vicinity due to uncoordinated piecemeal development. Similar proposals were also refused under PA ref. F19A/0086 and ABP-301682-18.

Telecoms Pole (immediately SE of appeal site)

4.2.4. PA ref. F15A/0547 – in February 2016, the planning authority granted permission for the retention of a 14.9m high telecoms monopole structure and associated equipment.

Dogs Aid / Animal Sanctuary (due NW of appeal site)

4.2.5. PA ref. F03A/1302 – in August 2004, the Board overturned the decision of the planning authority and granted permission (ABP ref. PL 06F.207025) for stables buildings and an animal sanctuary on separate sites consisting of stable block, tack rooms, kennel, cattery, feed stores, office accommodation, meeting room, canteen, toilet, treatment system etc. This permission was amended in October 2006 (floodlighting) and May 2007 (alterations to admin building, tack room and stables) under PA refs. F06A/1019 and F07A/0138 and the duration subsequently extended in September 2009.

4.2.6. PA ref. F07A/1594 – in March 2008, the planning authority granted permission for a temporary animal shelter, access and internal road for a period of 18 months only.

4.2.7. PA ref. F17A/0462 – in May 2018, the planning authority granted permission to retain the entrance gates and access road, kennel compound, staff office, dry goods store, food store, cattery and cage enclosure, timber shed, kennels, barn and greenhouse with permission for further development including training arena, reception building, kennels, laundry room, surface water percolation / drainage system, effluent treatment system with raised bed percolation area, 2.4m high metal fence to the perimeter.

4.3. Other history referenced by applicant includes:

Titan Containers and Self-Storage (Rosemount Business Park, Ballycoolin)

4.3.1. PA ref. FW23A/0106 – in August 2024, the planning authority granted permission to retain and extend a self-storage container park. I note that the applicant had applied for a temporary 10-year permission based on previous temporary permissions (PA refs. FW17A/0198 and FW20A/0170) however the planning authority granted an unfettered full permission. This is confirmed in their submission to the Board in respect of the recently determined development contribution appeal under ABP-318968-24.

Blanchardstown Self-Storage (Rosemount Business Park, Ballycoolin)

4.3.2. PA ref. FW19A/0014 – in September 2019, the planning authority granted permission to retain development previously permitted on a temporary basis under PA ref. FW13A/0015 including parking commercial vehicle containers, plant and mobile office and storage units. This permission expires on 31st December 2024 (Condition 2).

Nesta Self-Storage (Swords Road, Santry)

4.3.3. PA ref. F06A/0843 – in October 2006, the planning authority granted permission for interlinked warehouse storage units with associated/integral office accommodation.

Complete Storage Solutions (Orion Business Campus, Ballycoolin)

4.3.4. PA ref. F05A/0962 – in February 2006, the planning authority granted permission for mixed use logistics, office, enterprise, laboratory and industrial accommodation (as Phase 1 of a wider mixed-use Masterplan) on a 13.4ha site.

‘U Store It’ Self-Storage (North Park Industrial Estate, Finglas)

4.3.5. PA ref. F02A/1282 – in January 2003, the planning authority granted permission for revisions to PA ref. F99A/1393 (8 no. distribution/warehousing units, 2 no. general

warehousing/light industrial units, 5 no. office units, car showroom etc.) including a reduction of office space and the provision of 3 no. additional floors for storage use.

‘U Store It’ Self-Storage (Century Business Park, Charlestown)

- 4.3.6. PA ref. F97A/0236 – in June 1998, the planning authority granted permission for 19 no. light industrial/warehouse units arranged in 5 no. buildings.

Dublin Inland Port (Dublin Airport Logistics Park, Coldwinters)

- 4.3.7. PA ref. FW19A/0101 – in September 2019 the planning authority granted permission for storage and logistic use comprising stacked shipping container storage etc.

- 4.4. Other history of note:

Stateline Transport Ltd. (Compass Distribution Park, Santry)

- 4.4.1. PA ref. F22A/0664 – in April 2024 the Board upheld the decision of the planning authority and refused permission (ABP-315822-23) for a container storage depot etc.

5.0 Policy Context

5.1. Local Planning Policy

Fingal Development Plan 2023-2029

- 5.1.1. The current Development Plan came into effect on 5th April 2023. The planning authority decision of 6th July 2023 was made under the provisions of this Plan.
- 5.1.2. The appeal site is zoned ‘General Employment’ (GE) with a stated zoning objective to *‘provide opportunities for general enterprise and employment.’*
- 5.1.3. The vision is to *‘facilitate opportunities for compatible industry and general employment uses including appropriate sustainable employment and enterprise uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.’*
- 5.1.4. ‘Industry – Light’, ‘Logistics’ and ‘Warehousing’ are amongst the development types ‘permitted in principle’ in this zoning. I also note that ‘Warehousing and Distribution’ (WD) is a distinct zoning objective in its own right where ‘cargo yards’ are permissible.

- 5.1.5. Appendix 7 of the Development Plan provides technical guidance in the context of the adopted use classes relating to zoning objectives as set out in the Development Plan.
- 5.1.6. Section 13.1 of the Development Plan indicates that uses which are neither 'permitted in principle' nor 'not permitted' will be assessed in terms of their contribution towards the achievement of the zoning objective and vision for the relevant zoning category.
- 5.1.7. The site is within the Dubber (Horizon Business Park) framework plan area (FP 11.A).
- 5.1.8. I also note that a 'light rail corridor' specific objective traverses the south of the site. A 'light rail stop' specific objective ('Meakstown') is c. 500m west, southwest of the site.
- 5.1.9. The main objectives relevant to the proposal are set out in chapters 2 (Planning for Growth), 6 (Connectivity and Movement), 7 (Employment and Economy), 13 (Land Use Zoning) and 14 (Development Management Standards) of the Written Statement.
- 5.1.10. The appeal site abuts 'Dubber Cross RC' which is a 'Rural Cluster' (RC) zoning with a stated objective to *'provide for small scale infill development serving local needs while maintaining the rural nature of the cluster.'* Section 13.2 of the Development Plan notes that it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land use zones. In dealing with proposals in these contiguous areas, it states that it is necessary to avoid developments that would be detrimental to the amenities of the more environmentally sensitive zone e.g. in zones abutting residential areas, attention must be paid to the use, scale and density of development proposals in order to protect the amenities of residential property.
- 5.1.11. The following sections are relevant to the proposed development:
- 2.4.3 – Framework Plans (Table 2.19)
 - 2.5 – Employment Lands
 - 2.7.2 – Role of Each Settlement ('Santry including Ballymun')
 - 6.5.10 – Roads Network
 - 7.5.1 – Employment and Economic Development
 - 13.5 – Zoning Objectives, Vision and Use Classes
 - 14.15.1 – Business Parks and Industrial Areas
 - 14.17.4 – Traffic and Transport Assessment

5.1.12. Summary of the relevant policies and objectives:

CSO14	Seeks to ensure that space extensive enterprise is located on appropriately zoned lands which are outside the M50 and which do not compromise labour intensive opportunities adjacent to public transport.
EEP2	Seeks to maximise the potential of GE lands, ensuring that they are developed for intensive employment purposes, where appropriate, and which are highly accessible, well designed, permeable and legible.
EEO4	Seeks to ensure that space extensive uses are located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to public transport nodes or within existing built-up compact growth areas.
EEP13	Seeks to promote and facilitate different work practices and support the co-working facilities, remote working hubs and enterprise centres.
EEO23	Seeks to support the <i>Making Remote Work – National Remote Work Strategy</i> and the provision of IT infrastructure and facilities that enable a better life-work balance enabling people to live near their place of work.
EEP18	Seeks to support the green economy in order to future proofing growth.
EEO30	Seeks to support the growth of the green economy and the transition to a circular economy in compliance with national policy and legislation.
ZO2	Have regard to development in adjoining zones, in particular, more environmentally sensitive zones, in assessing development proposals for lands in the vicinity of zoning boundaries.
DMSO89	Seeks to ensure that the design and siting of any new Business Parks and Industrial Areas, including office developments, conforms to the principles of Design Guidelines as outlined in Table 14.15. In terms of storage, Table 14.15 states that plant, materials and machinery should be to rear of buildings to minimise visual impact. It also details guidance in respect of ancillary structures, setbacks and boundary treatments etc.

5.2. Regional Planning Policy

Regional Spatial and Economic Strategy (RSES)

- 5.2.1. The Eastern and Midland RSES 2019-2031 (EMRA, 2019) sets the regional planning policy for the area and includes a Metropolitan Area Strategic Plan (MASP) for Dublin.
- 5.2.2. I note that the appeal site is located in the Dublin MASP area and straddles the Dublin City and Suburbs boundary. One of the guiding principles for the Dublin Metropolitan Area is to plan for increased employment densities within Dublin City and Suburbs and at other sustainable locations near high quality public transport nodes and to relocate less intensive employment uses outside the M50 ring and existing built-up areas.

5.3. National Planning Policy and Guidance

Development Management Guidelines

- 5.3.1. The Development Management Guidelines (DEHLG, 2007) are intended to promote best practice at every stage of the development management process. Section 7.5 of the Guidelines sets out the main factors to take into account when deciding whether a temporary permission is appropriate. Firstly, it notes that it will rarely be justified for development of a permanent nature that conforms with the provisions of the Development Plan. Secondly, it states that it is undesirable to impose a condition involving the removal/demolition of a structure that is clearly intended to be permanent. Lastly, it notes that it does not alter or limit the material considerations to which regard must be had in dealing with applications such as impacts on the amenities of an area.
- 5.3.2. Section 7.5 does however note that permission could reasonably be granted on an application for the erection of a temporary building to last seven years on land that will be required for road improvements in eight or more years' time, whereas permission would have to be refused on an application to erect a permanent building on the land.

5.4. Natural Heritage Designations

- Santry Demesne pNHA (000178) – 2.6km east
- Royal Canal pNHA (002103) – 3.7km south
- North Dublin Bay pNHA (000206) – 7km southeast

- South Dublin Bay and River Tolka Estuary SPA (004024) – 7.1km southeast
- Feltrim Hill pNHA (001208) – 7.2km northeast
- North Dublin Bay SAC (000206) – 9.3km southeast
- North Bull Island SPA (004006) – 9.3km southeast
- Malahide Estuary SAC (000205) and SPA (004025) – 9.5km northeast
- Baldoyle Bay SAC (000199) and SPA (004016) – 10.3km east
- North-West Irish Sea SPA (004236) – 11.7km east, northeast

5.5. EIA Screening

- 5.5.1. Having regard to the nature and scale of the proposal, which is for a self-storage facility of 300 no. containers, and its proximity to the nearest sensitive locations, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination stage and there is no requirement for a screening determination or EIA (see Appendix 1).

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A first party appeal has been lodged by John Spain Associates (JSA), on behalf of applicant, Melvin Properties Ltd.
- 6.1.2. The main grounds of appeal can be summarised as follows:

1st Refusal Reason

- In terms of zoning, it states that parallels can be drawn between the proposed use and other permitted in principle uses such as ‘Logistics’ and ‘Industry – Light’.
- Considers the proposal to be a ‘compatible industry’ owing to its relatively low intensity use adjacent to an established residential area.
- States that the proposal has been designed to provide a good physical environment having regard to the proposed landscaping and boundary retention.

- States that the proposal is highly accessible and simply navigable and legible and therefore the perceived material contravention is unsubstantiated having regard to local and recent precedent for similar uses.
- In terms of planning precedent:
 - Relevant to consider PA ref. FW23A/0106 which suggests that the proposal would be acceptable in principle on GE zoned lands.
 - Highlights existing self-storage facilities on zoned GE lands (see section 4.3 above) as precedent for the proposed development, in addition to the Dublin Inland Port, a shipping container storage yard.
 - States that the proposal has a more modest visual impact when compared to Dublin Inland Port i.e. containers not stacked and are uniform in colour.
- In terms of employment:
 - The proposal will create 2 no. full-time jobs responsible for 'grounds cleaning, container inspection, pest control, boundary landscape inspection, security check, and litter collection'.
 - The proposal will create 3 no. remote full-time roles with the property management company relating to marketing, telesales and accounts.
 - Eco-friendly facility that can be operated remotely due to the transitional nature of the site and in order to reduce traffic movements and negate the requirement for foul drainage and water connections.
 - Remote working supported by national and local policy i.e. 'Making Remote Work: National Remote Work Strategy' and Policy EEP13 and Objective EEO23 of the Fingal Development Plan.
 - Suggests that the employment density is similar to the existing facilities listed as precedent in addition to other 'low and unstaffed' development permitted on zoned GE lands, including temporary use for storage of empty containers (PA ref. F15A/0409).
- In terms of space extensive uses (and residential amenity):
 - It would be challenging to deliver a more labour-intensive use at this transitional area and proposals must have regard to residential amenity.

- Proposed use is suitable for its location adjacent to the M50 motorway and regional road as evidenced by other such facilities around the M50 corridor.
- Proposals for warehousing / storage / logistics would cause greater levels of disturbance to, and visual impact on, the residents of the rural cluster through HGV movements, construction, and buildings of increased height.
- Self-storage solution which requires no construction is consistent with Policy EEP18 and Objective EEO30 of the Development Plan.
- The application site represents just 0.46% of the proposed Dubber (Horizon Business Park) Framework Plan area (c. 314ha) and there is evidence of schemes progressing in this area in advance of the preparation of the plan.
- The proposed site is considered sequentially appropriate for development and would not be contrary to the co-ordinated development of the FP lands.
- The proposed use is therefore consistent with Objective EEO4 and will not prejudice the wider co-ordinated development of the GE lands.
- The proposed development makes efficient use of an existing and underutilised access road with sufficient link capacity to accommodate the estimated additional traffic as noted in the supporting engineering report.
- The proposed development will primarily attract cars and light goods vehicles which will have a modest impact on the surrounding area in terms of noise and is unlikely to add to the M50 background noise to the south.
- Invites a condition restricting access between 0600 and 2300 in the event of a grant of planning permission and notes that lower traffic movements are expected outside business hours.
- Submits that the Council overlooked the primary rationale for the proposed use and its green/circular economy credentials and suitability for a transitional zone.

2nd Refusal Reason

- In terms of design, visual impact and transitional zones:
 - Notes that the closest property, No. 1 Meakstown Cottages, is c. 44m from the nearest storage container and a separation distance of c. 16m is proposed from the most westerly row of containers.

- Submits that the perceived overbearance on the private amenity space serving adjacent houses is not accurate and entirely misconstrued.
- Notes retention of boundary hedgerows and a landscaping belt (c. 75 trees) along the western perimeter as a buffer to protect residential amenity and in order to mitigate noise and light impacts and enhance biodiversity.
- The proposed containers will be screened/invisible from street level and not be visible from Meakstown Cottages, with only a modest visual impact.
- Modest container height and colour palette will minimise visual impact.
- Notes the supporting Design and Sustainability Statement prepared in accordance with Table 14.15 and Objective DMSO89 of the Plan and submits that the proposal has been carefully considered in terms of use, design and layout to ensure its sustainability and integration.
- In terms of other transitional uses in Fingal:
 - References PA ref. FW23A/0106 (ABP-306013-19) and the Planning Inspector's commentary regarding low intensity uses in transitional zones.
 - Cites a number of other examples of commercial enterprise on lands adjacent to residential or lands zoned for residential use.
 - Considers the proposal is compatible and appropriate for a transitional zone and would not contravene Objective ZO2 of the Development Plan.
- In terms of noise and disturbance:
 - The engineering report notes a moderate increase in traffic with 'estimated two-way peak hour development traffic of 29 PCU' including the proposal.
 - The perceived increase in noise and disturbance is considered minor.
 - Continual noise from the M50 motorway was overlooked by the planning authority and any material increase in noise or disturbance is unlikely.
 - The landscaping buffer will assist in noise mitigation.
 - Council concerns regarding noise and disturbance, and depreciation of adjacent property values, are unsubstantiated and it is highlighted that no residents of the area objected to the proposal.

- Submits that the proposal is fully compliant with Objective ZO2.
- The scale, nature, design and layout of the proposed use, as well as the limited traffic generated from the proposal is not considered to be detrimental to the residential or visual amenities of the area through generous separation distances and a significant landscape buffer along the western boundary.

Other issues raised in the Planning Officer's Report

- In terms of landscape and boundary treatment, the concerns of the parks section have been addressed by replacing the palisade fence along the roadside boundary with a black, solid bar metal fence.
- In terms of transportation, the concerns of the roads section have been addressed in the engineering report with additional sightline drawing, cycle parking and extended footpath. The estimated traffic generation is also noted and the road is capable of accommodating the additional traffic.
- In terms of ecology and lighting, the landscaping proposal, including buffer planting is noted, in addition to a bat report which considers the minor adverse/not significant in the long term with foraging expected to continue. This is considered consistent with the DHLGH comments and the applicant is willing to accept a condition requiring badger surveys prior to commencement.

6.2. Planning Authority Response

6.2.1. The planning authority's response can be summarised as follows:

- Pedestrian connection to Meakstown Cottages and additional cycle spaces are noted, but considers that the applicant has not overcome the principal concern regarding the appropriateness of such a use on GE zoning in a transitional area.
- Requests the Board to uphold the decision to refuse permission.
- Provision should be made for a financial contribution in accordance with the Council's Development Contribution Scheme if the appeal is successful.

7.0 Assessment

Having examined the application details and all other documentation on the appeal file, including the appeal submissions and observations, and inspected the site, and having regard to relevant local, regional and national policies and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal.

The issues can be addressed under the following headings:

- Land Use and Development Principle
- Visual and Residential Amenity
- Traffic and Transport – *New Issue*

7.1. Land Use and Development Principle

- 7.1.1. The planning authority's first refusal reason contends that the proposal is contrary to the 'GE' zoning objective by virtue of an incompatibility with the associated vision and given a failure to promote an opportunity for industry and general employment uses and intensive employment purposes. It goes on to state that this would materially contravene Policy EEP2 and Objective EEO4 of the Development Plan 2023-2029.

Zoning

- 7.1.2. The proposal relates to an eco-self-storage facility on a general employment zoning. The 'eco' element relates to the 'upcycling' of disused 20-foot shipping containers and I note the applicant has emphasised the green and circular economy credentials of the proposal in this regard. I acknowledge this in a broad sense, as per EEP18 and EEO30, but I do not afford it any substantial weight given the generic policy approach.
- 7.1.3. The proposal is not of a development type that is listed as 'permitted in principle' in this zoning (section 13.5 of the Plan), although it is not identified as 'not normally permitted' either. Whilst 'warehousing' is identified as permissible in principle in this zoning, I am not convinced that the proposal falls comfortably within this category having regard to the definition provided in Appendix 7¹, nor is it expressly referenced as a development type under any of the land use zoning objectives listed in the Plan.

¹ A building or part thereof where goods are stored or bonded prior to distribution and sale elsewhere. It may provide for the storage of commercial vehicles where this is ancillary to the warehousing function.

- 7.1.4. I also note that 'Warehousing and Distribution' (WD) is a distinct zoning objective in its own right in the Plan, where 'cargo yards' are amongst the development types listed as 'permitted in principle'. For all intents and purposes, the proposed development, which comprises 300 no. shipping containers, would have the visual appearance of a small-scale cargo yard, albeit without the containers vertically stacked, however cargo yards are similarly neither 'permitted in principle' or 'not permitted' in the GE zoning. It should also be noted that the WD zoning is relatively sparse in this Council area.
- 7.1.5. In this regard, the applicant states that parallels can be drawn between the proposed use and other 'permitted in principle' uses such as 'logistics' and 'industry – light'. I am not convinced of this argument however, having regard to the Appendix 7 definitions.
- 7.1.6. To my mind, the proposal is *sui generis* and the Plan is explicit in this regard. To reiterate, section 13.1 states that uses which are neither 'permitted in principle' nor 'not permitted' will be assessed in terms of their contribution towards the achievement of the zoning objective and vision. This is the default means of assessing its principle.
- 7.1.7. The zoning objective seeks to 'provide opportunities for general enterprise and employment' with the vision seeking to facilitate opportunities for compatible industry and general employment uses including appropriate sustainable employment and enterprise uses, logistics and warehousing activity in a good quality physical environment with such areas highly accessible, well designed, permeable and legible.
- 7.1.8. As noted, the applicant submits that the proposal is a 'compatible industry', owing to its low intensity usage adjacent to an established residential area, and states that it has been designed to provide a good physical environment having regard to the proposed landscaping and boundary retention, and is also highly accessible and simply navigable and legible. They therefore assert that the perceived material contravention is unsubstantiated having regard to recent precedent for similar uses.

Planning Precedent

- 7.1.9. I will address the issue of material contravention below, insofar as it relates to Policy EEP2 and Objective EEO4 of the Development Plan 2023-2029, however I acknowledge the substantial weight placed on other developments which the applicant regards as planning precedent. These are generally listed in section 4.3 above and referenced summarily in section 6.1. I have reviewed each of these proposals and whilst I accept that self-storage facilities have been operating on zoned GE lands

within the Council area generally, and along the M50 corridor specifically, I am unconvinced that any of these amount to an establishment of planning precedent. In the main, these facilities were permitted as warehousing or warehouse storage units.

- 7.1.10. As established, 'warehousing' is identified as permissible in principle in this zoning and I must also stress that the majority of these decisions, with the exception of PA ref. FW23A/0106, were outside the policy context of the current Development Plan. Nor is it clear that these facilities are operating in accordance with their specific permission.
- 7.1.11. Whilst I do acknowledge that PA ref. FW23A/0106 was recently permitted as a self-storage container facility on zoned GE lands, it follows on the back of two temporary permissions (PA refs. FW17A/0198 and FW20A/0170), and whereas the applicant had sought a 10-year duration, the planning authority, having considered the impacts of the proposal over the lifetime of the previous permissions, deemed it acceptable. This is, however, on its own merits and within the context of an established business park.
- 7.1.12. I note that the next most recent permission identified, PA ref. FW19A/0014, was permitted on a temporary basis and is due to expire in December 2024 and to my mind there is no unequivocal example of the development principle on GE zoned land.
- 7.1.13. In this regard, and given the overall scarcity of 'Warehousing and Distribution' zonings in the Council area, the Board may wish to similarly consider a temporary permission, subject to the tests set out in section 7.5 of the Development Management Guidelines, but I am unconvinced that this would be appropriate on greenfield employment lands.

Employment

- 7.1.14. In terms of contribution towards the achievement of the zoning objective and vision and principally the provision of employment, the applicant submits that the proposal will create two full-time jobs on site and three full-time roles with the property management company in a remote setting. This, they suggest, is consistent with Policy EEP13 and Objective EEO23, and aligned to the national remote working strategy. These provisions outline a general approach to remote working and apply equally to any development proposal, and therefore I do not attach significant weight.
- 7.1.15. The applicant also suggests that the employment density is similar to the existing facilities listed as precedent in addition to other 'low and unstaffed' development permitted on zoned GE lands. These 'precedent' cases, as I have now established,

offer no particular support for the proposal and are generally located within business parks and industrial estates where there is a significant employment density overall.

- 7.1.16. The direct employment density at the appeal site is 1.38 jobs per hectare or roughly 1 job per 2,080sq.m of floor space². This is extremely low by any stretch of the imagination, and I do not accept the argument in relation to remote working, as the same argument could be made to inflate the job creation numbers for any proposal.

Transitional Area

- 7.1.17. Elsewhere, the applicant suggests that it would be challenging to deliver a more labour-intensive use at this 'transitional area' where proposals must have regard to residential amenity. Whilst I have noted in section 1.1 that the appeal site and surrounding area is transitional, I say this in the sense of transition from concentrated urban development inside the M50 towards a mixture of development-types beyond.
- 7.1.18. However, the Plan definition of 'transitional area' or 'transitional zonal area' to be precise, is different to my broad description of the site location. As noted, it relates specifically to the 'boundaries between zones' and states that it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land use zones.
- 7.1.19. The applicant goes on to suggest that proposals for warehousing, storage or logistics would cause greater levels of disturbance to, and visual impact on, the residents of the rural cluster through HGV movements, construction, and buildings of height. With respect, and having regard to section 13.2 of the Development Plan, these impacts are somewhat overstated, and I consider such impact on residential amenity would be at the lower end of the scale should all things be equal in terms of noise and traffic.
- 7.1.20. In these circumstances, I am not satisfied that the proposal sufficiently contributes towards the achievement of the zoning objective and vision in relation to job creation. To this I attach significant and determinative weight in terms of development principle.

Physical Environment

- 7.1.21. As noted, it is proposed to access the appeal site via a private laneway which extends from a short section of cul-de-sac (c. 150m) which serves Meakstown Cottages. This cul-de-sac is accessed off the L30801, also a cul-de-sac, via the R122, near the M50.

² A recent development contribution appeal decision (ABP-318968-24) confirms that the cumulative storage space provided for by the individual shipping containers amounts to the total floor space.

- 7.1.22. The applicant submits that the proposal makes efficient use of an existing and underutilised access road with sufficient link capacity to accommodate the estimated additional traffic as noted in the supporting engineering report. I have some reservations regarding the supporting traffic counts, and this is discussed further below, nor would I agree that the proposed access arrangement is an ‘underutilised road’. The reality is that the cul-de-sac to the front of Meakstown Cottages terminates at the palisade gates adjacent to No. 1 Meakstown Cottages, and whilst it is proposed to move this gate 53m further east, there is a general lack of scheme permeability, and in this regard, I do note the access arrangements of the outlined ‘precedent’ cases.
- 7.1.23. I also have more general concerns regarding observed on-road parking to the front of Meakstown Cottages notwithstanding the general width of the carriageway (c. 5-6m), and in this regard I would query whether the appeal site is ‘highly accessible’.
- 7.1.24. As noted, the site itself would accommodate 300 no. storage containers laid out in 9 no. rows with vehicular circulation between. In noting that limited building works are required for the proposal, the applicant again highlights a consistency with EEP18 and EEO30, and in this regard I accept that the construction phase will be of limited impact, however it is clearly self-evident that the proposal is haphazard in layout and design.
- 7.1.25. I also note that all field boundaries, which I observed as being in generally good condition, are to be retained, and the western boundary is to be augmented with buffer planting. The field boundaries are outside the red line boundary, however, save for a section along the private laneway in the vicinity of the proposed access point, nor are they illustrated within blue land to indicate the applicant’s control over them. Whilst their proposed retention is to be commended, there is no certainty that this will happen in the event of a grant of permission given the obvious concerns over enforceability.
- 7.1.26. In these circumstances, I am not convinced that the proposal contributes towards the achievement of the zoning objective and vision in relation to the provision of a good quality physical environment and to this I attach significant weight in terms of principle.

Material Contravention

- 7.1.27. The planning authority have stated that the development would materially contravene the provisions of the Fingal Development Plan, namely Policy EEP2 and Objective EEO4. In such circumstances, they were precluded from granting permission other than under the provisions of Section 34(6) of the Planning and Development Act 2000.

- 7.1.28. As noted, Policy EEP2 seeks to maximise the potential of general employment lands by ensuring that they are developed for intensive employment purposes, where appropriate, and which are highly accessible, well designed, permeable and legible, whilst Objective EEO4 seeks to ensure that space extensive uses are located within appropriate locations which do not compromise labour intensive opportunities adjacent to public transport nodes or within existing built-up compact growth areas.
- 7.1.29. I also note that Development Plan Objective CSO14 seeks to ensure that such space extensive uses are located outside the M50 so labour intensive uses, close to public transport, are not compromised. This is similar to Objective EEO4 and reflects the guiding principles of the MASP, which seeks to support increased employment densities within Dublin City and Suburbs near public transport, and to relocate less intensive employment uses outside the M50 and existing built-up areas. Whilst the site is outside the M50 and transitional, as qualified above, I note the Dublin City and Suburbs boundary seems to include this Rural Cluster and some adjacent lands.
- 7.1.30. This proximity to, and perhaps location within, the Dublin City and Suburbs boundary would add some support, in my opinion, to the planning authority's concerns regarding a material contravention of Objective EEO4 in terms of a space extensive use locating within an existing built-up compact growth area. I also note that the site is subject of a light rail corridor objective with a public transport node ('light rail stop' objective) due west, southwest. This is within the context of an overall framework plan for this block of zoned employment lands (FP 11.A) which has yet to be developed, as noted by the applicant. Whilst I have reservations regarding the compatibility of the proposal with the zoning objective and vision, I am not convinced that it would compromise labour intensive opportunities in the wider zoning or within the framework plan lands overall. I therefore find no contravention, material or otherwise, of Plan Objective EEO4.
- 7.1.31. I do however agree that the proposal is contrary to Policy EEP2 in that it fails to maximise the potential of these particular general employment lands in a well-designed and permeable fashion. However, the policy wording, in my opinion, is not sufficiently precise to warrant the use of the term material contravention in this case.
- 7.1.32. I am also cognisant of other Development Plan objectives relevant to the proposal, including Objective DMSO89, however such objectives outline a general approach to development within the zoning and are not, in my view, sufficiently specific so as to

justify the use of the term “materially contravene” in terms of normal planning practice. They do, however, help direct the decision-maker towards a refusal on a zoning basis.

Conclusion on Land Use and Development Principle

- 7.1.33. The proposal contravenes the ‘GE’ zoning objective and Policy EEP2, as it evidently includes a use class that is not listed as ‘permitted in principle’ and fails to support the objective and vision in terms of job creation, design and general permeability, nor is the proposed development expressly supported elsewhere in the Development Plan.

7.2. Visual and Residential Amenity

- 7.2.1. Having regard to the quantum of shipping containers proposed adjacent to existing residential properties at the Dubber Rural Cluster, the planning authority’s second refusal reason considered that the proposal would be visually obtrusive and would adversely affect the amenities of property in the vicinity, depreciating the value of same by virtue of noise and disturbance, contrary to Objective ZO2 of the Development Plan.

Visual Impact

- 7.2.2. The containers are 2.591m high with a footprint of 6.058m by 2.438m. The applicant notes that the closest house, No. 1 Meakstown Cottages, is c. 44m from the nearest container and a separation distance of c. 16m is proposed from the most westerly row of containers. In this regard, the applicant submits that the perceived overbearance on the private amenity space serving adjacent houses is misconstrued and I largely agree given the modest height and notwithstanding the length of this row (Row 01/02).
- 7.2.3. They also state that the containers will be screened/invisible from street level and not be visible from Meakstown Cottages, with only a modest visual impact. Again, I mostly agree but this is predicated on the retention of the field boundaries and, as noted, their retention cannot be guaranteed as they lie outside the site boundary. The proposal therefore leans heavily on the buffer landscaping belt along the western boundary. In the absence of the field boundaries, the visual impact would be greater than ‘modest’.
- 7.2.4. Whilst I note the content of the supporting design statement, which has had regard to Table 14.15 and Objective DMSO89 of the Plan, I am resolute in the view that the proposed development is haphazard in layout and design. Or more simply put, it would appear to be a matter of convenience rather than of any particular architectural merit.

- 7.2.5. That said, I do not consider the proposed development would fundamentally impact the visual amenity of the adjacent occupants to the extent that their residential amenity would be adversely impacted upon. I do not agree with the Council in this regard, however the lack of control over field boundaries does indicate a haphazard approach, and any potential impacts on residential amenity is contingent on their retention. The proposal is therefore, in my opinion, wholly unacceptable in this greenfield context.

Noise and Disturbance

- 7.2.6. The applicant considers the perceived noise and disturbance impacts to be minor and I somewhat agree having regard to the M50 background noise, although I have no information before me to unequivocally prove this point. Moreover, I have concerns regarding the 'estimated two-way peak hour traffic of 29 PCU'³, discussed below, and the applicant's reliance on the landscaping buffer for noise mitigation, as noted above.
- 7.2.7. Traffic concerns are more adequately dealt with from a public safety perspective whilst my concerns in relation to site boundaries relate to the haphazard approach in design.

Objective ZO2

- 7.2.8. For completeness, I note that Objective ZO2 seeks to have regard to development in adjoining zones, in particular, more environmentally sensitive zones, in assessing development proposals for lands in the vicinity of zoning boundaries. Having regard to the foregoing, I find no contravention of Objective ZO2, material or otherwise.

Conclusion on Visual and Residential Amenity

- 7.2.9. On balance, I do not consider that the proposal would adversely impact on the visual or residential amenity of neighbouring properties to the extent that warrants a refusal of permission in its own right. However, I consider the proposal represents a haphazard pattern of development on zoned land where it is the vision to seek a good quality physical environment, thus negatively impacting overall amenity. Whilst such impacts are highly localised and generally remote to many areas of public view, they would, in concert with the commercial development to the north, which includes the open storage of cars/vehicle sales, negatively impact on the character of the area.

³ Passenger Car Units

7.3. Traffic and Transportation – *New Issue*

- 7.3.1. As noted, the applicant, in their appeal submission, addresses a number of other issues that were raised in the Planning Officer's Report and internal technical reports.
- 7.3.2. Whilst these issues did not form the basis of either refusal reason, the applicant has chosen to address these concerns in the interest of completeness, which I commend. Of particular relevance to this appeal is their comments in relation to traffic impacts.
- 7.3.3. I note that the estimated traffic for the development was assessed using data collected from a similar development located on the R135. The peak hour traffic was determined to be between 1200 and 1300 with a total of 29 PCU's. The local authority roads section accepted that this would not be a significant level of traffic but raised concerns regarding the existing background traffic of the access given it is a residential road.
- 7.3.4. The applicant's appeal submission states that the two-way peak hour traffic volume on the Meakstown Cottages access road was recorded between 1500 and 1600 at 34 PCU's and the volume coinciding with the peak hour (1200 and 1300) was recorded at 19 PCU's. On this basis, the applicant submits that the access road has sufficient link capacity to accommodate the projected additional traffic generated by the proposed development. They have not addressed the ad hoc parking along this section of road and this, as noted above, is of a particular cause of concern to me.
- 7.3.5. As noted above, I also have some concerns regarding the traffic counts presented in the supporting engineering report, or more specifically the comparable site presented.
- 7.3.6. The survey information relates to a self-storage facility along the R135, south of Ashbourne, Co. Meath. Firstly, this is an entirely different context to that of Dublin City and Suburbs and the appeal site, where more daily trips could reasonably be expected based on demand. Secondly, and significantly, there is no record of permission for this facility let alone the number of container units available for hire. Whilst the traffic count may be accurate to a degree, complete reliance upon it is fraught with difficulty and presents a significant lacuna for the Board in the determination of traffic impacts.
- 7.3.7. To my mind, the obvious choice for a traffic count study would have been the development temporarily permitted under PA refs. FW17A/0198 and FW20A/0170, as the applicant has relied on this facility as precedent elsewhere in their submission.

Conclusion on Traffic and Transport

- 7.3.8. In the absence of traffic data from an authorised self-storage facility with a verifiable number of containers, I am not satisfied that the traffic generated by the proposal would not endanger public safety by reason of a traffic hazard or obstruct road users.
- 7.3.9. This is a new issue, and the Board may wish to seek the views of the parties however the applicant did address this in their submission and are not prejudiced in this regard.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended.
- 8.2. The subject site is not located within or adjacent to any European site. The closest European site, part of the Natura 2000 network, is South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), c. 7.1km southeast of the proposed development.
- 8.3. The proposed development is located on a greenfield site adjacent to a residential area and comprises a self-storage facility of 300 no. 'upcycled' shipping containers.
- 8.4. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European site.
- 8.5. The reason for this conclusion is as follows:
- The scale and nature of the development void of any substantial building works.
 - The lack of foul or surface water drainage connections or demand thereon.
 - The location of the development in a serviced area, distance from European sites and urban nature of intervening habitats, absence of ecological pathways to any European site.
- 8.6. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European site and appropriate assessment is therefore not required.

9.0 Recommendation

9.1. I recommend that permission be **refused** for the reasons and considerations below.

10.0 Reasons and Considerations

1. Having regard to the GE zoning objective, which is to 'provide opportunities for general enterprise and employment; the zoning vision, which requires such areas to be highly accessible, well designed, permeable and legible; and the Fingal Development Plan 2023-2029 requirement to assess proposals in terms of their contribution towards the achievement of this objective and vision, where the proposal is neither 'permitted in principle' nor 'not permitted', and given the lack of employment opportunities arising from the proposed development, the lack of permeability arising from cul-de-sac access arrangements, and the haphazard nature of its layout and design on a greenfield site, it is considered that the proposed development would contravene the said zoning objective and Policy EEP2 of the Development Plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed development is located along a laneway which is inadequate in width, and off Meakstown Cottages access road which is of varying widths and is subject to ad hoc parking arrangements. The applicant has failed to demonstrate that the traffic generated by the proposed development would not endanger public safety by reason of traffic hazard and obstruction of road users.

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.

Philip Maguire

Senior Planning Inspector

30th September 2024

Appendix 1

Form 1 – EIA Pre-Screening

Case Reference	ABP-317687-23		
Proposed Development Summary	Construction of an eco-self-storage facility comprising 300 storage containers		
Development Address	Lands north of Meakstown Cottages access road, Dubber, Co. Dublin		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No		N/A	No EIAR or Preliminary Examination required
Yes	X	Class 10(a) – 15ha Class 10(b)(iv) – 10ha	Proceed to Q.4
4. Has Schedule 7A information been submitted?			
No	X	Preliminary Examination required	
Yes		Screening Determination required	

Inspector: _____ Date: _____

Form 2 – EIA Preliminary Examination

Case Reference	ABP-317687-23	
Proposed Development Summary	Construction of an eco-self-storage facility comprising 300 storage containers	
Development Address	Lands north of Meakstown Cottages access road, Dubber, Co. Dublin	
<p>The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The appeal site has a stated area of 1.45ha.</p> <p>The use of the site as a self-storage facility would involve some earthworks including the construction of access and circulation areas, hardstand for the containers and a soakpit etc.</p> <p>Removal of topsoil etc. and other construction wastes would be relatively minimal. Localised construction impacts would be temporary.</p> <p>Waste, emissions and pollutants during the operational phase would be minimal. Surface water will infiltrate to ground via a soakpit. Emissions from cars and light goods vehicles is not anticipated to be exceptional in the context of the M50 to the south.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>The maximum capacity of the facility is stated as 300 no. self-storage containers. The capacity is not considered to be exceptional in the context of the existing environment, albeit not warehousing or logistics related.</p> <p>There are other existing and proposed warehousing and self-storage-type developments in the surrounding area and whilst generally they will not have a significant cumulative effect, I have some residual concerns regarding cumulative traffic impacts, although no real likelihood of significant effects on the environment arise.</p> <p>Traffic and transport impacts have been addressed individually in section 7.3 of the IR.</p>	Uncertain

<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>There are no ecologically sensitive locations in the immediate vicinity of the appeal site. The nearest European site is located c. 7.1km to the southeast – South Dublin Bay and River Tolka Estuary SPA (004024). The appeal site is not directly hydrologically connected to this, or any other European site given the lack of foul or surface water drainage connections or demand thereon.</p> <p>Section 8.0 of the IR concludes that the project individually, or in combination with other plans and projects, would not be likely to give rise to significant effects on South Dublin Bay and River Tolka Estuary SPA or any other European site, in view of the site's Conservation Objectives.</p> <p>There is no potential to significantly impact on the ecological sensitivities of these European sites or other significant environmental sensitivities in the area.</p>	<p>No</p>
<p style="text-align: center;">Conclusion</p>		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		

Inspector: _____

Date: _____