



An
Bord
Pleanála

Inspector's Report

ABP-320639-24

Development	Temporary self-storage facility
Location	Clonacoole, Naas Road, Clondalkin, Dublin 22, D22 DH64
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD24A/0141W
Applicant(s)	Eurobin Ltd.
Type of Application	Retention
Planning Authority Decision	Refuse retention
Type of Appeal	First Party
Appellant(s)	Eurobin Ltd.
Observer(s)	None
Date of Site Inspection	14 January 2025
Inspector	Gillian Kane

1.0 Site Location and Description

- 1.1.1. The appeal site comprises an irregular shaped site located to the rear of a residential property that fronts onto a slip / service road that runs to the side of the N7, approximately 600 metres to the west of the Red Cow interchange on the M50.
- 1.1.2. The sliproad from which access to the site is available can be accessed from the junction with the Fonthill Road to the west of the site and access to the road is also available direct from the N7 a short distance to the west of the site. To the east of the site the slip / service road loops around to the northwest and connects with Monastery Road. Access onto the M50 is available from a roundabout close to this end of Monastery Road. The slip road serves a number of commercial sites including 'Joel's' Restaurant, the Louis Fitzgerald Hotel, a number of vacant commercial properties and a short cul-de-sac of cottages (St. Brigid's' Cottages) the entrance to which is approximately 80 metres to the west of the subject site.
- 1.1.3. The site is located to the rear of 2 no. two-storey dwellings which access onto the slip or service road. The house closest to the site entrance is called 'Clonacool'. The site slopes upwards to the north away from the road and is currently laid out as a storage area with approximately 40 no. 20 foot shipping containers laid out around the perimeter of the site.
- 1.1.4. Access to this area is available via a recessed sliding gate on the western side of the houses fronting the site and the junction between this access and the service or slip road comprises a recessed entrance with gate piers aligned with the inside edge of the footpath. I did not gain access to the site during the site visit, but the containers are clearly visible from the entrance.

2.0 Proposed Development

- 2.1. On the 31st May 2024, permission was sought for the retention of a self-storage facility comprising 40 no. 20ft shipping containers (14sq.m. each) for a period of three years, on a site of 0.150ha.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 25th July 2024, the Planning Authority issued a notification of their intention to REFUSE retention permission for the following two reasons:

- 1 The development to be retained would have an adverse impact on the N7 national road and associated junction due to poor visibility at the access from the site onto the slipway, and lacks adequate splays which would result in a hazard to traffic. In addition, the proposal would be at variance with national policy and contravene section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January 2012). The subject development would therefore endanger public safety by constituting a traffic hazard and would thus not be in accordance with the proper planning and sustainable development of the area.
- 2 The subject development comprising 40 no. shipping containers on a visible and high profile site adjacent to the national road network on an 'EE' zoned site, would constitute a haphazard form of development which would not be in accordance with section 12.9.2 Enterprise and Employment Areas and table 12.27 Key Principles for Development within Enterprise and Employment Zones, of the South Dublin County Council Development Plan 2022-2028. The development to be retained would not contribute positively to the surrounding area and having regard to its visible location and frontage / access with the national road network, would injure the visual amenity of the area and set an undesirable precedent for similar developments which would by themselves, and cumulatively, injure the amenities of the area. The subject development would not, therefore, be in accordance with the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. **Roads Department:** Visibility at the access from the site onto the slipway is poor. The access lacks adequate splays on the western side and is a hazard to traffic on the slipway. Refusal recommended.

- 3.2.2. **Environmental Health:** Proposed development is acceptable subject to two conditions regarding noise, signage & lighting.
- 3.2.3. **Planning Report:** Considers self-storage units to fall under 'warehouse' definition, which is consistent with EE zoning objective. Considers the proposed development to be substantially unchanged from that previously refused permission (ABP-305392-19), notwithstanding that permission is now sought for temporary period. Notes that refusal recommended by the Roads Department of SDCC and TII on traffic grounds. Notes that second reason for refusal has not been overcome, that site is visually prominent and recommends refusal on visual amenity grounds.

3.3. **Prescribed Bodies**

- 3.3.1. TII: Proposed development by itself or by the precedent it would set would adversely affect the operation and safety of the national road network for the following reasons:
- 1 Official policy in relation to development involving access to national roads and development along such roads is set out in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January 2012). Section 2.7 of the Guidelines concerns development at National Road Interchanges or Junctions. The proposal, if approved, would create an adverse impact on the national road and associated junction and would in the Authority's opinion be at variance with the foregoing national policy.
 - 2 The Authority is of the opinion that insufficient data has been submitted with the planning application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety, or operational efficiency of the national road network in the vicinity of the site.

3.4. **Third Party Observations**

- 3.4.1. One submission refers to trips generated by the subject development.

4.0 **Planning History**

- 4.1.1. **ABP-313904-22:** Board declared that the restoration of land to a pre-63 use for open storage for commercial use at Clonacole, Naas Road *is development and is not exempted development*. The Board concluded that there was a lack of evidence supporting the historic use of the land as open storage prior to the 1st October 1964.

4.1.2. **ABP-309950-19:** (SD21B/0008) – Planning permission refused in November 2021 for the erection of a steel perimeter fence of 2.5m to match the existing fence on the neighbouring property and to install a new electronically controlled entrance gate, which would be set back by c. 13m from the roadside. Permission was refused for the following reason:

- 1 It is considered that the proposed development would facilitate the consolidation and continuance of development for which there is no authorisation and for which the Board has previously refused retention permission.

4.1.3. **ABP-305392-19,** (SD19A/0202) – Planning permission refused in January 2020 for the retention of change of use of premises to self-storage facility, comprising 40 shipping containers used as storage units, 10 metre length of 2.6-metre-high palisade fencing in west boundary, sign on Unit 40, sign at roadside entrance and 2.2-metre-high security gate and fence at entrance. Permission was refused for the following two reasons:

1. The development proposed for retention would lead to an increase in traffic turning movements onto and off a busy slip road linking with the National Primary Road (N7) along which traffic travels at up to the maximum speed limit. The access to the site via this slipway is substandard in that it lacks adequate vision splays in each direction. The proposed development would, thereby, endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.
2. The development proposed for retention consisting of the location of shipping containers for use for storage purposes on a visually prominent and poorly landscaped site which is clearly visible from the adjacent National Primary Route (N7) would constitute haphazard development and would seriously injure the visual amenities of the area by reason of visual dominance at this location. Furthermore, the development proposed for retention would contravene Objective ET3, Objective 5 of the South Dublin County Development Plan 2016-2022 which seeks to ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and would set an undesirable precedent for similar development in

the area. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. South Dublin Development Plan 2022-2028

- 5.1.1. The subject site is zoned objective 'EE' – 'To provide for enterprise and employment related uses', in the South Dublin County Development Plan 2022-2028.
- 5.1.2. Section 12.9 of the plan refers to economic development and employment. Table 12.27 lists the key principles for development within EE zones. The principles are divided into access & movement, open space & landscape, green infrastructure, and built form & corporate identity.

5.2. Natural Heritage Designations

- 5.2.1. No designations apply to the subject site.

5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the proposed sub-threshold development to be retained, which was carried out post February 1 1990, the receiving environment, and to the nature, extent, characteristics, impacts, I conclude that the proposed development is not likely to have significant effects on the environment and that the submission of an Environmental Impact Statement is not required. The need for environmental impact assessment can therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. An agent for the first party has submitted an appeal against the decision of the Planning Authority to refuse permission to retain the existing development. The grounds of the appeal can be summarised as follows:
- 6.1.2. Reason no. 1
- The appellants do not agree with the Planning Authority first reason for refusal.

- Vehicular access on the site was constructed by the Local Authority as part of the N7 QBC accommodation works. The entrance was designed to accommodate turning movements of a 9m long rigid truck, having regard to the open storage use of the site.
- During enforcement proceedings, the presiding Judge accepted that the Local Authority constructed the entrance to facilitate the entry and exit of large 40ft trucks. Therefore the suggestion that the appellant is creating a traffic hazard is rejected.
- A site inspection will confirm that access and egress is only possible from a local road that starts at Joels restaurant and ends 40m beyond the subject site. A 50kph speed limit applies. The road serves a restaurant & hotel, fuel station, multiple car businesses, car sales facility St. Brigid's Cottages and two detached dwellings. This local access road is not part of the N7 and does not provide direct access to the N7.
- Figures submitted showing driving route to access and exit from the site. it is only possible to enter the site from the local access road, no different to the many vehicles accessing the hotel or the car businesses. All businesses and residents manage the road network without detriment to the capacity, safety or operational efficiency of the national road network.
- Photo submitted showing x-distance of 2.1m, sightline of 51.7m to oncoming traffic. An x-distance of 2.4m and a 45m sightline would require the removal of a gate pier, which could be achieved by way of condition to which the appellant would comply.
- TII appears not to have had access to the unsolicited information submitted to the Planning Authority. Access logs for the site show 479 no. trips over 74 no. days, an average of 6.47 trips per day. This is comparable to that of a family home.
- The access log for Jan to April 2024 shows one user accounting for 83 of the 479 no. trips, with 9 no. containers generating no trips. The log for July to August 2024 shows an average of 5.73 trips per day. This level of traffic generated is

significantly less than the adjoining hotel which has an average of 66 no. trips between 19.00-20.00.

- The Board is invited to consider the traffic using the local access road for adjoining business relative to the subject site. All businesses and residents manage the road network without detriment to the capacity, safety or operational efficiency of the national road network. The subject site has operated without incident since 2015.
- The Board is invited to agree that the subject development does not endanger public safety by constituting a traffic hazard and dismiss the reason for refusal.

Reason no. 2

- The proposed temporary development will not injure the visual amenity of the area.
- The Council assessment is not objective, being rooted in enforcement action. No location of impact has been identified by the Planning Authority.
- The site is not visually prominent and is not high profile, with a small frontage and an overall depth of 90m. Storage containers are neatly laid out with views confined to upper part of a few containers.
- The temporary appearance is not consistent with permanent redevelopment of EE lands. The larger strategic EE area has no redevelopment plans and has lain idle and become subject to deterioration and vandalism.
- The appellant should not be disadvantaged by the Planning Authority's failure to redevelop the area. The facility has been in operation for 9 no. years without incident or visual impact.
- The site will ultimately be re-developed but permission is sought for a temporary period. The Board is requested to reject the second reason for refusal.

6.2. Planning Authority Response

6.2.1. None on file.

6.3. Observations

6.3.1. None on file.

7.0 Assessment

7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Traffic
- Visual Impact

7.2. Principle of Development

7.2.1. Self-storage development is not a development class provided for in the SDCC development plan. The closest development class is warehousing, which is permitted in principle on lands zoned EE.

7.3. Traffic

- 7.3.1. The applicant acknowledges that permission is sought for a development that was previously refused permission by the Board, but states that permission is now sought for a temporary three-year period. Details of traffic generated by the development is submitted with the appeal, with the case made that traffic is less than the surrounding businesses and therefore no traffic hazard arises.
- 7.3.2. The subject site is fundamentally different from the surrounding business in terms of its access point. The existing access off the sliproad is 5.4m wide at the footpath and 3.750m wide at the gate piers. This is sufficient for one vehicle travelling slowly to enter and exit. As noted in the previous Board decision, traffic on the sliproad travels at the maximum speed limit. The subject site sits behind a clearly vacant dwelling, giving the false impression that no traffic will be accessing the site. I note the submission of the SDCC Roads department that visibility on the western side is limited and I concur with this finding.
- 7.3.3. The submission of the appellant that the Local Authority created the vehicular entrance does not change the impact of the development on the adjoining slip road. The level of traffic using the sliproad is significantly greater than when QBC accommodation works commenced.

- 7.3.4. The Board refused permission for the retention of the subject development in 2019 under the appeal ABP-305392-19. I am satisfied that notwithstanding that permission is now sought for a temporary permission, nothing has occurred which would warrant reversal of that Board decision. I am satisfied that the traffic hazard that was identified by the Board in 2019 is substantially unchanged and that permission should be refused on the grounds of traffic hazard. I note the comment of TII to reuse permission for the proposal and concur with the recommendation.

7.4. Visual Impact

- 7.4.1. The Planning Authority's second reason for refusal refers to the visual impact of the subject development on a highly prominent site. The appellant rejects this reason, stating that the site is not prominent and that the visual impact is not significant.
- 7.4.2. The site to the immediate west of the subject site is vacant, allowing the subject site to having a wider visual impact. That said, I do not agree that the site is visually prominent. It is a small site in a larger industrial area. dominated by the N7 and associated junctions. Notwithstanding that the site rises to the north, only partial glimpses of the storage containers occurs. I am satisfied that the visual impact is similar to the surrounding pattern of development and that no injury occurs.
- 7.4.3. I note the submission of the appellant that the site will be available for redevelopment as part of the wider regeneration of the EE lands. This will be a welcome improvement.

8.0 AA Screening

- 8.1.1. I have considered the proposed development of the retention of an existing self-storage development comprising 40no. shipping containers, in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is not located within or adjacent to any European Site. The closest European Site, part of the Natura 2000 Network, is the Glenasmole Valley SAC (001209).
- 8.1.2. Having considered the nature, scale and location of the project to be retained in a built-up, mixed-use area, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows, the limited nature of the works and the

distance from nearest European site and lack of connections. 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

I recommend permission be REFUSED for the following reasons:

- 1 The development proposed for retention would lead to an increase in traffic turning movements onto and off a busy slip road linking with the National Primary Road (N7) along which traffic travels at up to the maximum speed limit. The access to the site via this slipway is substandard in that it lacks adequate vision splays in each direction. The proposed development would, thereby, endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area
- 2 The proposed development to be retained would be at variance with national policy and contravene section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January 2012). The subject development would therefore endanger public safety by constituting a traffic hazard and would therefore not be in accordance with the proper planning and sustainable development of the area.

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.

Gillian Kane
Senior Planning Inspector

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320639-24		
Proposed Development Summary	Retention of self-storage facility comprising 40 no. shipping containers, for a period of three years		
Development Address	Clonacooile, Naas Road, Dublin 22		
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	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
No			
3. Has Schedule 7A information been submitted?			
No			

Inspector: _____

Date: _____