



An
Bord
Pleanála

Inspector's Report

ABP-322553-25

Development

Amendments to previously approved permission under PA Ref. F21A/0147, amended by F23A/0006, for the change of unit no.1 from light industrial to self-storage area. No change to the permitted floor area or height.

Location

West of Stockhole Lane/ Clonshaugh Road, Clonshaugh, Co. Dublin

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F25A/0163E

Applicant(s)

Glenvest ULC

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

Third Party

Appellant(s)

Michael Byrne

Date of Site Inspection

13th August 2025

Inspector

Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site contains an undeveloped area of land located to the west of Stockhole Lane. To the south of the site is a Holiday Inn Hotel and on the opposite side of the access road is a Clayton Hotel. These are large hotels located in a relatively remote area in that the adjoining area is characterised by rural agricultural development. The subject site at 1.94 hectares is large, flat and was under grass on the day of the site visit. To the east of the site are a number of houses, and agricultural sheds. There is a large fuel filling station to the south of the site operated by Circle K with a large truck parking area.
- 1.2. The proposed site access is from an existing link road from the Clonshaugh Road/ Stockhole Lane. This link road is located between the two hotels, and which terminates at a surface car park, where the site access is proposed to be located.
- 1.3. To the west of the site is the M1 and to the south west is the junction of the M1 and M50. To the north west is Dublin Airport with aircraft landing/ taking off to the north of the site from the southern most of the parallel runways.

2.0 Proposed Development

The proposed development consists of amendments to approved permission under PA Ref. F21A/0147 and which was subsequently amended under F23A/0006. The amendments to consist of:

- The change of Unit No.1 from Light Industry to Self-Storage Unit.
- Internal revisions to the floor plan and all associated site works. There are no changes to the floor area or height of the approved structure.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for a single reason as follows: 'The application site is zoned HT, 'High Technology' in the Fingal County Development Plan 2023-2029, the objective of which seeks to Provide for office, research and development and high technology/high technology manufacturing type

employment in a high quality built and landscaped environment and the vision of which seeks to Facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value added businesses and corporate headquarters. (...) The proposed self-storage use would not be likely to generate significant or sufficiently intensive levels of employment or value-added economic activity on the site and consequently would not conform to the HT zoning objective or vision. The development would therefore contravene materially a development objective indicated in the Development Plan for the zoning of land for the use solely or primarily of particular areas for particular purposes.'

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planning Authority reported that the site is zoned HT – High Technology, warehousing is listed as not permitted within this zoning. Although this use may not be strictly warehousing, such uses would be better located on GE – General Employment and WD – Warehousing and Distribution, zoned lands. HT lands are intended for higher intensity employment uses, and not for space intensive uses such as warehousing. As the development would not generate significant employment or economic activity, a refusal of permission was issued.

3.2.2. Other Technical Reports

- Water Services Department: Flood Risk: No objection. Surface Water: no objection.
- Parks and Green Infrastructure Division: No objection to the proposed development.

3.3. Prescribed Bodies

Dublin Airport Authority: Notes that this is an amendment to a previous applications on this site under PA Ref.F23A/0006 and F21A/0147. Request that condition no. 6 of F21A/0147 be included, for the provision of suitable noise insulation and condition no. 7 for agreement of the use of cranes on site. The site is located within the Outer

Public Safety Zone and any development within this zone should comply with the ERM Report on public safety zones.

Transport Infrastructure Ireland (TII): Request that regard be had to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII Publications and proposals impacting the existing light rail network.

Note the site is not in close proximity to any proposed Luas or Metro line.

3.4. **Third Party Observations**

Two submissions objecting to the proposed development were received and comments, in summary, were as follows:

- The proposed development would have a negative impact on the area due to increased noise, loss of privacy, loss of sunlight due to shading, and increase in traffic in the area.
- Concern about security issues.
- Request that a 2.4m high boundary wall be constructed along the site boundaries, in addition to the retention of the mature hedgerow, to ensure the protection of adjoining property.
- The development may give rise to flooding as the site is proposed to be increased in elevation to facilitate this development. Request that the site levels not be increased.
- Procedural issues over the location of the site notices on private lands. Note: The Fingal Planning Officer reported that all site notices were visible from public locations and were acceptable in accordance with the Planning and Development Regulations.

Photographs and maps were submitted in support of one of the submissions.

4.0 **Planning History**

PA Ref. F23A/0413 refers to a July 2024 decision to refuse permission for the construction of a Light Industrial Development comprising 5 No. units (Unit Nos. 1-5) with ancillary offices and staff facilities and associated development, and the provision of a multimodal entrance to the site from the Stockhole Lane Roundabout

via an extended local access road; a pedestrian, cyclist and emergency vehicular entrance to the site from Stockhole Lane/ Clonsaugh Road. This is the same location as the subject site. A single reason for refusal was issued and states:

‘The proposed scale of the development and traffic intensive land use at the proposed strategic location would negatively contribute to a reduction in operational efficiency of the strategic road network, including the M1/M50/R139 junction interchange and the R139/Stockhole Lane priority roundabout at this highly sensitive location, and as such the proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would adversely affect the use of a national road or other major road by traffic, and therefore would be contrary to the proper planning and sustainable development of the area.’

This decision was appealed to An Coimisiún Pleanála, **Ref. PL06F.320266** refers and no decision has been made to date.

PA Ref. F21A/0147 refers to a November 2021 decision to grant permission for 2 no single storey light industrial buildings accommodating 3 units including ancillary office space; internal site road with associated verges and footpaths accessed via internal distributor road; 84 no car parking spaces; 42 no. bicycle parking spaces; surface water attenuation; sub-station and switch room; relocation of overhead power lines; pedestrian entrance gate to adjoining petrol station site; totem signage at entrance to development; landscaping and boundary treatments; site works and services; all on a site of 1.94ha. This refers to the subject site.

PA Ref. F23A/0006 refers to an April 2023 decision to grant permission for modifications to a permitted Light Industrial Scheme (as granted under Fingal County Council Reg. Ref. F21A/0147). The amendments comprise: an increase in the maximum height of Unit Nos 1,2 and 3 from 10 metres to 17 metres; provision of Roof PV Panels in lieu of the Roof Lights on Unit Nos 1,2 and 3 elevational changes including the provision of a Green Wall; relocation of the ESB Substation and Switch Room; and all associated site and development works above and below ground. The permitted Total Gross Floor Area of 3,333 sq m remains unchanged.

5.0 Policy Context

5.1. Development Plan

The subject is zoned HT – High Technology with an objective to ‘Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment.’

The vision states: ‘Facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity.’

Within the Not Permitted category are Logistics and Warehousing.

The site is located within the Outer Public Safety Zone of Dublin Airport and within Dublin Airport Noise Zone B.

Chapter 7 refers to Employment and Economy

The following objectives are noted:

Policy EEP2 – General Employment Lands

‘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.’

Objective EEO13 – High Technology Lands

‘Encourage the development of corporate offices and knowledge based enterprise in the County on High Technology zoned lands and work with key stakeholders, relevant agencies and sectoral representatives to achieve such development.’

Objective EEO17 – Warehouse and Distribution Lands

‘Encourage large-scale distribution activities to locate within areas zoned WD.’

Chapter 8 refers to Dublin Airport

In terms of location in relation to the Airport:

Objective DAO11 – Requirement for Noise Insulation

‘Strictly control inappropriate development and require noise insulation where appropriate in accordance with Table 8.1 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of the runways are not unreasonable to minimise the adverse impact of noise on existing housing within the inner and outer noise zone.’

Objective DAO18 – Safety

‘Promote appropriate land use patterns in the vicinity of the flight paths serving the Airport, having regard to the precautionary principle, based on existing and anticipated environmental and safety impacts of aircraft movements.’

Objective DAO19 – Review of Public Safety Zones

‘Support the review of Public Safety Zones associated with Dublin Airport and implement the policies to be determined by the Government in relation to these Public Safety Zones.’

5.2. National Guidance

Spatial Planning and National Roads - Guidelines for Planning Authorities, January 2012

5.3. Natural Heritage Designations

- Feltrim Hill pNHA (Site Code 001208) is located approximately 2.9km to the north east of the subject site.
- The nearest European Site is Baldoye Bay SAC (Site Code 000199) which is approximately 5km to the east of the subject site.

5.4. EIA Screening

See Form 1 – Appendix A. The proposed development is not of a Class under Schedule 5 as the development consists of a change of use of an approved structure

with only internal modifications proposed. The proposed development would therefore not be of a scale or nature that would require an Environmental Impact Assessment.

6.0 The Appeal

6.1. Grounds of Appeal

The first party appeal makes the following points, in summary:

- The Planning Authority raised no concerns in relation to impact on residential properties or on the national road network.
- The proposed development was considered to be sui generis by the Planning Authority and was considered on its merits in relation to the HT zoning that applies here. Notes the PA consideration that HT zoning is for high intensity employment uses.
- There was no objection to the development by the Fingal Water Services Department in terms of flooding and surface water drainage on site.
- Requests that the application be considered De Novo by the Commission and to consider if the development is a Material Contravention or not. A number of legal judgements have been referenced in relation to this aspect of the appeal.
- The proposed use is not a deviation from the vision for the HT zoned lands. There are uses listed that do not appear to align with the vision for the HT zoned lands. The use would generate employment and would generate economic activity.
- The level of employment to be created on HT zoned lands is not quantified in the Development Plan. Modern technology/ practices has resulted in the replacement of human labour with technology.
- The Planning Officer suggested that the development would be more appropriate on GE zoned lands. The appeal refers to Policy EEP2 which seeks to maximise the potential of GE lands to be 'developed for intensive employment purposes, where appropriate'. There is no such requirement on HT zoned lands.

- Reference is made to an ABP decision at Dubber for a storage development (ABP Ref. PL06F.317687).
- The proposed development would have a limited impact on traffic which would benefit the local area.
- The decision to refuse permission is flawed and should be rejected. Request that permission be granted for this development.

6.2. **Observations:**

- None received.

6.3. **Planning Authority Response**

- The Planning Authority noted that the proposed development would not result in significant changes to the approved development on this site and would not impact on the adjoining area or the road network. The Planning Authority considered that the use was sui generis and was open for consideration within the HT zoning. The development was assessed in terms of its contribution to the achievement of the Zoning Objective and Vision, and in accordance with the compliance and consistency of the policies and objectives of the Development Plan. The Planning Authority consider that the development does not comply with the objective or vision. HT zoning seeks to provide for high end development with nan emphasis on employment intensive uses such as offices, R&D and high technology type uses. The proposed use does not align with the vision for the HT zoned lands.

The proposed use will generate employment as well has having an economic value, but the proposed use would be better located in other more appropriately zoned lands. Permitting this development would set an undesirable precedent for similar development on the HT zoned lands.

Request that the decision to refuse permission be upheld, conditions are included in the event that permission is granted.

7.0 Assessment

7.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Nature of the Development
- Design and Impact on the Character of the Area
- Compliance with HT Zoning
- Drainage and Water Supply
- Access and Transportation

7.2. Nature of the Development

7.2.1. The proposed development consists of the change of use from an approved light industrial unit (approved under PA Ref. F21A/0147 and modified under F23A/0006) to a self-storage use. The modifications would be internal only with some associated site works as necessary. There is no change to the approved height of 17m and gross floor area of 1,363 sq m.

7.2.2. On the day of the site visit, the lands were undeveloped and there was no evidence of any works having commenced in relation to the permitted development. The permitted development allowed for three warehouse units and Unit No.1 was located to the eastern most point of the site, immediately north of the Circle K filling station. Access to the site was to the west of the Holiday Inn hotel and again, I saw no evidence of any works having commenced here in relation to the provision of access to the subject lands.

7.3. Design and Impact on the Character of the Area

7.3.1. The alterations to Unit No.1 are primarily internal and there are no significant changes to the exterior of this permitted building. The design has already been accepted by the Planning Authority and no issue of concern arise in relation to the modifications to the internal layout. The major change is that instead of an open area indicated as a production area on Drawing No. 19284/103, the floor plan is changed to be a divided up space of 11 separate sections for storage as per Drawing No. 19284/361.

7.3.2. I have no objection to the revisions to the interior of this building as they have no impact on the character of the development or on the character of the area. The

exterior treatment is not proposed to be changed as a result of this application, and I have no objection to the exterior treatment are previously permitted.

7.4. Compliance with HT Zoning

- 7.4.1. The issue of compliance with the HT zoning is the primary raised in the appeal following the issue of a refusal by Fingal County Council.
- 7.4.2. The Fingal Development Plan 2023 – 2029 is the operative plan for Fingal and the county is zoned appropriately. The introduction to Chapter 13 – Land Use Zoning, states, ‘The purpose of zoning is to indicate the land use objectives for all the lands within the County. Zoning aspires to promote the orderly development of the County by eliminating potential conflicts between incompatible land uses and to establish an efficient basis for investment in public infrastructure and facilities.’ The zoning of the county has regard to the strategic policies that underly the Development Plan and which promote sustainable development and consolidation. Each of the land use zonings has an objective and a vision, which indicate what the intent of the zoning objective is. The Fingal County Development Plan has a wide range of zonings and in terms of economic development and employment there are zonings for GE – General Employment, HI – Heavy Industry, HT – High Technology, and WD – Warehousing and Distribution in addition to specific zonings such as for Dublin Airport and Food Parks.
- 7.4.3. I note the appeal submitted by the applicant and the details provided in the application. The applicant is clear what the reason for refusal is but I note that very information is provided to demonstrate what employment would be generated by this development and what the difference would be in relation to that proposed under the permitted development. I accept that this development, if permitted, would have little impact on the existing character of the area, however that issue was not raised as a concern by the Planning Authority either now or having regard to the permitted development on this site.
- 7.4.4. From the site visit it is evident that the local road network is of a scale that a significant use of these roads was planned for. The existing hotels and service station do not generate a volume of traffic that such roads and their high capacity junctions would be required.

- 7.4.5. I refer back to the objective which is to provide for office, R&D and high technology uses, in a high quality built/ landscaped environment. I consider that the proposed development is not incompatible with the objective, however there is a clear intention that the uses on the HT zoned lands would be of a nature that would be employment generating. I therefore consider that the Planning Authority were correct in their consideration of this development and that such uses would be more appropriately located in a different location on more suitably zoned lands.
- 7.4.6. Whilst compatible with the HT zoning, that does not mean that this is the optimum place to locate such development. Doing so would erode the vision for these lands and may require additional zoning on other lands thereby running contrary to the intent of zoning to facilitate sustainable development and also to promote consolidation. As I have reported, significant road infrastructure is in place here and which was clearly designed for a certain level of employment in conjunction with the HT zoning and existing uses. There is no indication that the proposed development would provide for anywhere near an appropriate level of employment as intended for these lands.
- 7.4.7. I note other aspects of the appeal including no quantification of employment in the development plan and the proposed development will give rise to employment. Both points are correct, but the applicant had the opportunity in their appeal to outline what the potential employment to be generated here would be and they have failed to give this information. My knowledge of these developments and similar uses is of a very low level of employment mainly in the management of the building and of the items to be stored. There can also be a high level of automation, further reducing the employment levels on site.
- 7.4.8. The appeal refers to uses within the HT zoning that they consider to not fully comply with the zoning such as Hospital and Restaurant/ Café. I have no objection to the inclusion of these within this zoning use, a hospital could be a suitable use within a high technology campus especially in an area with R&D uses located there. The restaurant/ Café use is footnoted to state that it is to serve the local population only. I again consider this to be acceptable. Large employment bases require services such a café to serve the working population.

- 7.4.9. I therefore consider that the proposed amendments would be contrary to the objective and vision of the HT zoning and permission should be refused for that reason.

7.5. Drainage and Water Supply

- 7.5.1. The Planning Authority and Fingal Water Services Department raised no issues in relation to surface water drainage or flooding. I note that submission to the original application to Fingal County Council raised concern about flooding, however there are no changes proposed to the permitted building and no new issues should arise at this time.

7.6. Access and Transportation

- 7.6.1. Access to the site is as permitted and no changes are proposed to the access arrangement.

8.0 AA Screening

- 8.1. The proposed development is for amendments to an approved development consisting of the change of use from light industrial to a self-storage facility, with only internal changes proposed. There are no impacts from the proposed development on any European site due to the limited scale and nature of development proposed.
- 8.2. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects.

9.0 Recommendation

I recommend that planning permission should be refused for the following reason:

Having regard to the HT – High Technology zoning of the site, the objective of which is to ‘Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment’, the proposed amendment seeks to change the permitted use of an approved light industrial unit into a self-storage unit. The HT zoning objective seeks to develop high end, high-quality and high value uses with a clear indication of employment generation. The proposed use does not indicate that such levels of

employment would be provided and the proposed development does not adequately demonstrate that it would be appropriate in this location. Significant investment has been undertaken in the road network serving this site and permitting this use would set a poor precedent for similar development in the area, which would erode the intention of zoning for locating appropriate development in the context of sustainable development and consolidation of uses. The proposed development would contravene the HT development objective indicated in the Fingal Development Plan 2023 – 2029 for the zoning of land for the use solely or primarily of particular areas for particular uses.

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.

Paul O'Brien

Inspectorate

15th August 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-322553-25		
Proposed Development Summary	Amendments to previously approved permission under PA Ref. F21A/0147, amended by F23A/0006, for the change of unit no.1 from light industrial to self storage area. No change to the permitted floor area or height, and no exterior revisions proposed.		
Development Address	West of Stockhole Lane/ Clonshaugh Road, Clonshaugh, 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	
		No	√
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		Proceed to Q3.
No	Tick or leave blank	√	Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required

No	√		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
No	√	Change of use from an approved Light Industrial Unit to a Self Storage Unit. No relevant class.	

5. Has Schedule 7A information been submitted?		
No	√	
Yes		

Inspector: _____ **Date:** _____