

AN BORD PLEANÁLA
LDG- 078527-25
ABP- _____
06 MAR 2025
Fee: € 270.00 Type: CARD
Time: 1242 By: HAND

1 Ashfield Avenue
Ranelagh
Dublin 6

6th March 2025 TM

Re: Development at Unit 10, 128-130 Docklands Innovation Park, East Wall Road, Dublin 3.

OCC
0020-25 TM

To Whom it May Concern,

I wish to appeal the decision of Dublin City Council application no. 0020-25 of 10 February 2025 at Unit 10, 128-130 Docklands Innovation Park, East Wall Road, Dublin 3, where Dublin City Council determined that the change of use from science and technology to a bakery and the installation of chimneys/extraction hoods to facilitate that change, is development, but decided that it is exempted development. I believe this to be an obvious error.

The parent permission Unit 10, 128-130 Docklands Innovation Park, East Wall Road, Dublin was for light industrial use. Permission was granted under Planning Ref. 3885/09 for the change of use of units 9 and 10 from light industry to science and technology-based industry along with associated internal layout changes. As part of this permission, the works within the Park included the removal of two walled yard areas and roller shutters and their replacement with windows / screens, as well as additional fire escape doors to the rear, along with associated modifications to the parking. All the proposed works were carried out. The company Steorn Ltd occupied the unit and conducted technology research in the area of microgenerators using renewable energy for many years afterwards. This planning permission was clearly implemented.

The Dublin City Development Plan 2022-2028 defines science and technology-based industry as:

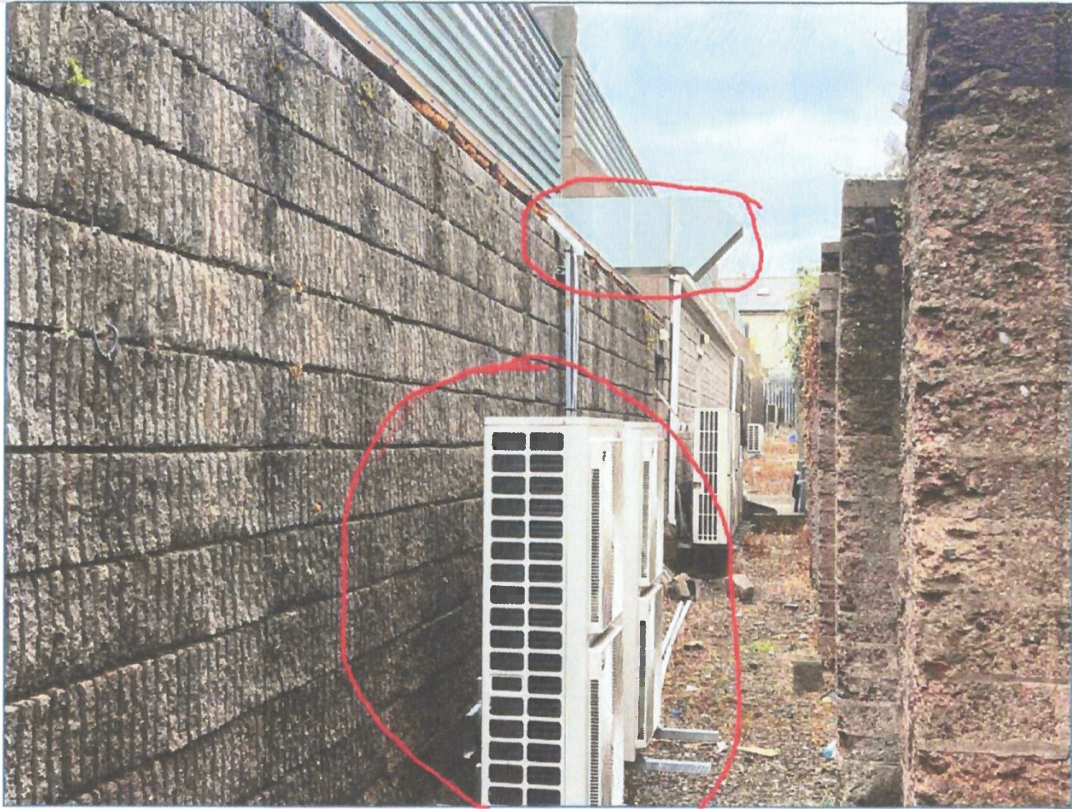
"Knowledge-based processes and industrial activities (including ancillary offices) in which research, innovation and development play a significant part, and which lead to and accommodate the commercial production of a high-technology output, i.e. commercial laboratory, enterprise centre, film production, healthcare, information technology, light industry, media recording and general media-associated uses, publishing, research and development, software development, telemarketing, tele servicing and training, renewable energy and green technology research and consultancy services."

I believe it is self-evident that its use as a bakery is unauthorised based on its current valid permission. A bakery cannot be described as a science and technology-based industry.

Furthermore, various forms of air handling units including ventilation system have been installed to the rear of this unit to facilitate its change of use to that of a bakery. See the encircled units on the photograph below. All works which are not specifically listed as exempted development under the Act require planning permission. In this instance the relevant exemptions which may apply in the case of the unit relate to Section 4(1)(h) of the Act. These new works intrude on the fire exit passageway and reduce the width to 52cm (0.52m) – far below the legal minimum. These are not permissible and obstructing a fire exit in this manner must be seen to be unauthorised development.

Thomas Murphy

Thomas Murphy





Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

An Roinn Pleanála & Forbairt Maoine, Bloc 4, Urlár 3, Oifigi na
Cathrach, An Ché Adhmaid, Baile Átha Cliath 8.

Planning & Property Development Department, Block 4, Floor 3,
Dublin City Council, Civic Offices, Wood Quay, Dublin 8.

T: (01) 222 2288

E. Planning@dublincity.ie

11-Feb-2025

Thomas Murphy
1, Ashfield Avenue
Ranelagh
Dublin 6
D06A008

Application Number	0020/25
Application Type	Section 5
Registration Date	14-Jan-2025
Decision Date	10-Feb-2025
Decision Order No.	P2311
Location	Unit 10, Docklands Innovation Park, 128-130 East Wall Road, Dublin 3
Proposal	EXPP: Does the installation of extractor fans to deal with fumes provided in the premises constitute development, and is it exempted development?
Applicant	Thomas Murphy

- If you have any queries regarding this Decision, please contact the email shown above

Note:

Any person issued with a declaration on development and exempted development, may, on payment of the prescribed fee, refer a declaration for review by A Bord Pleanála within four weeks of the date of the issuing of the declaration.

NOTIFICATION OF DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

In pursuance of its functions under the Planning & Development Acts 2000 (as amended), Dublin City Council has by order dated 10-Feb-2025 decided to issue a Declaration that the above proposed development is EXEMPT from the requirement to obtain planning permission under Section 32 of the Planning & Development Acts 2000 (as amended).

Reasons & Considerations:

The installation of extractor fans at Unit 10 constitutes development and is exempted development with regard to Section 4(1)(h) of the Planning & Development Act 2000 (as amended).

Signed on behalf of Dublin City Council


for Administrative Officer

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