

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email:
planning.dept@sdblincoco.ie

Daniel O'Connor
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.
D01 V902

Our Ref: ED21/0008
Your Ref: ABP-313904-22


Date: 06th July 2022

Re: Clonacoole, Naas Road, Clondalkin, D22

Dear Mr O'Connor,

I refer to your letter dated 28th June 2022 regarding the abovementioned appeal and enclose the documents requested.

Yours faithfully


Michelle Furney
Clerical Officer

**An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department**

Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

**Kiaran O'Malley & Co. Ltd
St. Heliers
Saint Heliers Copse
Stillorgan Park
Blackrock
Co. Dublin**

Date: 28-Apr-2022

**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Register Reference: ED22/0008

Development: Is the commercial use as open storage of lands at Clonacoole, Naas Road, Clondalkin, D22 development, & if so, is it exempt development

Location: Clonacoole, Naas Road, Clondalkin, Dublin 22

Applicant: John Hanlon

App. Type: Declaration of Exemption Section 5

Dear Sir/Madam,

With reference to the above, I acknowledge receipt of your application received on 26-Apr-2022.

This acknowledgement is issued pursuant to the Planning & Development Regulations 2001(as amended).

Yours faithfully,

M Furney
for **Senior Planner**

FD22/000K

SOUTH DUBLIN COUNTY COUNCIL



SECTION 5 APPLICATION FORM

Declaration on development and exempted development
Section 5 of Planning and Development Act, 2000 (as amended)

Land Use, Economic and Transport Planning Department, County Hall, Town Centre,
Tallaght, Dublin 24.
Tel: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdblincoco.ie

STANDARD APPLICATION FORM & ACCOMPANYING DOCUMENTATION:
Please read directions & documentation requirements at back of form
before completion.

**All questions relevant to the proposal being applied for must be
answered.**

Non-relevant questions: Please mark n/a

*Please ensure all necessary documentation is attached to your
application form.*

DATA PROTECTION

*The publication of applications by planning authorities may lead to
applicants being targeted by persons engaged in direct marketing. In
response to a request from the Data Protection Commissioner, you are
given an opportunity to indicate a preference with regard to the receipt
of direct marketing arising from the lodging of this application.
If you are satisfied to receive direct marketing please tick this box.*

*It is the responsibility of those wishing to use the personal data on
applications for direct marketing purposes to be satisfied that they may
do so legitimately under the requirements of the Data Protection Acts
1988 & 2003 taking account of the preference outlined above*



1. Name of Applicant:

JOHN HANLON

Address To be supplied at end of this application form - **Question 9**

2. Name of Person/Agent acting on behalf of applicant (if any):

KILIAN O'NEILL + CO. LTD.

Address To be supplied at end of this application form - **Question 10**

3. Location:

Postal Address or Townland or Location (as may best identify the land or structure in question)

CLONACOLEE, NAAS ROAD, CLONDAWKIN, DUBLIN 22

MAP NO. 3327-06+11 (ITM. 708137, 730849)

Ordnance Survey Map Ref No (and the Grid Reference where available):

4. Description of Proposed Development:

IS THE COMMERCIAL USE AT OPEN SPACES OF LANDS AT CLONACOLEE, NAAS ROAD, DEVELOPMENT, AND IF SO, IS IT EXEMPT DEVELOPMENT?

2(a): Section of Exempted Development Regulations under which exemption is claimed (if known):

5: Protected Structure:

Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?

YES

NO

X

Please tick as appropriate:

6. Applicants Interest in site:

OWNER.

7. List of plans, drawings etc. submitted with this application:

SEE COVER LETTER.

8. Development within the curtilage of a house:

(a) area of site: c. 1500 sq.m.
(b) floor area of existing extension(s) (if any): N/A sq.m.
(c) floor area of proposed development: N/A sq.m.
(d) area of rear garden remaining: N/A sq.m.

Signed (Applicant or Agent as appropriate)	<u>Ray O'Malley</u>
Date:	<u>26/04/2022</u>

OFFICE USE ONLY

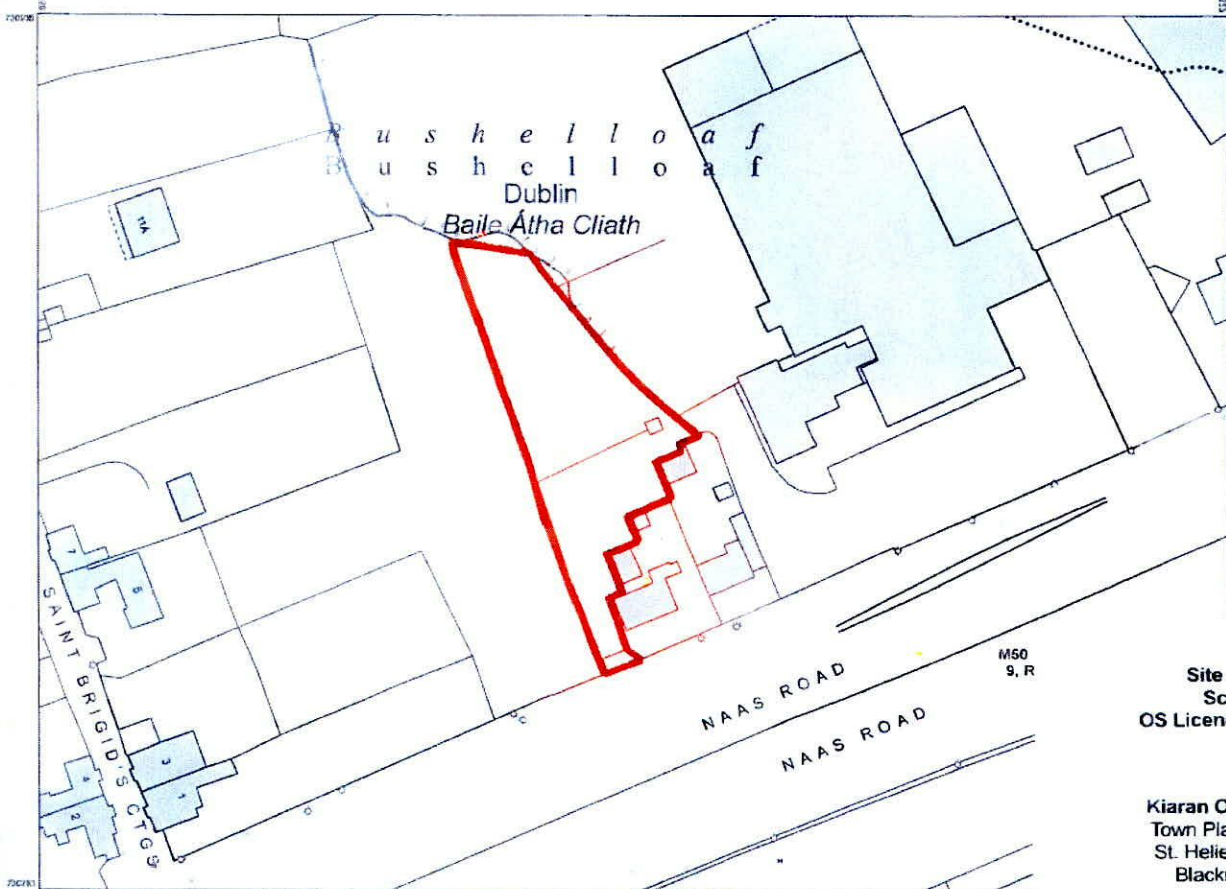
Ref. No. _____ Date Received: _____

Fee Received: € _____ Receipt No. _____

NOTES:

- (a) Application must be accompanied by fee of €80.00 ✓
- (b) application must be accompanied by:
- (1) site location map with site clearly outlined in red, ✓
 - (2) site layout plan including all existing structures on site (this is required as conditions and limitations of exempted development include location of development and distances from site boundaries), ✓
 - (3) scaled floor plans and elevations (this is required as conditions and limitations of exempted development include height of structure and distances of windows from boundaries). N/A

OSi PLACE Map



CENTRE COORDINATES:
 ITM: 708137.730849

PUBLISHED: 26/04/2022 **ORDER NO.:** 50264263_1

MAP SERIES: 1:1,000 **MAP SHEETS:** 3327-06
 1:1,000 3327-11

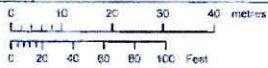
COMPILED AND PUBLISHED BY:
 Ordnance Survey Ireland,
 Phoenix Park,
 Dublin 8,
 Ireland.

Unauthorised reproduction
 infringes Ordnance Survey Ireland
 and Government of Ireland
 copyright.

All rights reserved.
 No part of this publication may
 be copied, reproduced
 or transmitted in any form
 or by any means without the prior
 written permission of

Site Location Map
Scale: 1:1,000
OS Licence: CYAL 50177231

Kieran O'Malley & Co. Ltd.
 Town Planning Consultants
 St. Heliers, Stillorgan Park
 Blackrock, Co. Dublin



OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
 The map objects are only accurate to the
 resolution at which they were captured.
 Output scale is not indicative of data capture scale.
 Further information is available at
<http://www.osi.ie>, search "Capture Resolution"



LEGEND:
<http://www.osi.ie>,
 search "Large Scale Legend"

26th April 2022

Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

Re: SECTION 5 DECLARATION

Dear Sir or Madam,

Please find enclosed a section 5 declaration by John Hanlon, Sturdy Products Ltd., Blessington Industrial Estate, Blessington, Co. Wicklow. The Council is invited to consider the following exempt development question:

Is the commercial use as open storage of lands at Clonacool, Naas Road, Clondalkin, Dublin 22 development, and if so, is it exempt development?

For clarity, this question relates to commercial use as open storage of this site without any structures on it. On the attached site location map, we have highlighted the approximate area for the open storage that extends to c. 1,360 sq.m.

The property, which is outlined red on the attached site location map, has been in commercial use (storage use by multiple companies and or private individuals) since the 1940's. The following is a summary of some of the businesses that used the property:

- Hanlon Lime Quarries at "Druim Aoibhinn", Monastery Road, Clondalkin – our client confirms this was his grandfather's business from c. 1943 and it used the site for truck parking and storage
- Truck parking for various local businesses including:-
 - (i) Holman Engineering, Naas Road;
 - (ii) Tom O Hanlon Ford Dealer Inchicore as overflow parking. He was also the main supplier of Ford cars for An Garda
 - (iii) Contractors Plant Ltd., Naas Road, Clondalkin [our client informs us that this was a Tracey family business]
- Morlon Motors (in 1970s) – used for storage of cars, service cars and vans [see various receipts attached]
- Design Experts (in early 1980s) – this was an architectural service [see copy of business card attached confirming the site address]

- Farrell's Mobile Homes (in mid 1980s) – used for storage of mobile homes including storage of third party owned mobile homes. [This company is now based at Rathcoole]
- Irish Towing Services (2000s – 2010's) – various storage [see letter dated 20th August 2018 attached]
- Tank Engineering Ltd. (mid 1990s to date) – storage [see letter dated 15th August 2018 attached]
- Eurobins Ltd. t/a Red Cow 20' Self Storage (2015 to date) – storage for companies and private individuals

Having regard to the long standing commercial use of this site, as part of the accommodation works for the Naas Road Quality Bus Corridor, ARUP Consulting Engineers acting for South Dublin County Council prepared a new site entrance that was specifically designed to accommodate truck turning movement – see A4 version of ARUP Drg. No. SK003 Rev P1 attached.

It is our client's position that the site enjoys pre-63 commercial use for open storage. On that basis, the commercial use as open storage of these lands is not development; neither a change of use nor material change of use would arise. The question is it or is it not exempt development therefore does arise.

The following documentation is submitted with this section 5:

1. A completed application form.
2. A cheque for € 80 in respect of the prescribed fee.
3. A site location map (scale 1: 1,000)
4. A site layout plan (scale 1: 500)
5. A copy of:
 - Morlon Motors receipts
 - Design Experts business card
 - Irish Towing Services letter dated 20th August 2018
 - Tank Engineering Ltd. letter dated 15th August 2018
6. A4 version of ARUP Drg. No. SK003 Rev P1
7. This cover letter.

Please acknowledge receipt of this section 5 declaration and direct all future correspondence to this office.

Regards,



Raymond O'Malley

Kieran O'Malley & Co. Ltd.

ROM: rom

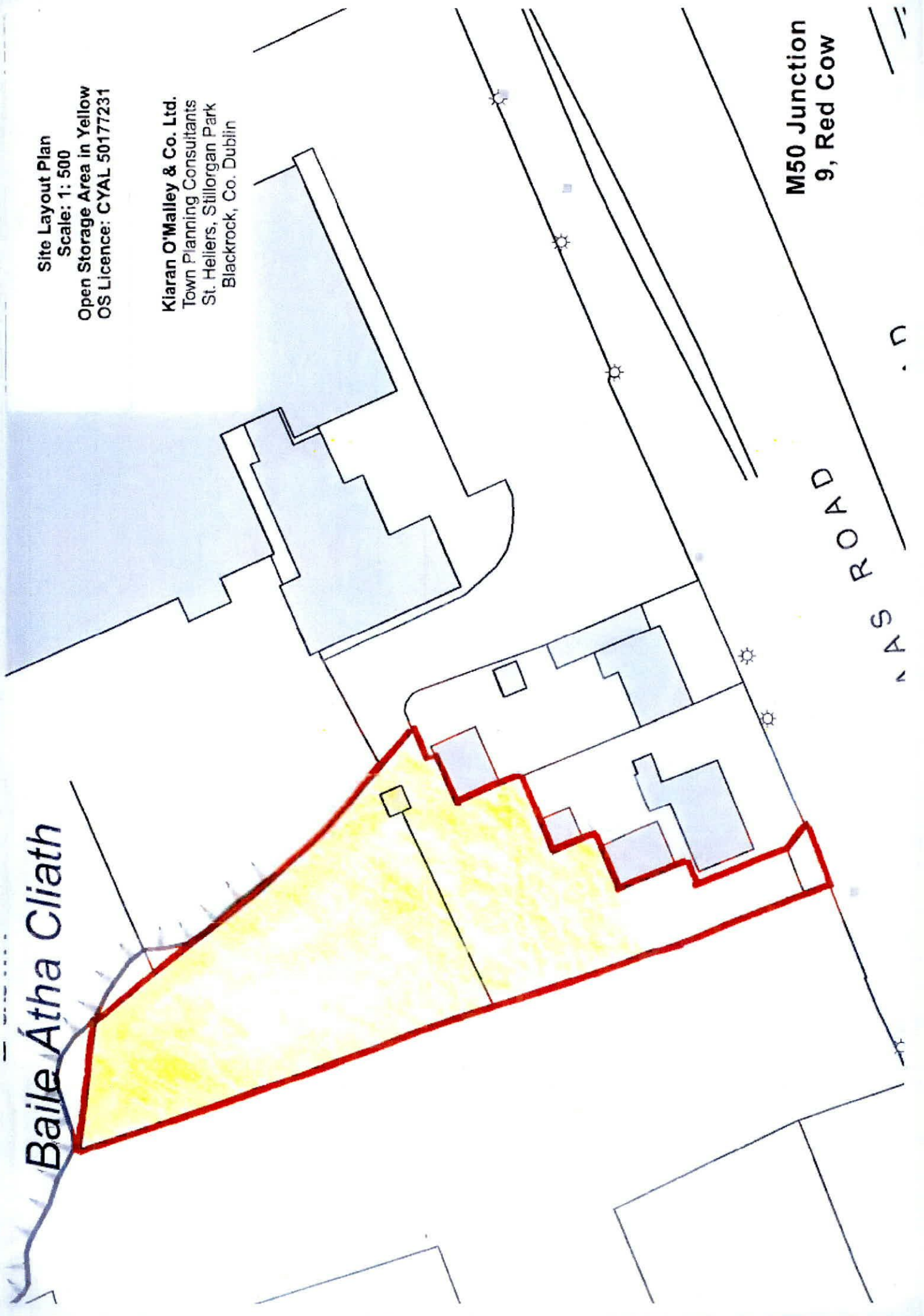
Baile Átha Cliath

Site Layout Plan
Scale: 1: 500
Open Storage Area in Yellow
OS Licence: CYAL 50177231

Kiaran O'Malley & Co. Ltd.
Town Planning Consultants
St. Hellers, Stillorgan Park
Blackrock, Co. Dublin

M50 Junction
9, Red Cow

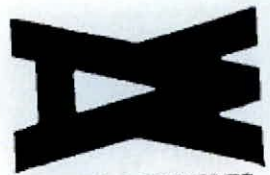
WAS ROAD



for:

Large Construction Design,
Dwelling House Plans,
Extensions, Land Maps,
and Artwork

Brendan J. Hanlon.



DESIGN EXPERTS

Clonacool
Naas Road
Clondalkin
Co Dublin
phone 593196

Dublin 14

Planning Permission
is being sought for
an extension to the
rear of 67 Meade Road
Clonsilla - by Mr
W.T. Concha

IRISH PRESS LIMITED

INVOICE TELEPHONE 757931 BURGH QUAY P.O. BOX 77

MR. J. HANLON
 CLONACOOLE
 NAAS RD
 CLONALNIN CO DUB

TAX No. 8/F/53600
TEMPORARY CREDIT
 DATE 8 5 75
 INVOICE No. 122114C

CUSTOMER No. 503326K

OUR ORDER NO.	COLUMN CODE	ADVERTISING	DATE START	No. of Inserts	PAPER CODE	CHARGE
617	072	YAMAHA 593196 Salas From Moulton Motors	1 MAY	3	E.P.	1.16

NETTY COST 1.16

VALUE ADDED TAX AT 6.25 ON 1.16

0.07

PAPER CODE
 I.P. IRISH PRESS
 E.P. EVENING PRESS
 S.P. SUNDAY PRESS
 COM. IRISH AND EVENING

V.A.T. ON ITEMS MARKED XX WAS SEPARATELY RECORDED ON PREVIOUS INVOICE AND OUTSTANDING CHARGES NOW SHOWN ARE TAX INCLUSIVE

TOTAL OUTSTANDING

1.23

MORLON MOTORS 1310/0045.
fiat 124 S.
Reg.

Air filter	£3.10
Oil filter	3.20
Oil	2.96
Points	1.80
Track rod end.	3.50
Brake fluid	.70
Bulbs	.84
	<hr/>
	15.90
labour.	£ 16.00
	<hr/>
	£ 31.90
O.A.T 6.75	2.16
	<hr/>
	34.06

Total	£ 34.06
Heater pipe nuts	3.00
	<hr/>
	£ 37.06

Total £ 34.00



MORLON MOTORS .

**Naas Road,
Clondalkin,
Co. Dublin.**

Phone : 593196 or 503373.

Matt Brown Rathcoole

12-12-76

For ongoing Storage

of your cattle Truck

Between Marts.

£10 per week

For 1976 £520

in Due — RONAN Morgan

6 St Brigids Cottages, Naas Road, Clondalkin, Dublin 22



To whom it may concern

20-8-2018

Dear Sirs,

Please be advised that periodically over the past 10 years we have used the lands at the rear of Mrs Hanlon's Dwelling house on the Naas Road, (Clonacool) for the purpose of storage.

We have stored; goods; vehicles and animals there from time to time. We have paid Mrs Hanlon (now deceased) a nominal rent.

We continue now to store goods there through a Company; Red Cow 20' Self Storage, which I understand is operated by her son John Hanlon.

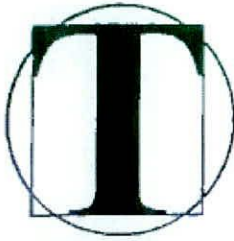
If there are further details required please revert.

You're sincerely

A handwritten signature in black ink, appearing to read "Alan & Cora Sherwood".

Alan & Cora Sherwood





TANK
ENGINEERING LTD

OUR REF:

DATE

15-August 2018

To, Eurobin Ltd
Red Cow Self Storage
Naas Road
Clondalikin
Co Dublin.

Dear Sir,

Further to our conversation this morning, in relation to the Storage facility which we use at Naas Road Clondalkin on the lands adjacent to the house "Clonacool" near Red Cow Roundabout, We are happy to confirm the following:-

Since the mid 1990's we have used this land and the temporary storage facilities on it, for the storage of Plant ; Equipment and Vehicles. We also used it for the temporary storage of Mobile Homes which were used for onsite accommodation for our workers on projects around the country.

We in the past have made payments to Mrs Hanlon for this facility.

We continue to use some storage containers on site since, Eurobin Ltd T/A Red Cow Storage improved facilities on site.

Should you require any further information or details please revert

Thank you

Eamon O Kane
Project Manager

For and on behalf of Tank Engineering Ltd

TANK ENGINEERING LTD., BLESSINGTON INDUSTRIAL ESTATE, BLESSINGTON, CO. WICKOW, IRELAND.

TELEPHONE +353 (0)45 865044. FACSIMILE +353 (0)45 865721 E-mail:accounts@sturdyproducts.com

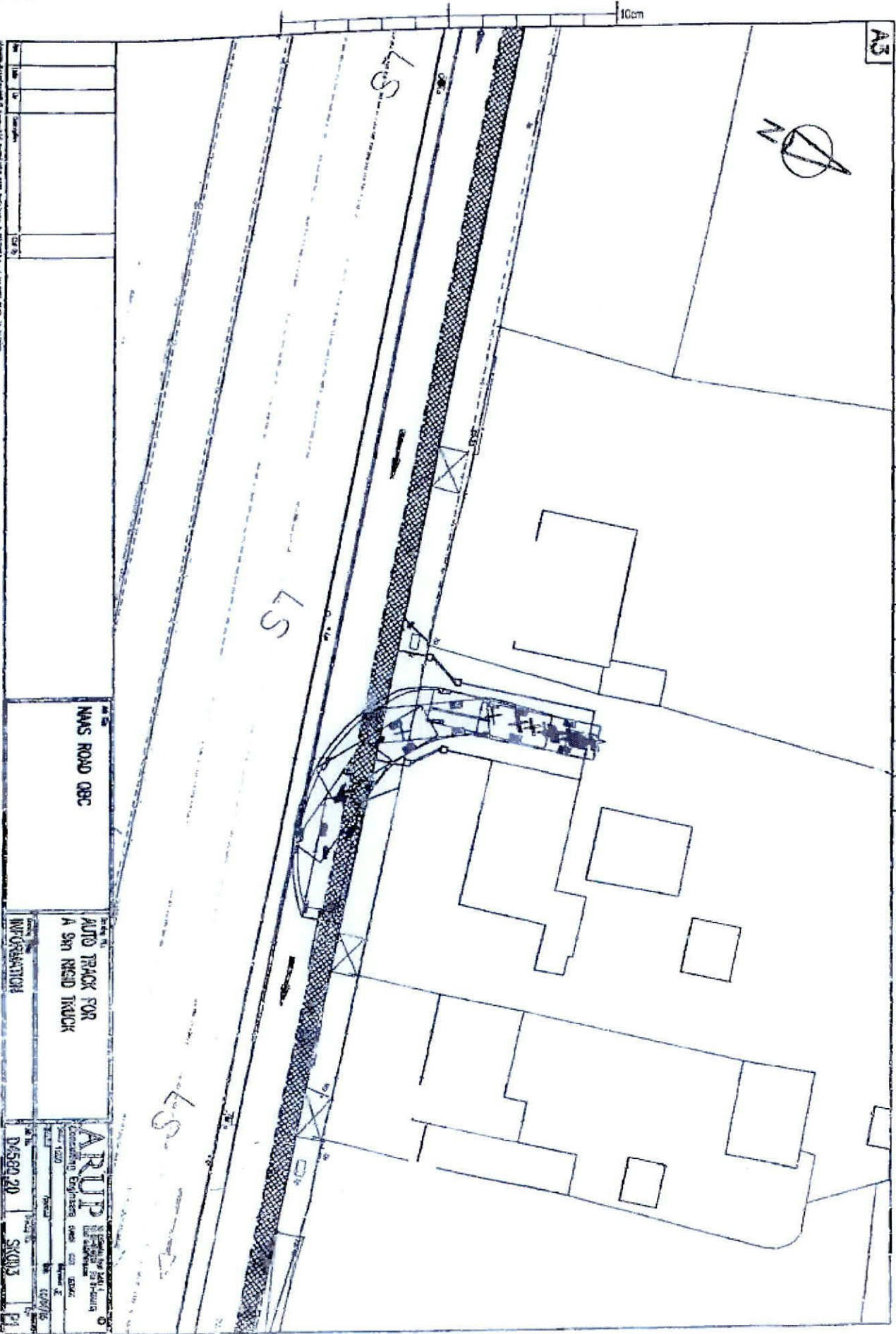
REGISTERED OFFICE: BLESSINGTON INDUSTRIAL ESTATE, BLESSINGTON, CO. WICKLOW. REG NO. 187693. V.A.T. NO. IE 6587693 P.

A3



10cm

10cm = 100m (1:10000) AS PER PLAN



No.	Description	Quantity	Unit

NANS ROAD OBC

AUTO TRACK FOR
A 500 MTR TRACK

ARUP
Engineering & Architecture

Project No: 1020
Project Name: NANS ROAD OBC
Drawing No: 01/01/01
Scale: 1:10000
Date: 01/01/01

DESIGN 20 SK003

Comhairle Chontae Atha Cliath Theas

PR/0657/22

Record of Executive Business and Chief Executive's Order

Register Reference: ED22/0008
Correspondence Name & Address: Kieran O'Malley & Co. Ltd St. Heliers,
Saint Heliers Copse, Stillorgan Park,
Blackrock, Co. Dublin
Development: Is the commercial use as open storage of
lands at Clonacoole, Naas Road,
Clondalkin, D22 development, & if so, is
it exempt development
Location: Clonacoole, Naas Road, Clondalkin,
Dublin 22
Applicant: John Hanlon

Description of Site and Surroundings

Site Area

Stated as 0.15sq.m.

Site Description

The site is located on the north side of the N7, east of St Brigid's Cottages, with access from the N7 slipway. The site is located in close proximity to the M50/N7 interchange. The site is triangular in shape and appears to currently be used to store shipping containers onsite. The site is located adjacent to the rear of 2 no. detached two storey houses facing the N7 slipway.

Zoning

The subject site is subject to zoning objective 'EE' - 'To provide for enterprise and employment related uses' in the South Dublin County Development Plan 2016-2022.

Proposal

This Section 5 Declaration application includes:

- Application Form.
- Cover Letter prepared by Kieran O'Malley & Co. Limited dated 26th April 2022.
- Site Location Map.
- Site Layout Plan.
- Auto track Analysis Drawing.

Comhairle Chontae Atha Cliath Theas

PR/0657/22

Record of Executive Business and Chief Executive's Order

- Supporting documentation including:
 - Letter prepared by Irish Towing Services dated 20th August 2018.
 - Letter prepared by Tank Engineering Limited dated 15th August 2018.
 - Copies of Morlon Motors Receipts.
 - Design Experts Business Card.

This is an application requesting a Section 5 Declaration on whether the commercial use of lands as open storage is or is not exempted development.

Relevant Planning History

SD21B/0008 - Erection of a perimeter steel fence to match existing fence as erected on neighbouring property 2.5m high and the installation of a new electronically controlled entrance gate set back approx. 13m from road side 2.1m high. **SDCC Decision:** Refuse Permission, citing the following 3 No. reasons:

1. Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the extensive planning history of the site, the proposed development would result in the intensification of traffic that would give rise to the endangerment of public safety by reason of traffic hazard or obstruction of road users. Furthermore, the proposed development would be 'at variance with official policy in relation to the control of development on-affecting national roads, as outlined in DoECLG Spatial Planning and Roads Guidelines for Planning Authorities (2010)' and would therefore be contrary to the proper planning and sustainable development of the area.
2. The development, that comprises a perimeter steel fence around the boundary of a site associated with an existing dwelling house (as outlined in blue on the Site Location Map) and the installation of an electronically controlled entrance gate to the side of the existing dwelling house, where the site (outlined in red on the Site Location Map) is being used for an unauthorised self-storage business, would consist of and include the making of a material change of use of the land for which permission has not been granted and would therefore be contrary to the proper planning and sustainable development of the area.
3. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to road traffic safety and would be contrary to the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0657/22

Record of Executive Business and Chief Executive's Order

The decision of South Dublin County Council was subject to a First Party Appeal to An Bord Pleanála. **ABP Decision:** Refuse Permission, with the following reason cited:

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.

SD19A/0202 - Retention for change of use of premises to self-storage facility; 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 the entrance. **SDCC Decision:** Refuse Permission for Retention. In Refusing Retention Permission, South Dublin County Council cited the following 3 No. reasons:

1. The development to be retained would have an adverse impact on the N7 national road and associated junction, and would lead to an increased traffic hazard due to traffic intensification and slow turning movements, which would be contrary to policy TM5 of the South Dublin County Council Development Plan 2016-2022, which seeks 'to effectively manage and minimise the impacts of traffic within the County' and would contravene Section 2.5 and 2.7 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012). The development would therefore endanger public safety by constituting a traffic hazard and would not be in accordance with the proper planning and sustainable development of the area.
2. The existing storage facility comprising shipping containers on a visible and high profile site adjacent to the national road network on a 'EE' zoned site, would constitute a haphazard form of development which would contravene policy ET3 objective 5 of the South Dublin County Council Development Plan 2016-2022, which requires all business parks and industrial areas to be designed to the highest architectural and landscaping standards. 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 would not be in accordance with the proper planning and sustainable development of the area
3. The existing development, on a visible site, with access to the N7, would set an undesirable precedent for similar developments which would by themselves, and cumulatively, injure the amenities of the area and not be in accordance with the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0657/22

Record of Executive Business and Chief Executive's Order

The decision of South Dublin County Council was subject to a First Party Appeal to An Bord Pleanála. **ABP Decision:** Refuse Permission. In Refusing Permission, South Dublin County Council cited the following 2 No. 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.

Adjacent Sites

SD15A/0314 : The Yard, Red Cow, Naas Road, Clondalkin, Dublin 22. 68 no. 20 foot storage containers and 9 no. 40 foot storage containers, 1 no. 10 foot office unit & toilet. In addition, to include the provision of vehicle storage area along western boundary of the subject site to accommodate 26 parking spaces. The proposal also included landscaping to the boundary of the site and modifications to the existing entrance. This development was for a period of 5 years for the use of the subject site as a self-service storage facility. **SDCC Decision:** REFUSE PERMISSION.

Relevant Enforcement History

Enforcement Ref. S7798 – The operation of a commercial storage facility to the rear of the property without the benefit of appropriate Planning Permission. **Status:** Open.

Planning Notes

- The Cover Letter prepared by Kieran O'Malley Limited dated 26th April 2022 states that a declaration is being sought in relation to the following:

'Is the commercial use as open storage of lands at Clonacool, Naas Road, Dublin 22 development, and if so, is it exempted development.'

Comhairle Chontae Atha Cliath Theas

PR/0657/22

Record of Executive Business and Chief Executive's Order

For clarity this question relates to commercial use as open storage of this site without any structures on it.

For clarity, the Planning Authority considers storage containers as 'structures' as defined under Section 2(1) of the Planning and Development Act 2000 (as amended). It is also noted that planning permission has previously been refused for use of the site as a self-storage facility. There is also an enforcement file for the operation of a commercial storage facility at the site.

However, the proposal the subject of this declaration is stated as the commercial use of the land for open storage. Therefore, that is what has been assessed.

- The Planning History on the subject site and adjacent sites show the dwelling adjacent to the south of the subject site as within the Applicant's ownership. The drawings provided by the Applicant as part of the Declaration of Exemption Section 5 application do not indicate this.

Assessment

Consideration as to whether a development constitutes exempted development or not is governed by Sections 3, 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 3(1) defines '*development*' as '*the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land*'.

Section 2(1) in this Act, except where otherwise requires –

'*works*' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

'*structure*' as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

- (a) Where the context so admits, includes the land on, in or under which the structure is situated.

The commercial use of lands as open storage is considered a material change of use of the land. The proposal is therefore considered 'development'.

Is the proposal exempted development?

Comhairle Chontae Atha Cliath Theas

PR/0657/22

Record of Executive Business and Chief Executive's Order

Section 4 of the Planning and Development Act 2000 (as amended) outlines a number of forms of development which are exempt. Having regard to the proposed commercial use of the lands for open storage, the Planning Authority is satisfied that the proposal is not exempted development under Section 4 of the Planning and Development Act 2000 (as amended).

Schedule 2 of the Planning and Development Regulations 2001 (as amended) lists exempted development. It is not considered that the commercial use of lands for open storage fits the description of any of the uses listed under Schedule 2 of the Regulations. As such, the proposal cannot be considered exempted development under this schedule.

Article 9 restrictions

Article 9(1)(iii) of the Planning and Development Regulations 2001 (as amended) states that:

Development to which article 6 relates shall not be exempted development for the purposes of the Act--

(a) if the carrying out of such development would--

(iii) endanger public safety by reason of traffic hazard or obstruction of road users

Insufficient information has been provided by the Applicant to demonstrate that the proposal would not endanger public safety by reason of a traffic hazard. In particular, insufficient detail has been provided in relation to the traffic generation resulting from the operation of the commercial storage business on the subject site. The issue of traffic hazard has also been raised on the previously refused applications on the site, including being cited as a reason for refusal.

Conclusion

It is considered that the proposed development would not be exempted development having regard to the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

Comhairle Chontae Atha Cliath Theas

PR/0657/22

Record of Executive Business and Chief Executive's Order

Recommendation:

The applicant should be informed that the proposed development would not be considered as Exempted Development and therefore would require planning permission.

Colm Harte

**Colm Harte
Senior Executive Planner**

ORDER: That the applicant be informed that the proposed development of Is the commercial use as open storage of lands at Clonacoole, Naas Road, Clondalkin, D22 development, & if so, is it exempt development at Clonacoole, Naas Road, Clondalkin, Dublin 22 is development and is not considered to be exempted development under the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations, 2001 (as amended) and therefore **does require** planning permission.

Date:

31/5/22


Eoin Burke, Senior Planner

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department

Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

Kieran O'Malley & Co. Ltd
St. Heliers
Saint Heliers Copse
Stillorgan Park
Blackrock
Co. Dublin

01-Jun-2022

Our Ref: ED22/0008
Re: Clonacoole, Naas Road, Clondalkin, Dublin 22
Proposal: Is the commercial use as open storage of lands at Clonacoole,
Naas Road, Clondalkin, D22 development, & if so, is it exempt
development

Dear Sir/ Madam,

I wish to inform you that the proposed development as outlined at the above location is, by Chief Executive's Order PR/0657 dated 31-May-2022, DECLARED NOT EXEMPT under the Planning and Development Regulations, 2001 (as amended) and therefore **DOES** require planning permission.

A copy of the planner's report is enclosed for your information.

Yours faithfully,

M Furney
for Senior Planner

