



An
Bord
Pleanála

Board Direction
BD-001280-18
ABP-301458-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/10/2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to:

- (a) the provisions of the National Planning Framework 2018 in relation to the strategic role of Dublin Airport;
- (b) the National Aviation Policy in respect of the future growth and capacity of Dublin Airport;
- (c) the provisions of the Fingal Development Plan 2017-2023 and specifically the zoning objectives on the application site which include an objective to ensure the efficient and effective development of the airport;
- (d) the planning history of the subject sites and wider area, specifically the airport terminal granted planning permission under appeal reference number PL06F.220670 and the requirement that the total number of long-term public car parking spaces serving the Airport shall not exceed 26,800;
- (e) the submissions and observations received in relation to the proposed continuance of use, and

- (f) the report of the Inspector

Appropriate Assessment:

The Board considered the Screening Report for Appropriate Assessment and all other relevant submissions and carried out an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, including Baldoyle Bay SAC (site code 000199), North Dublin Bay SAC (site code 000206), Baldoyle Bay SPA (site code 004016) and North Bull Island SPA (site code 004006). The Board noted that the proposed development is not directly connected with or necessary for the management of a European Site. The Board considered the nature, scale and location of the proposed development, as well as the report of the Inspector. In completing the appropriate assessment, the Board adopted the report of the Inspector and concluded that, by itself or in-combination with other plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the sites' conservation objectives.

Environmental Impact Assessment:

The Board completed an environmental impact assessment of the proposed development taking account of:

- (a) the nature, scale, location and extent of the proposed development,
- (b) the Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the planning application,
- (c) the submissions received from the local authority, prescribed bodies, and observers, and
- (d) the Inspector's report.

The Board considered that the environmental impact assessment report adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact

assessment report and associated documentation submitted by the applicant and submissions made in the course of the planning application. The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- the risk of surface water quality impacts on local streams from hydrocarbon contamination from oil leaks / spillages. These would be mitigated by the measures set out in the EIAR which include specific provisions in relation to surface water, SuDS, drainage infrastructure and culvert upgrades

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in the EIAR, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Proper planning and sustainable development:

It is considered that, subject to compliance with the conditions set out below, the permanent continuance of use of the car park would be an acceptable land use at these locations, would not undermine the achievement of long term sustainable mobility patterns, would not give rise to a traffic hazard, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning

authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The developer shall implement in full the mitigation measures contained in the environmental impact assessment report submitted with the application.

Reason: In the interest of the proper planning and sustainable development of the area.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. No surface water / rainwater shall discharge into the foul sewer system and surface water discharge shall be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works version 6.0 FCC April 2006.

Reason: In the interest of public health and to ensure a proper standard of development.

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Notes:

1. The Board was satisfied with the mitigation measures proposed in the EIAR and considered that the planning authority's proposed conditions 2&4 were not necessary, given conditions 1&2 above.
2. The Board noted the policy of the planning authority in respect of reductions in the amounts of development contributions payable in the case of temporary permissions, and therefore considered it appropriate to attach condition 4 above.

Board Member

Date: 05/10/2018

John Connolly