



An
Bord
Pleanála

Board Direction
BD-002928-19
ABP-302651-18

The submissions on this file and the Inspector's report were considered at Board meetings held on 01/04/2019 and 01/05/2019.

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 the Dardistown Lap 2022 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 site and wider area, specifically the airport terminal granted planning permission under appeal reference number PL096:220670 and the requirement that the total number of long-term public car parking spaces serving the Airport shall not exceed 26,800,
- (e) The mitigation measures set out in the environmental impact statement report and the likely consequences for the environment;

- (f) The proper planning and sustainable development of the Dublin Airport lands and the likely significant effects of the proposed development on a European site;
- (g) The submissions and observations received in relation to the proposed continuance of use and to the likely effects on the environment, and
- (h) The report of the Inspector.
- (i)

Appropriate Assessment

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the Baldoyle Bay Special Area of Conservation (Site Code: 004016) and the Balydoyle Bay Special Protection Area (Site Code: 004016) are the European sites for which there is a likelihood of significant effects.

The Board considered the Natura Impact Statement, and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposed development for European Sites in view of the site's Conservation Objectives (Baldoyle Bay Special Area of Conservation and Special Protection Area (Site Code: 004016)). The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the assessment, the Board considered, in particular the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, mitigation measures which are included as part of the current proposal and the Conservation Objectives for this European Sites

In completing the appropriate assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site, having regard to the site's Conservation Objectives. In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of a European site in view of the site's 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 impact of future infrastructure projects, in particular Metro North, on the supply and demand for long-term parking at the Airport which would be avoided by compliance with the conditions of previous planning permission regarding provision of long-term car parking and the Mobility Management Update of the Airport
- the risk of hydrocarbon contamination from oil leaks / spillages which would be mitigated against by the measures set out in the EIAR which include specific provisions in relation to surface water, SuDS, drainage infrastructure and monitoring

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 not undermine the delivery of public transport in the area, would not give rise to a traffic hazard, would not have an adverse impact on the environment, would not adversely impact on a designated European site 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 statement report statement 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 All surface water management measures (incorporating SuDS as appropriate) be carried out and implemented to the standards set out in the Fingal County Development Plan 2017-2023 together with, over the lifetime of the proposed development, full implementation (including maintenance) of mitigation measures, the on-site pollution attenuation and drainage systems described in the SID application and regular monitoring programme of surface water discharge and groundwaters.

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

- 5 All requirements of Water Services Planning Unit of Fingal County Council be complied and where the applicant proposes to connect directly to a public water / waste water network operated by Irish Water. The applicant is required to sign any relevant connection agreement to the standards set out in the agreement.

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

- 6 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.

Board Member

Date: 02/05/2019

Maria FitzGerald