



An
Bord
Pleanála

Board Direction
BD-019576-25
ABP-317828-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/04/2025.

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

In coming to its decision, the Board was consistent with the following:

- the Climate Action and Low Carbon Development Act 2015, as amended, and
- the Climate Action Plan 2024 and 2025.

In coming to its decision, the Board had regard to the following:

- European legislation, including of particular relevance:
 - Directive 2011/92/EU, as amended by 2014/52/EU, on the assessment of the effects of certain public and private projects on the environment, and
 - Directives 92/43/EEC (Habitats) and 79/409/EEC (Birds), as amended by 2009/147/EC, on the conservation of natural habitats, wild fauna and flora.
- National and regional planning and related policy, including:

- the National Aviation Policy which seeks to promote Dublin as a secondary hub airport (Action 4.3.1), noting that an adequately resourced US pre-clearance facility is critical in this regard,
- the National Planning Framework, including updated Revised Draft (Nov. 2024), which seeks to promote high-quality international connectivity, noting its importance to international competitiveness (NSO 6), and
- the Regional Spatial and Economic Strategy 2019-2031, which seeks to protect and enhance international connectivity (RSO 14), and support growth and movements and passengers at Dublin Airport to include its status as a secondary hub, and in particular improved terminal facilities (RPO 8.17).
- Local planning policy, including the:
 - the location of the proposed development on zoned 'Dublin Airport' lands under the provisions of the Fingal County Development Plan 2023-2029, which seeks to ensure the efficient and effective operation and development of the airport in accordance with an approved Local Area Plan, and the development of Dublin Airport as a secondary hub (objective DAO3), and
 - the provisions of the Dublin Airport Local Plan 2020, as extended, which identifies the expansion and enhancement of US pre-clearance facilities as a key development area during the plan-period and seeks to support and facilitate the expansion and enhancement of same (objective TP02) whilst also seeking to ensure that passenger facilities, including waiting and circulation facilities, enhance the experience of airport users (objective IA03).
- other relevant national policy and guidance documents,
- the planning history of the appeal site generally and Terminal 2 specifically, and in particular Condition 3 and Condition 23 of PL 06F.220670 (PA ref. F06A/1248),
- the nature, scale and design of the proposed development, as set out in the planning application and the pattern of development in the vicinity,
- the submissions made in connection with the application and appeal, and
- the report and recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to EIA and AA screening.

Environmental Impact Assessment

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board considered that the main significant direct and indirect effects of the proposal on the environment are those arising from the impacts listed below.

- **Population and Human Health:** Should the construction phase overlap with other permitted and proposed projects at Dublin Airport, including for example the airfield underpass and drainage projects, the infrastructure application or *Metrolink*, there is potential for significant short-term effects on human health derived from cumulative dust and noise impacts, and water pollution, although these impacts will be satisfactorily mitigated through the implementation of the measures set out in the Environmental Impact Assessment Report, including the Construction Environmental Management Plan.
- **Air and Water:** Should the construction phase overlap with other permitted and proposed projects at Dublin Airport, there is potential for significant short-term effects on air and water quality through dust emissions, sedimentation and fuel/oil leaks, but these effects would be satisfactorily mitigated by a series of best practice construction management and pollution prevention measures and other measures outlined in the Environmental Impact Assessment Report, such as the Construction Environmental Management Plan and the surface water management plan.
- **Noise:** There is potential for a significant noise effect on the occupiers of Shamrock House, the Aer Lingus office building adjoining the proposed South Apron Support Centre, during the construction phase. Should the construction

phase overlap with other permitted and proposed projects at Dublin Airport, the significance of this effect would be intensified. Construction noise, however, will be mitigated by a series of best practice construction management measures and other specific monitoring measures outlined in the Environmental Impact Assessment Report, such as noise monitoring at the boundary of Shamrock House, and through the implementation of the Construction Environmental Management Plan.

Having regard to the above, the Board is satisfied that the proposal would not have any unacceptable direct or indirect effects on the environment subject to the conditions below, including the mitigation measures set out in the Environmental Impact Assessment Report. The Board is also satisfied that the reasoned conclusion is up to date at the time of making the decision.

Proper Planning and Sustainable Development:

Having regard to the nature of the development, which does not propose any increase in operational capacity, it is considered that the alterations and extension to the United States Customs and Border Protection pre-clearance facility would promote Dublin Airport's status as a secondary hub, improving international connectivity and competitiveness in line with local, regional and national policy. Subject to compliance with the conditions set out below, it is considered that the proposed development would not give rise to unacceptable impacts on traffic safety and convenience during construction and operation, would not detract from the visual amenities or the character of the area, nor adversely impact on airport operations or public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- (a) The car parking spaces serving the South Apron Support Centre (SASC) shall be omitted and the resulting area landscaped.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity, and traffic and pedestrian safety.

3. The mitigation and monitoring measures contained in the submitted Environmental Impact Assessment Report shall be implemented.

Reason: To protect the environment.

4. A Construction and Environmental Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The Construction and Environmental Management Plan shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of public health and safety and environmental protection.

5. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's *Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects* (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

6. A detailed Construction Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

7. Detailed measures in relation to the protection of bats shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. Any demolition of structures that support bat populations shall be carried out only under licence from the National Parks and Wildlife Service and details of such licence shall be submitted to the planning authority.

Reason: In the interest of wildlife protection.

8. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement, the developer shall submit details for the disposal of surface water from the site (including drainage monitoring/maintenance), for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

9. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health.

10. (a) Details of the materials, colours and textures of all the external finishes shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

(b) No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity, and to ensure an appropriate high standard of development.

11. 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 the 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 the Board 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 this permission.

Board Member

Eamonn James Kelly
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Date: 02/05/2025

Note

The Board were satisfied with the details submitted by the Applicant with respect to use of the space at Level 20 and Level 30 of the United States Customs and Border Protection (CBP) pre-clearance facility extension and considered it unnecessary to include the recommended condition of the Planning Inspector to restrict its use.