

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Fingal County

Planning Register Reference Number: F16A/0155

An Bord Pleanála Reference Number: PL 06F.247299

APPEAL by the Irish Airline Pilots Association of Corballis Park, Dublin Airport, Ireland against the decision made on the 31st day of August, 2016 by Fingal County Council to grant subject to conditions a permission to the Dublin Airport Authority (DAA) care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Permission for a period of eight number years for development comprising part-demolition of part of the two storey annex building and other single storey structures including removal of storage tanks (totalling circa 2,825 square metres total gross floor area (gross floor area)). The substation element of the annex building (circa 60 square metres gross floor area) is to be maintained and clad. Construction of four number office blocks, ranging in height from six to seven storeys (solar panels and ancillary plant at roof level) comprising circa 41,677 square metres gross floor area including a restaurant/café of circa 496 square metres at ground floor of Building A6, a multi-storey car park (MSCP) of five storeys comprising 694 number car parking spaces (circa 16,768 square metres gross floor area), a single storey café pavilion of circa 130 square metres gross floor area and surface car park of 48 number spaces to the north-east of former Aer Lingus Head Office Building (HOB). The provision of a central landscaped courtyard and landscaped areas and raised pedestrian link from the central courtyard to connect to Level 3 of the existing Terminal 2 (T2) MSCP.

Provision of car parking spaces on a temporary basis to allow for the construction of the proposed scheme. These temporary spaces will be removed and lands reinstated following completion of the development. Modifications to the permitted HOB development (planning register reference number F14A/0436) to provide for a new access road linking the existing cul-de-sac to the east of the T2 MSCP and Corballis Avenue. It is also sought to reconfigure the existing HOB car parking layout to the east which will provide for 174 number spaces for this building. Associated works include the provision of a new foul sewer to connect to existing manhole adjoining the R132 (Swords Road) and upgrade of existing foul pump and provision of storage tank adjoining the R132, improvements to surface water drainage network, associated signage, the provision of set down areas for delivery vehicles, bin stores and 240 number bicycle parking spaces and all other ancillary site development works above and below ground, all at the existing western and eastern ancillary car parks associated with the former HOB and the annex building (and associated lands to the south) at Corballis Drive, Dublin Airport, Corballis, Swords, County Dublin. The application site comprises an area of circa 4.58 hectares.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

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

- the provisions of the Fingal Development Plan 2011-2017 including the site's "HT" (High Technology) zoning objective, the site's location within a masterplan area and the provisions of Local Objective 378;
- the vision and principles and development strategy for the site as set out in the Dublin Airport Central Masterplan, 2016;
- the strategic nature of the proposed office use at its prominent and highly accessible location within Dublin Airport;
- the limited net increase in overall car parking to serve the proposed development;
- the submissions on file; and
- the report of the planning inspector.

Appropriate Assessment Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site.

The Board had regard to the Appropriate Assessment Screening Report submitted with the planning application, the submissions on file and the Inspector's report and completed a screening for Appropriate Assessment.

The Board accepted and adopted the Inspector's screening assessment in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the site's Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European Site and concluded that a Stage Two assessment was not required.

Environmental Impact Assessment

The Board considered that the Environmental Impact Statement submitted with the application, the documentation submitted at appeal stage, the report, assessment and conclusions of the Inspector with regard to this file were adequate in identifying and describing the direct, indirect, secondary and cumulative effects of the proposed development. The Board completed an Environmental Impact Assessment, and agreed with the Inspector in his assessment of the likely significant effects of the proposed development, and generally agreed with his conclusions on the acceptability of the mitigation measures proposed and residual effects. The Board generally adopted the report of the Inspector. The Board concluded that, subject to the implementation of the mitigation measures proposed, the effects on the environment of the proposed development would be acceptable.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposal for contemporary offices and improvements to the public realm would be consistent with the established pattern of development in the area, would not seriously injure the amenities of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars submitted the 8th day of July 2016, 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. All of the environmental, construction and ecological mitigation measures set out in the Environmental Impact Statement accompanying the application and other particulars submitted with the application to the planning authority shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.

Reason: In the interest of clarity and the protection of the environment during the construction and operation phases of the development.

3. The permission shall be for a period of five years from the date of this order.

Reason: Having regard to the evolving situation in respect of overall public and private transport accessibility to and from the airport and the inadequate justification for extending the period beyond the standard five year period.

4. No office units shall be occupied until full details of the signalisation of the fourth arm of the Airport Roundabout have been submitted to and agreed with planning authority and the works have been completed to the satisfaction of the planning authority.

Reason: In the interest of traffic safety and convenience.

5. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of the delivery of the signalisation of the fourth arm of the Airport Roundabout. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

6. Bicycle parking shall be provided on a phased basis to include 240 number spaces completed prior to first occupation of the proposed development and up to 353 number additional spaces when requested by the Dublin Airport Central Steering Group. The cycle store to the west of Block A2 shall have a hard surface and flush access onto the adjoining cycle track.

Reason: In the interest of cycle safety and convenience.

7. A revised Dublin Airport Central Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the Planning Authority following consultation with the National Transport Authority and Transport Infrastructure Ireland. The plan shall be submitted within six months of the date of this order and shall include the following at a minimum:

- (a) The full integration of the Dublin Airport Central MMP with the existing Airport Campus MMP;
- (b) Details of appointment of a suitably qualified Mobility Manager;
- (c) The establishment and operation of the Dublin Airport Central Steering Group;
- (d) Comprehensive details of a car parking operation and monitoring regime;
- (e) Full details of the monitoring arrangements of the Dublin Airport Central MMP;
- (f) Confirmation within leasing/letting arrangements that tenants will comply with the requirements of the MMP;
- (g) Details of publication of the MMP; and
- (h) Review arrangements

Reason: In the interest of sustainable transport.

8. The construction of the development shall be managed in accordance with a final Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

9. The landscaping scheme shown on drawing number HED.1170.100.001, as submitted to the planning authority on the 15th day of April, 2016 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

10. Details including samples of the materials, colours and textures of all the external finishes to the proposed buildings and surfaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

11. Water supply and drainage arrangements, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

12. No advertisement or advertisement structure shall be erected or displayed on the buildings or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

13. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. The agreed lighting system shall be fully implemented and operational, before the proposed development is made available for occupation.

Reason: In the interest of public safety and visual amenity.

14. The development shall be managed in accordance with a management scheme which shall be submitted to, and agreed in writing with, the planning authority, prior to the occupation of the development. This scheme shall provide adequate measures relating to the future maintenance of the development; including landscaping, roads, paths, parking areas, cycle facilities, lighting, waste storage facilities and sanitary services together with management responsibilities and maintenance schedules.

Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

15. No fans, louvres, ducts or other external plant other than those shown on the drawings hereby permitted shall be installed unless authorised by a prior grant of planning permission.

Reason: In the interests of visual amenity.

16. The existing monument/sculpture to the north of the site addressing Corballis Road North shall be re-located to a suitable location within the airport campus, to be agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

17. 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017.