



Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: ED/000673

WHEREAS a question has arisen as to whether the implementation of the following measures:

- (1) revision of the position of the visual navigation aids (runway markings), and
- (2) the decommissioning (removal through planing over and grassing out) of the western taxiway that is no longer required, while retaining a 5 metre wide section for use as an emergency vehicle access route, all at Dublin Weston Airport, Junction 5 of M4, Lucan, County Dublin is or is not development or is or is not exempted development.

AND WHEREAS Weston Aviation Academy Limited (WAAL) care of Future Analytics of 23 Fitzwilliam Square (South), County Dublin requested a declaration on this question from Kildare County Council on the 9th day of July, 2018.

AND WHEREAS Kildare County Council referred the question, under Section 5(4) of the Planning and Development Act, 2000, as amended, to An Bord Pleanála for determination on the 27th day of August, 2018.

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to:

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) Classes 32(b) and 32(c) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the subject site and overall Weston Airport, and in particular planning permission register reference number 06/334 (An Bord Pleanála reference number PL09.218796) and planning application register reference number 08/2018 (An Bord Pleanála reference number PL09.235146),
- (e) the documentation and submissions on file, and
- (f) the report of the Inspector on this file and related referral file number ABP-302457-18.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the revision of the position of the visual navigation aids (runway markings) would involve the incorporation of the stopway/clearway authorised under planning permission register reference number 06/334 (An Bord Pleanála reference number PL09.218796) into the active runway, and thereby its use for the take-off of aircraft. This would represent a change of use of this stopway/clearway to use as a runway, as it would revise the locations of the thresholds of runways 07 and 25, such that the runways in question would, at the western end, come significantly closer to adjoining properties than is currently the case. This change of use would raise material planning issues, including impacts on adjoining properties by reason of increased noise, nuisance and general disturbance, and would have implications for the orderly development of lands in the general vicinity of the subject site within County Kildare, and would, therefore, represent a material change of use and would constitute development,

- (b) this development would normally come within the scope of Class 32(c) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, but, by operation of Article 9 (1)(a)(i), would not be exempted development because it would contravene condition number 2 of planning permission register reference number 06/334 (An Bord Pleanála reference number PL09.218796), which stated that the stopway/clearway shall not be used for the take-off of aircraft,

- (c) furthermore, the Board is not satisfied that the development in question might not, having regard to the planning history of the subject site and in particular planning application register reference number 08/2018 (An Bord Pleanála reference number PL09.235146) require an Environmental Impact Assessment, and accordingly, by reason of Section 4 (4) of the Planning and Development Act, 2000, as amended, would not be exempted development,
- (d) the decommissioning (removal through planing over and grassing out) of the western taxiway that is no longer required, while retaining a 5 metre wide section for use as an emergency vehicle access route would involve the carrying out of works, as defined, and would, therefore, be development, and
- (e) such development would come within the scope of Class 32(b) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, and would, therefore, be exempted development.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (4) of the Planning and Development Act, 2000, as amended, hereby decides that:-

- (1) the revision of the position of the visual navigation aids (runway markings), at Dublin Weston Airport, Junction 5 of M4, Lucan, County Dublin, is development and is not exempted development, and
- (2) the decommissioning (removal through planing over and grassing out) of the western taxiway that is no longer required, while retaining a 5 metre wide section for use as an emergency vehicle access route, at Dublin Weston Airport, Junction 5 of M4, Lucan, County Dublin, is development and is exempted development.

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.

Philip Jones

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.