

An
Bord
Pleanála

Board Order
ABP-312476-22

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0550

Appeal by DAA PLC care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in relation to the application by Fingal County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 11 of its decision made on the 8th day of December, 2021.

Proposed Development: Expansion of the North Apron at Dublin Airport to provide twelve replacement Code C aircraft stands and ground serving equipment storage area. Construction of a 520-metre-long by six-metre-high blast fence on the northern and western boundary of the extended Apron and ground servicing equipment area. Construction of a 20-metre long by six-metre-high blast fence southwest of the Apron. Construction of a 550-metre service road immediately to the north of the twelve replacement Code C aircraft stands to provide access for service vehicles. Rehabilitation of existing pavement. Construction of two new underground attenuation tanks on 9,000 square metres of existing grassland. Provision of a total organic carbon analyser enclosure. Provision of drainage and electrical infrastructure. Provision of Aerodrome Ground Light (AGL) installations, this includes underground ducting to provide power to centreline lights and new edge lights. Provision of 26 number high mast lights. Modifications to internal airside fencing, service road infrastructure and provision of construction site security fencing. Provision of a temporary construction site compound and modification to

the airfield security fence to temporarily change part of the construction site from 'airside' with access restrictions to 'landside'. Provision of road and stand pavement markings, stand id-signs and high mast lighting (HML). The application includes all associated site development works and services, all on a site of 19.2 hectares in the townlands of Cloghran, Corballis, Forrest Great, Forrest Little, Collinstown and Rock at the North Apron in the Airfield at Dublin Airport, County Dublin, as revised by the further public notices received by the planning authority on the 14th day of October, 2021, which included a revised Environmental Impact Assessment Report and Natura Impact Statement.

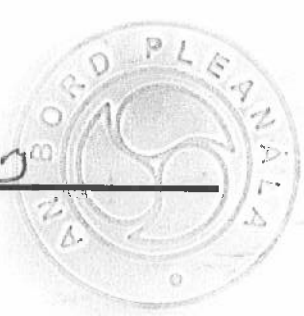
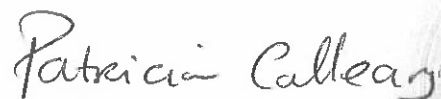
Decision

The Board, in accordance with section 48 of the Planning and Development Act 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 11 and directs the said Council to REMOVE condition number 11 and the reason therefor.

P.C.

Reasons and Considerations

Section 48 of the Planning and Development Act 2000, as amended, requires planning authorities to make development contribution schemes which provide for the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of a planning authority. Additionally, Section 48(3)(c) of the Act requires that a scheme shall state the basis for determining the contributions to be paid in respect of public infrastructure and facilities. The Fingal County Development Contribution Scheme 2021-2025 takes as its basis for applying a contribution the aggregated floor areas in square metres of projected development within its administrative area. The proposed development comprises an open apron extension and servicing area within the airport complex and does not include any building or associated floor area and, in the absence of any other category or rate that does not contain floor area within the Fingal County Development Contribution Scheme, it is considered that the Development Contribution Scheme does not apply, and the planning authority has not correctly applied the scheme in this instance.



Patricia Calleary

Member of An Bord Pleanála

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

Dated this 6th day of March 2023.