

An  
Bord  
Pleanála

## Board Order ABP-321584-25

### Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0245

**Application for Leave to Appeal** against the decision of the planning authority by Aer Lingus Limited of Dublin Airport, Dublin having an interest in land adjoining the land in respect of which Fingal County Council decided on the 7<sup>th</sup> day of December 2023 to grant, subject to conditions, a permission to Ryanair DAC care of Atkins Ireland of Unit 150-155, Airside Business Park, Swords, County Dublin in accordance with the plans and particulars submitted to the said Council:

**Proposed Development:** the construction of a single-storey, part two-storey four-bay hangar designed to accommodate up to four number Code C Aircraft, with associated maintenance facilities, ancillary offices and staff areas. The proposed development will also consist of: the demolition of the existing internal airport roadway on site and the development of new site access arrangements; external covered bin storage and chemical storage; new substation; provision of 20 number airside vehicle parking spaces; new service connections; and all other associated site and development works, all on a site to the north of Hangar 6 and North Apron, west of Castlemoate Road, and south of Gatepost 1B, in the townlands of Cloghran and Corballis, Dublin Airport, County Dublin. The proposed development does not propose any increase in passenger or operational capacity at Dublin Airport, on a site to the north of Hangar 6 and north Apron, west of Castlemoate Road, and south

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of Gatepost 1B, in the townlands of Cloghran and Corballis, Dublin Airport, County Dublin.

## **Decision**

**REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.**

## **Reasons and Considerations**

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that -

- (i) The development in respect of which a decision to grant permission has been made, will not differ materially from the development as set out in the application for permission and,
- (ii) The imposition of condition number 1 or any other condition attached to the planning authority's decision to grant permission will not materially affect the applicant for leave to appeal's enjoyment of the land adjoining the land to which the grant of planning permission relates.

Having regard to the documentation on file, Aer Lingus sought grounds for leave to appeal on the basis that it mistakenly concluded that the proposed hangar was reduced in size on foot of a further information request issued by Fingal County Council. It is clear from the drawings submitted on the 13<sup>th</sup> day of October 2023 that the overall height, footprint and external cladding of the hangar had not been materially altered from the original drawings submitted with the application on the 12<sup>th</sup> day of May 2023. This fact was acknowledged on page 46 of the Local Authority Planning Report dated the 7<sup>th</sup> day of December 2023 which states that "the Planning Authority notes that the development remains similar to the original proposal,

however the revised proposals have been submitted in relation to the external finish colour palette. Whilst further changes to the hangar design would have been welcomed, the Planning Authority is cognisant of the constraint of the site allocated to them and the design requirement for a building of this site." The Board therefore concluded that there was no material change in the layout, footprint and height of the hangar, during the course of adjudicating on the application. The only changes to the building related to the colours proposed to be applied on the external elevation. The imposition of such changes would not result in a development that would materially differ from the development as set out in the application and would not materially affect the applicant for leave to appeal's enjoyment of the lands as stipulated in S37(d)(i) and (ii) of the Act.

In relation to the issue of car parking, the Board notes that no car parking provision formed part of the planning application on site. The applicant proposed that staff using/employed at the hangar would avail of parking provision elsewhere within the airport subject to obtaining licences from the Dublin Airport Authority (DAA). No car parking provision at the subject site was included as a condition in the grant of planning permission by the Fingal County Council. Furthermore, there was no material change in the proposed car parking arrangements proposed throughout the course of the application. It is clear from the original documentation lodged with the planning application (see section 5.3, page 12 of the Traffic Impact Assessment submitted to the Planning Authority on the 12<sup>th</sup> day of May 2023), that it is not proposed to provide staff car parking within the site, and that an agreement had been reached where the DAA are to facilitate allocating car parking permits to cater for staff associated with the proposed development throughout the wider airport area. There have been no material changes in relation to car parking provision during the course of the application or in Fingal County Council's conditions attached to the grant of planning permission and consequentially the imposition of the conditions attached by Fingal County Council will not materially affect the applicant for leave to appeal's enjoyment of the land or reduce the value of the applicant for leave to appeal's land.

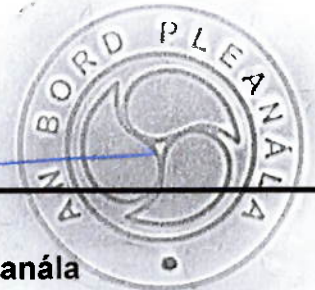
The Board therefore concludes that the applicant for leave to appeal has not shown that the criteria cited in section 37(6)(d)(i) and (ii) of the Planning and Development Act 2000, as amended have been met.



**Paul Caprani**

**Member of An Bord Pleanála**

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



Dated this 22<sup>nd</sup> day of January 2025