

An
Coimisiún
Pleanála

Commission Order
ACP-322859-25

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0512E

Appeal by Liam O'Gradaigh on behalf of SMTW Environmental DAC of Ward Cross, The Ward, County Dublin against the decision made on the 29th day of May, 2025 by Fingal County Council to grant subject to conditions a permission to DAA plc of Three, The Green, Dublin Airport Central, Dublin Airport, Swords, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Provision of an Aircraft Observation Facility at the site of the existing informal 'airport viewing point', to include the following an elevated viewing platform with sheltered viewing structure, seating and tables, improved parking facilities with 22 number car parking spaces, of which two will be provided for persons with reduced mobility (PRM) and two dedicated family parking spaces, five number bicycle stands (providing ten number bicycle parking spaces), a diverge lane for safe vehicle access from Old Airport Road, an electrical enclosure with solar PV Panel, surface water drainage works incorporating attenuation and lighting, signage and all other associated site development works, including hard and soft landscaping, all at Airport Viewing Point, Old Airport Road (Collinstown Lane), Dublin Airport, County Dublin.

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.

Reasons and Considerations

Having regard to the location of the site, the nature and scale of the proposed development, and the fact that the site is in active use for the purpose of observing aircraft movements, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form and type of development at this location, would not give rise to a traffic hazard, would be satisfactory in terms of public health, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening:

The Commission considered the proposed development for an elevated viewing platform with sheltered viewing structure, seating and tables, improved parking facilities with 22 number car parking spaces, diverge lane and associated site works in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. The subject site is located in a semi-rural area seven kilometres and 7.2 kilometres from the nearest Natura 2000 sites, which are the Baldoyle Bay Special Area of Conservation (Site Code: 000199) and the Baldoyle Bay Special Protection Area (Site Code: 004016) respectively. The proposed development comprises the construction of an aircraft observation facility with all associated site works. No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the proposed development, the Commission is satisfied that it can be eliminated from further assessment because it would not have any effect on a European Site.

The reason for this conclusion is as follows:

- (a) The nature of works is small scale in nature.
- (b) The location/distance from the nearest European Site and lack of direct connections.
- (c) The standard construction and operational practices implemented with no reliance on specific mitigation measures to protect European Sites.

The Commission concluded, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site, either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

Conditions

1. The proposed 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 received by the planning authority on the 6th day of May 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All mitigation measures outlined in the plans and particulars, including the Appropriate Assessment Screening and Aboricultural Method Statement, shall be carried out in full, except where otherwise required by conditions attached to this Order.

Reason: In the interest of protecting the environment and in the interest of public health.

3. A detailed Construction Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This 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 sustainable transport and safety.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. The landscaping scheme submitted with the planning application, as amended at further information stage, shall be carried out in full. 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 or until the development is taken in charge by the local authority, whichever is the sooner, 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.

6. The following requirements shall be complied with in full:
- (a) No objects, structures, or landscaping shall be placed or installed within the visibility splays at the vehicular entrances and exit (as defined by DMURS/TII DN GEO-03060 (Current Edition) and as per the submitted Site Plan) exceeding a height of 900 millimetres, which would interfere or obstruct (or could obstruct over time) the required visibility splays.
 - (b) The developer shall be responsible for the maintenance, repair and upkeep of the development.

- (c) All underground or overhead poles shall be relocated, as may be necessary, to a suitable location at the developer's own expense and according to the requirements of the relevant utility service provider/service owner/statutory undertaker and shall be agreed in writing with the planning authority prior to the undertaking of any works in this regard.

Reason: To define the terms of the permission and to cater for orderly development of the area, safe access and egress from the development and the proper planning and sustainable development of the area.

7. 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 public health, public and residential amenity, and the proper planning and sustainable development of the area.

8. Details of the external finishes of the proposed observation shelter shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

9. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

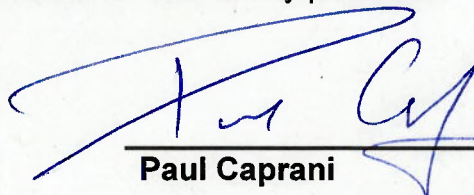
Reason: In the interest of public safety and amenity.

10. Measures shall be put in place to manage/prevent the proliferation of informal/haphazard parking in the immediate vicinity of the designated parking and observation area hereby permitted.

Reason: In the interest of traffic safety.

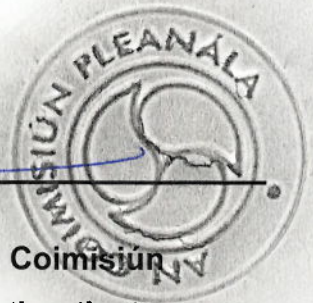
11. A badger survey shall be undertaken before any works take place and the findings shall be submitted and agreed in writing with the planning authority. If any active badger setts are located, the Transport Infrastructure Ireland Guidelines for the treatment of badger setts prior to the construction of road schemes shall be adhered to.

Reason: In the interest of biodiversity protection.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 16th day of October 2025.