



An
Coimisiún
Pleanála

Commission Order
ACP-323497-25

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1284/25

Appeal by the Electricity Supply Board (ESB) of One Dublin Airport Central, Dublin Airport, Cloghran, County Dublin against the decision made on the 31st day of July, 2025 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a 110 kV/MV electrical substation and will include the following elements: site clearance works, including removal of existing vegetation and taxi rank and associated access road. Construction of a substation compound (circa 495 square metres), a 110 kV Gas Insulated Switchgear (GIS) building (circa 265 square metres: circa 12 metres in height that will include a basement (circa three metres deep), two number 110 kV transformers, associated bunds and firewalls (circa 7.8 metres in height) and all other associated and ancillary site development works, including the provision of site services, temporary construction compound and drainage, all on a circa 0.12-hectare site on Saint Vincent's University Hospital lands located at the Nutley Lane entrance to Saint Vincent's University Hospital campus, Elm Park, Dublin.

Decision

The Commission, 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 2 and directs the said Council to REMOVE condition number 2 and the reason therefor.

Reasons and Considerations

The Commission considered, having regard to the submissions on file from the applicant which state that the proposed substation would serve multiple customers in addition to St. Vincent's Hospital, the proposed substation would be constructed on land to be transferred into the ownership of the applicant and the proposed substation would be operated by ESB Networks, as the Distribution System Operator (DSO), regulated by the Commission for Regulation of Utilities (CRU), and considered that the proposed development would constitute a public utility and would not constitute a class or description of development specified within the adopted Dublin City Council Development Contribution Scheme 2023-2026.

The Commission did not consider it reasonable to apply a development contribution to the proposed development based on an alternative class or description of development, namely 'Industrial/Commercial,' included in the adopted Development Contribution Scheme, as the Commission was satisfied that the proposed development was neither 'industrial' nor 'commercial' in terms of class or description of development. Furthermore, the Commission did not agree with the planning authority, as expressed in its response to the appeal, that the class or description of development could be reasonably construed as comprising 'commercial' development on the basis that the provision of electricity supply to an end user is a commercial operation.

Therefore, the Commission was satisfied that there is no class or description of development within the current Dublin City Council Development Contribution Scheme which would apply to the subject proposal.

In deciding not to accept the Inspector's recommendation to amend condition number 2, the Commission agreed with the Inspector's view that the non-residential nature of the proposed use is not, in and of itself, enough to bring it into the Commercial/Industrial category of development, but disagreed with the Inspector's conclusion that the proposed development could be considered to be ancillary to a hospital use, which might be subject to a development contribution under section 13 of the Dublin City Council Development Contribution Scheme 2023-2026, as the proposed facility would be wholly owned and operated by a statutory undertaker who would service multiple end users from the proposed facility.



Liam McGree

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



Dated this 2ND day of December 2025.