



Planning and Development Acts 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: FW25A/0480E

APPEAL by D.A. Terminal 3 Limited against the decision made on the 9th day of January, 2026 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: (1) Construction of four aviation-related cargo handling units with ancillary office space: (i) Unit 1: circa 10,869.7 square metres (including 940.9 square metres office space), (ii) Unit 2: circa 9,151.3 square metres (including 751.3 square metres office space), (iii) Unit 3: circa 6,024.9 square metres (including 497.7 square metres office space), (iv) Unit 4: circa 8,577.7 square metres (including 751.3 square metres office space). The proposed units will have an overall combined total gross floor area (GFA) of circa 34,623.6 square metres (alongside ancillary ESB substations, four number security huts with a combined GFA of 30 square metres and pumphouses). The warehouses are circa 12 metres in height, with the office element being circa 3.3 metres in height and located within a landscaped campus on a site of circa 10.7 hectares; (2) provision of 390 car parking spaces, including 39 EV charging points, 19 accessible spaces, and 39 motorcycle bays; (3) provision of 230 secure bicycle parking spaces, of which 100 are short stay spaces and 130 are sheltered long stay spaces; (4) provision of approximately 77 truck parking spaces and five van spaces; (5)

hard and soft landscaping, new boundary treatments, including a circa two metres high System Wire Fence to site boundary; (6) construction of new site entrance onto the R108; (7) wastewater treatment plant and infiltration area for 250 PE; (8) all necessary site development and engineering and ancillary site works, including provision of ESB substations and switch rooms, sprinkler tanks and pumphouses, bin store and recycle store, lighting, signage, underground services, photovoltaic panel zones at roof level and sustainable drainage systems (SuDS), all on lands within the townland of Huntstown, Swords, County Dublin. The subject site fronts onto the R108 to the east.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

The Commission made its decision, consistent with the relevant provisions of the Climate Action and Low Carbon Development Act 2015, as amended, the Climate Action Plan 2024 and the Climate Action Plan 2025 and had regard to:

- (a) the nature, scale, and extent of the proposed development and the pattern of existing development in the area,
- (b) the provisions of the Project Ireland 2040 National Planning Framework First Revision (2025),
- (c) the provisions of 'A National Aviation Policy for Ireland' (2015), published by the Department of Transport, Tourism and Sport,
- (d) the provisions of 'Wastewater Treatment Manual Treatment Systems for Small Communities, Business, Leisure Centres and Hotels' (1999), published by the Environmental Protection Agency,

- (e) the provisions of the Eastern and Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031,
- (f) the provisions of the Fingal Development Plan 2023-2029 including the 'DA - Dublin Airport' zoning for the site,
- (g) the provisions of the Dublin Airport Local Area Plan 2020 (as extended),
- (h) the documentation submitted with the planning application, such as the Environmental Impact Assessment Report, the Screening for Appropriate Assessment Report, and the first party grounds of appeal,
- (i) the submissions and observations received on file including from the planning authority, and prescribed bodies,
- (j) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects on European sites,
- (k) the planning history in the vicinity of the site,
- (l) the Technical Note prepared by the Commission's Senior Environmental Scientist, and
- (m) the report of the Senior Planning Inspector.

Appropriate Assessment Screening

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European sites, taking into account the nature and scale of the proposed development on land not served by a public foul sewer, the nature of the receiving environment which comprises a greenfield site in proximity to Dublin Airport, the distances to the nearest European sites, the hydrological pathway considerations, the submissions on file, the information submitted as part of the applicant's Screening for Appropriate Assessment Report, and the Inspector's report.

In completing the screening exercise, the Commission agreed with, and adopted, the report of the Inspector and considered that the information submitted is inconsistent and insufficient to enable a robust AA screening to be undertaken and, therefore, it is not possible to exclude the possibility that the proposed development, either alone or in-combination with other plans or projects, would result in significant effects on the Baldoyle Bay Special Area of Conservation (Site Code 000199) from impact on water quality via the Cuckoo Stream / Mayne River.

Environmental Impact Assessment

The Commission completed an Environmental Impact Assessment of the proposed development taking account of:

- (a) the nature, scale, location, and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the submissions received from the applicant, planning authority, and prescribed bodies in the course of the application, and,
- (d) the Senior Planning Inspector's report.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, generally adequately identifies and describes the direct, indirect, secondary, and cumulative effects of the proposed development on the environment. The Commission agreed with the examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application.

Reasoned Conclusion on the Significant Effects

The Commission considered that the main significant direct and indirect effects of the proposed development on the environment, after mitigation, are as follows:

Significant, negative, long-term effects on the water environment cannot be ruled out given the concerns identified related to Chapter 8 (Hydrology and Hydrogeology) of the Environmental Impact Assessment Report in terms of the lack of clarity in relation to the hydrological link to the Cuckoo Stream and the proposed wastewater treatment system.

Significant, neutral, long-term/permanent effect to the landscape character of the area due to the replacement of agricultural fields with a substantial warehousing development, taking into consideration the site context adjacent to Dublin Airport and the proposed extension to the curtilage of the airport under planning authority register reference F23A/0781.

The Commission completed an Environmental Impact Assessment in relation to the proposed development and concluded that, notwithstanding the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, it has not been demonstrated that the proposed development would not be likely to have significant effects on the environment in respect of hydrology and hydrogeology, by itself and in combination with other plans and projects in the vicinity, and that such effects would be not be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

Water Framework Directive Impact Assessment

The Commission adopted the conclusions of the Inspector and the conclusions of the Technical Note prepared by one of the Commissioner's Environmental Scientists in determining that it is not satisfied that the proposed development would not give rise to a risk of deterioration in the chemical or quantitative status of the Swords Groundwater waterbody and the Dublin Groundwater water body and that therefore the proposed development would be contrary to the requirements of Article 4 of the EU Water Framework.

Proper Planning and Sustainable Development

The Commission considered, having regard to the nature and location of the proposed development, unrelated to the ongoing operations at Dublin Airport, that the proposed development would not accord with the 'DA' Dublin Airport zoning objective as set out in the Fingal County Development Plan 2023-2029, would prejudice the orderly development and continued growth of the airport, including provision of a third terminal, would fail to safeguard the operation and development of the airport, and may endanger or interfere with the safety of aircraft or the safe and efficient navigation thereof. In addition, the Commission cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not result in adverse effects on the integrity of any European site and would not give rise to a risk of deterioration in the chemical or quantitative status of ground waterbodies. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

1. The subject site is in an area zoned 'DA' Dublin Airport in the Fingal Development Plan 2023-2029. The zoning objective is to 'ensure the efficient and effective operation and development of the Airport in accordance with an approved Local Area Plan'. The vision for the zoning objective states 'Facilitate air transport infrastructure and airport related activity/uses only (i.e. those uses that need to be located at or near the Airport)'. Given the absence of airside integration, the isolated and speculative nature of the proposed units, and the vehicular distances required to access the cargo area of the airport, it is considered that the proposed development would not comply with this zoning objective or its related vision. The proposed development would contravene the provisions of the Fingal Development Plan 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The subject site is partially located on the footprint of a possible location for a third terminal at Dublin Airport, as identified in the Department of Transport, Tourism and Sport 'Review of Future Capacity Needs at Ireland's State Airports' (August 2018), and incorporated into the Dublin Airport Local Area Plan 2020 (as extended). It is considered that the proposed development would prejudice the orderly development and continued growth of the airport, including provision of a third terminal, would comprise a piecemeal and ad hoc speculative proposal, and would fail to safeguard the operation and development of the airport. The proposed development would contravene Objectives DAO1 and DAO2 of the Fingal Development Plan 2023-2029 and Objectives EI03 and TP03 of the Dublin Airport Local Area Plan 2020 (as extended) and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. On the basis of the contradictory information provided with the application and appeal in relation to hydrological connectivity between the subject site and European sites, it is considered that it has not been demonstrated, on the basis of the information considered in the Appropriate Assessment Screening that the proposed development individually, or in combination with other plans or projects, would not result in adverse effects on the integrity of any European site in view of the site's conservation objectives.
4. Having regard to the nature, scale, and location of the proposed development, and in particular its location within the Swords Groundwater waterbody and the Dublin Groundwater waterbody, which are both designated as Good status water bodies under the Water Framework Directive, it is considered that the Commission is not satisfied that the proposed development would not give rise to a risk of deterioration in the chemical or quantitative status of said water bodies. The proposed would, therefore, be contrary to the requirements of Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003), as amended, and would not be in accordance with the objectives of the Water Action Plan 2024 and the proper planning and sustainable development of the area.

5. In the absence of a Wildlife Hazard Risk Assessment, Aeronautical Safety Assessment, and Instrument Flight Procedure Assessment, it is considered that the Commission is not satisfied that the proposed development would safeguard operational, safety, and technical requirements at Dublin Airport. Therefore, the proposed development would be contrary to Objective DAO2 of the Fingal Development Plan 2023-2029, may endanger or interfere with the safety of aircraft or the safe and efficient navigation thereof, and would be contrary to the proper planning and development of the area.



Emer Maughan

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 17th day of August 2026