



An  
Bord  
Pleanála

## Inspector's Report PL06F.247299

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<b>Development</b>	Demolition of buildings to provide for 4 no. office blocks and other ancillary buildings and works at the former Aer Lingus head office building and modifications to Reg. Ref: F14A/0436 for a new access road.
<b>Location</b>	Corballis Drive, Dublin Airport, Corballis, Swords, Co. Dublin.
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F16A/0155
<b>Applicant(s)</b>	DAA
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Irish Airline Pilots Association
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	17 <sup>th</sup> December 2015
<b>Inspector</b>	Donal Donnelly

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## 1.0 Site Location and Description

- 1.1. The appeal site is located within Dublin Airport to the north of Terminal 2. The main access to the airport is off Airport Roundabout at the junction of the M1 link road and the R132 Regional Road. The western arm of this roundabout provides for a one-way clockwise access arrangement around the 'horseshoe' of the airport. There is a second access to the airport further south on the R132 and a minor access from Naul Road to the north.
- 1.2. Terminals 1 and 2 are situated to the south of the access roads and the airport runways are to the west. The appeal site is located centrally within the 'horseshoe' on an area comprising mostly of surface level short-term car parking and staff parking. To the south of the site are a number of vacant low rise office buildings proposed for demolition. The site is flat and the stated area is 4.58 hectares.
- 1.3. The site surrounds the former Aer Lingus Head Office Building which will be unaffected by the development proposals. A narrow strip to the east to the R132 is included within the site boundary for a proposed foul gravity sewer.
- 1.4. To the west of the site is the existing Terminal 2 multi-storey car parking and the northern site boundary continues along Corballis Road North which is the main vehicular egress from the airport. The Maldron Hotel sits to the east of the site and to the south-east are a number of office buildings and a swimming pool. There are approximately 8 carraigeways to the south of the site providing access to the multi-storey car park and the drop-off/ pick-up areas to the departure and arrival levels of the terminal buildings.

## 2.0 Proposed Development

- 2.1. The proposed development (Cluster A) comprises the demolition and part demolition of buildings on site (approximately 2,150 sq.m.) and the construction of 4 no. 6 to 7 storey blocks providing approximately 41,677 sq.m. of office accommodation. The proposal will also include the following main elements:
  - Multi-storey car park to serve office users;
  - Pavilion café and a restaurant café area;

- Raised pedestrian link from central courtyard to Terminal 2 multi-storey car park building to link with the public concourse;
- Hard and soft landscaping features including the provision of a 'City Square', 'City Gardens' and temporary landscaping;
- Substation and all ancillary works and services.

2.2. The 4 no. office blocks will be laid out in a grid arrangement within the western side of the site and to the south of the proposed multi-storey car park block. The blocks will form a crossed pedestrian area opening out into the city square located to the south of the blocks. Temporary areas of landscaping are situated to the south of the proposed square and gardens and to the east of the multi-storey car park.

2.3. Two vehicle entry points will be provided to the proposed development from the direction of Airport Roundabout and the East Link Road past the Maldron Hotel, and along the entry route to the Terminal 2 multi-storey car park. The single exit point from the site will be at the existing Corballis Avenue/ Corballis Road signalised junction to the north-east. Within the development, there will be 2-way access roads to car parks and to facilitate service and emergency vehicles. A new road will be constructed through the site from west to east to provide access to the multi-storey car park. The existing surface level car parking to the east of the site will remain in situ apart the alignment required for the proposed access roadway. In total, 742 no. parking spaces are proposed within the multi-storey car park (694 no.) and at surface level to the north-east of the site. There will be approximately 94 no. bicycle parking spaces provided in the multi-storey car park and 164 no. within bicycle stores adjacent to the office buildings.

2.4. It is estimated that approximately 1,635 jobs (job years) could be created during the construction phase with a peak number of 400 workers on site. Operational employment is expected to be 2,838 direct jobs and 2,325 induced jobs.

### **3.0 Environmental Impact Statement**

3.1. An Environmental Impact Statement has been submitted in support of the planning application. The applicant states that the proposal does not fall under a category that requires EIA under the fifth schedule of the Planning and Development

Regulations, 2001 (as amended). Mandatory EIA is required for infrastructural projects comprising urban development involving an area greater than 2 hectares in the case of a business district and 10 hectares in the case of other parts of a built up area. The area of the appeal site is approximately 4.58 hectares.

- 3.2. The EIS contains a Non-Technical Summary and the main statement which includes a description of the proposed development, alternatives considered, and planning and development context. Assessment chapters are included on Human Beings; Landscape and Visual Impact; Transportation; Soils, Geology and Hydrogeology; Flora and Fauna; Noise and Vibration; Surface Water and Drainage; Air Quality and Climate; Waste Management; Material Assets; Archaeology, Architecture and Cultural Heritage; Sustainability; and Interaction between Environmental Factors.
- 3.3. The assessment chapters relevant to this appeal are summarised from the Non-Technical Summary as follows:

*Human Beings*

- 3.4. It is not considered that the proposed development will impact on residential amenities in the vicinity of the site having regard to the nature of surrounding land uses.
- 3.5. Local businesses will benefit from increased patronage in the area and construction employment is estimated to be 1,635 jobs (job years), with the peak number of employees on site being c. 400. Operational employment is estimated to be 2,838 direct jobs and an additional c. 2,325 induced and indirect jobs. This is expected to have a long term positive impact on the local and national population.
- 3.6. There will also be a positive cumulative economic and employment impact when the proposed development is considered with other proposals in the area, particularly with regard to the Radisson Hotel permission and the former Aer Lingus Head Office Building.
- 3.7. Overall, it is stated that the proposal would have the capacity to be a catalyst for economic activity in the surrounding area given the current demand for office space in the county.

*Landscape and Visual*

- 3.8. A total of 12 photomontages from near and distant viewpoints were recorded around the site. These photomontages consider the existing landscape, the permitted hotel to the south-west of the appeal site and the proposed development.
- 3.9. The EIS states that the overall visual impact of the redevelopment will be slight and positive or moderate from most adjacent of nearby viewpoints.
- 3.10. It is submitted that the scheme is designed to integrate within its existing architectural context through positioning and modelling to visually reduce the apparent building mass; appropriate fenestration, colour and materials; appropriate architectural detailing; and provision of significant pedestrian spaces and planting.
- 3.11. A detailed plan for improvements to the streetscape will be implemented and high quality paving, street furniture, etc. will be utilised.
- 3.12. Potential visual impacts during the construction phase include temporary works, site activity and vehicular movements, as well as temporary vertical elements such as tower cranes, scaffold, hoarding, etc.

#### Transportation

- 3.13. A total of 742 no. car parking spaces are proposed to serve the office development. There will be good pedestrian access to public transport nodes including the nearby Ground Transportation Centre and a bus stop on Corballis Road North. The proposed development will be accessed via the existing airport road network. Provision will be made within the development for 258 no. cycle parking spaces, together with showers and lockers.
- 3.14. The National Transport Authority's SATURN traffic model was used to understand the wider implications of the proposed development and the VISSUM microsimulation model was used to assess local traffic impacts. The volume of traffic generated by the proposal is based on the provision of 742 no. car parking spaces and the assessment was carried out for three different years (2018, 2023, and 2033).
- 3.15. It is estimated that the proposed development will increase traffic by 2% to 3% along the M50 during peak periods. The M50 in the vicinity of the site is expected to be close to or at capacity with or without the proposed development in 2018 and 2033.

- 3.16. The M1 south of the airport is expected to experience increases of less than 5% during peak periods. The M1 will be within capacity in 2018 and 2023 and over capacity in 2033 with or without the proposed development. North of the airport on the M1, traffic is expected to increase by 1%-2% during peak periods and this road will be operating at or above capacity in all assessment years.
- 3.17. Increases of 10%-11% are expected on the M1 link road westbound during morning peak and this road will be within capacity at each of the assessment years. Swords Road (R132) will experience increases of around 5% during morning peak and up to 12% during evening peak, and an assessment of the link capacities along this road indicates that they will have sufficient capacity.
- 3.18. It is noted from the junction analysis that the Airport Roundabout is approaching capacity and that the introduction of traffic lights on the northern approach will improve traffic conditions.
- 3.19. It is stated that the introduction of Workspace Travel Plans for each of the organisations within Dublin Airport Central forms a key objective of the proposed development. These travel plans will be integrated with the overall Mobility Management Plan (MMP) and will include key incentives on cycling, public transport initiatives, car park management, car sharing, car-pooling, promotion and marketing, and monitoring and review.

#### Soils, Geology and Hydrogeology

- 3.20. The site is underlain by approximately 7.6m-11m of grey/brown sandy gravelly clay and underlying this layer is moderately strong limestone. Core hole drilling has indicated that there is no caves or large voids in the rock.
- 3.21. The majority of the proposed development site is underlain by an aquifer which is classified as locally important. Groundwater vulnerability varies from high to extreme.
- 3.22. Geotechnical investigations highlighted pyrite levels in aggregates exceeding 0.5% at a depth of 2-3.4m below ground level to the north-west of the site. Excavated material from this location will not be reused for engineering works.
- 3.23. There will be no direct discharges to soil or groundwater during either the construction or operational phases of the development. Mitigation measures will be



carried out and it is not envisaged that there will be any significant impacts on soils, geology or hydrogeology.

#### Flora and Fauna

- 3.24. The Appropriate Assessment Screening Report concludes that no significant effects are likely to arise on any European Sites within 15km of the site as a result of the proposed development, either alone or in combination with other plans or projects.
- 3.25. It is stated that there are no records of rare or protected species within the site or environs, and there are no invasive species recorded on the site.
- 3.26. The proposed development could result in a range of significant impacts on Irish Hares, as well as loss of refuges and impacts to breeding birds during the construction phase. However, there will be no significant residual impact following implementation of mitigation measures.

#### Noise and Vibration

- 3.27. The existing environment is not classified as a “quiet area” or an “area of low background noise”, with the dominant noise sources being road traffic and a relatively faint constant hum from the airside of the airport.
- 3.28. Noise will occur during construction from ground preparation, the structural phase and from vehicle movements. During the operational phase, the primary sources of noise will be from building services, car parking, deliveries and additional vehicular traffic.
- 3.29. Mitigation measures during the construction phases will be in compliance with standards and the only source of noise that will require mitigation during the operational phases will be building services.

#### Surface Water and Drainage

- 3.30. The proposed development is within the sub-catchment of Kealy’s Stream which is considered to be “slightly to moderately” polluted. The surface water drainage system will ultimately discharge to this stream via an attenuation tank under Eastlands Car Park.
- 3.31. During the construction phase adverse effects on surface water quality could occur in the event of discharge of site waste or spillage of fuels and hazardous chemicals.

Suspended solids could affect the turbidity of surface water and inappropriate handling of hazardous material could also lead to contamination of water bodies.

- 3.32. Potential impacts during the operational phase include uncontained spillage of domestic wastewater, fuels and floodwater and stormwater run-off from roofs and paved areas.
- 3.33. Mitigation measures will be put in place during construction to ensure ponding of water containing silt or suspended solids is not released to natural surface water bodies. In addition, there will be appropriate chemical and fuel storage protocols. During the operational phase, surface water will pass through a bypass separator and only uncontaminated water will be discharged. SuDS will also be employed to treat and control run-off.
- 3.34. It is also noted that there will be a post development reduction of impermeable areas and permeable paving, along with subsoil filter drains which will be used to treat and control surface water run-off. There will also be rainwater harvesting from roof areas. Thus, there will be a post development surface water run-off reduction from the site.

#### *Air Quality and Climate*

- 3.35. Dust and emissions from vehicles during construction could adversely impact on ambient air quality. Mitigation measures include appropriate surfacing of roads, good housekeeping with regards to materials storage and appropriate damping and cleaning of roads. Operational emissions are not expected to have any impact on ambient air quality.
- 3.36. The difference between the concentration of various pollutants from when the development is operational in comparison to a “do nothing” scenario is less than 1%. Carbon emissions will be mitigated through implementation of the Workplace Travel Plan and a targeted LEED Gold Standard accreditation.

#### *Waste Management*

- 3.37. Waste will be managed as part of the overall Construction and Demolition Waste Management Plan submitted with the planning application. Waste to be removed off-site will be done so by waste contractors with appropriate waste licences/ permits and disposed at licenced waste management facilities.

- 3.38. A Waste Management Strategy put in place for the operational phase of the development will outline site-wide strategies for waste management, minimisation, segregation and auditing at the site.

#### Material Assets

- 3.39. It is proposed to supply the new facilities at 10kV from existing substations in the locality and photovoltaic solar panels will be provided to supplement power requirements. Two gas fired boilers connected to the existing gas supply will provide heat to the buildings. It is proposed to make a connection to the existing potable water main supplied from the DAA reservoir. Surface water drainage will connect to the existing DAA underground surface water system and a new foul drainage connection will be made to the existing foul sewer located along R132. An interface will be established with other service providers to ensure a smooth construction schedule without disruption to the local and business community.

#### Archaeology, Architectural and Cultural Heritage

- 3.40. It is likely that the building works for the existing structures and hard surfaces on site would have destroyed any potential archaeological features and no further archaeological involvement is therefore required.

#### Sustainability

- 3.41. Sustainability principles outlined in the Development Plan have been adopted and included in the design of the proposed development and in the construction and operational phases. A target of LEED Gold Certification has also been set for the proposed development.

#### Interaction between Environmental Factors

- 3.42. Areas identified for further assessment include the interaction between landscape and visual impact/ human beings and traffic/ air quality/ noise.
- 3.43. It is concluded that there are no significant cumulative or indirect impacts associated with the proposed development and the interaction of impacts does not lead to significant impacts beyond those identified for each of the individual environmental media.

## 4.0 Planning Authority Decision

### 4.1. Decision

- 4.1.1. Dublin City Council issued notification of decision to grant permission for a period of eight years subject to 23 conditions.
- 4.1.2. Condition 3 limits the level of floorspace to 41,477 sq.m. (Phase 1 of Zone 1 of Dublin Airport Central Masterplan, March 2016), until preparation of a further transportation assessment study forming part of the future Dublin Airport Local Area Plan.
- 4.1.3. Under Condition 4, the use of the offices are restricted to the provision of financial and professional services not provided principally to members of the public and no single office unit shall be less than 1,000 sq.m.
- 4.1.4. Conditions are attached requiring details to be submitted on materials and finishes; the signalisation of the fourth arm of Airport Roundabout; a revised Dublin Airport Central Mobility Management Plan including details of car parking operation and monitoring regime; and proposals to upgrade the pumping station on the R132.
- 4.1.5. Condition 13 requires a bat specialist to be present during demolition and Condition 22 requires the relocation of a sculpture to the north of the site. All other conditions are mostly of a general nature or refer to the information submitted with the application, including EIS.

### 4.2. Planning Authority Reports

- 4.2.1. The recommendation to grant permission, as outlined within the final Planner's Report, reflects the decision of the Planning Authority.
- 4.2.2. In response to third party submissions, it is noted that the proposal is compliant with the land use zoning applicable to the site and with the requirements of the Airport Central Masterplan. It is considered reasonable to allow input from DAA, as landowner, in the preparation of the masterplan. It is also noted that the scheme does not prejudice the delivery of a Local Area Plan.
- 4.2.3. Under the Case Planner's review of the Environmental Impact Statement submitted with the planning application, it is noted that the proposal is sub-threshold for the

purposes of EIA but the applicant has prepared an EIS to identify potential environmental impacts and mitigation measures.

- 4.2.4. With respect to alternatives considered, a number of various options for the arrangement of buildings on site were considered before the final layout was identified. It is stated that significant value creation opportunities are highlighted in the EIS with examples from other European airports. The proposal will provide high specification commercial buildings that will allow tenants to connect with international partners and customers; enable meetings/ training to take place without leaving the airport; be attractive to international tenants who may not otherwise have a base in the country; act as an economic hub and provide economic connectivity between the airport and surrounds; and be a significant employment generator.
- 4.2.5. It is stated that the most significant impact on human beings will be from the construction phase of the project. There are no significant residential populations in the area and local businesses are likely to benefit from construction worker spend. It is anticipated that there will be 2,838 direct and 2,325 indirect and induced jobs.
- 4.2.6. A number of photomontages of the scheme have been prepared and the overall visual impact is anticipated in the EIS to be slight and positive or moderate from the majority of viewpoints. Mitigations measures include high quality paving, street furniture and lighting.
- 4.2.7. The airport campus is considered to be the best location in Fingal in terms of existing and proposed transport accessibility. A Local Area Model was created by the applicant for Traffic Impact Assessment comprising AM and PM peak period “do minimum” and “do development” scenarios in 2018, 2023 and 2033. It is shown that flows on the M1 and M50 increase in the AM peak by 1-4% and by 1-2% in the PM peak. The AM and PM growth rates on the M1 are 10% and 1% respectively.
- 4.2.8. In terms of ecology, it is noted that Irish Hares will be displaced during the construction period and there is potential for significant negative impact on birds. However, it is stated that birds on site are already habituated to human and vehicle related disturbance.
- 4.2.9. Anticipated cumulative noise impacts are not expected to negatively impact on the environment and will be limited to building service noise that will be subject to mitigation measures.

- 4.2.10. Potential for impact on surface waters and drainage during construction will be mitigated through non release of ponding water containing high concentrations of silt or suspended solids, and by appropriate chemical and fuel storage protocols. During the operational phase, surface water will pass through a by-pass separator and SuDS measures will be employed to treat and control run-off.
- 4.2.11. The proposal and other live applications are not considered to have a significant impact on ambient air quality during construction and operational phases.
- 4.2.12. The construction process will be managed by a Construction and Demolition Management Plan and a Waste Management Strategy will be in place during the operational phase.
- 4.2.13. Hard and soft landscaping proposals were assessed by the Parks Department and are acceptable in principle.
- 4.2.14. A report from Irish Water requests additional information with respect to the design upgrade works to the existing pumping station and in relation to access arrangements.
- 4.2.15. It is concluded in the first Case Planner's Report that the proposal is compliant with the land use zoning objective and is broadly in line with the design framework as set out in the Dublin Airport Central Masterplan, 2016. However, it is considered that a number of issues, including concerns raised by Transport Infrastructure Ireland and the National Transport Authority, require further assessment.
- 4.2.16. Further information was sought from the applicant to include details of the proposed upgrade works to the pumping station; demonstration of how the proposed car park impacts upon Condition 23 of PL06F.220670; details of multi-storey car park elevational treatment; details on monitoring of car parking activity, locations for bicycle parking and adherence to the Mobility Management Plan; demonstration that the proposal does not prejudice the operation of Metro North; assessment of possible capacity enhancements at Airport Roundabout; and details on traffic modelling assumptions, trip generation and modal split, capacity and level of service on the M50 and trip distribution and VISSUM outputs.
- 4.2.17. The further information response was assessed within the final Planner's Report. With respect to Item 1, a report from Irish Water indicates that it is acceptable that

proposed upgrade works to the pumping station are tabled by way of compliance with conditions.

4.2.18. The applicant emphasises the distinction between the cap placed by the Board on parking associated with Terminal 2 and the proposed commercial development. Active monitoring using an Automatic Number Plate Recognition System is proposed and the applicant will allocate permits to tenants of the scheme. It is contended that the rationale for Condition 23 of PL06F.220670 was *“to ensure that future parking for the terminal would not exceed the thresholds specified and such parking allocation as would be provided related only to the terminal and associated facilities”*.

Therefore, it is considered that the proposed allocation of parking to serve the development would not impact on or contravene Condition 23.

4.2.19. The design rationale for the proposed multi-storey car park seeks to offer a strong visual identity to passing motorists. It is considered acceptable that a full scale projecting fin will be subject to inspection in situ with reference to other façade materials to provide context.

4.2.20. It is noted that the proposed “Automatic Number Plate Recognition” system would provide large volumes of data on arrival and departure profiles, accumulation, lengths of stay, uses per week, etc., and the results of this monitoring would be reported to the Dublin Airport Central Steering Group under the MMP. The MMP process and structure will require a tenant to comply with DAA’s MMP and to appoint a coordinator to attend steering group meetings, promote sustainable travel, etc. The overall response relating to transport issues is acceptable to the Planning Authority.

4.2.21. The applicant contends that the proposal will not impact on the development or operation of Metro North and the NTA raised no objection to the location of the proposed development relative to the intended alignment of new or existing routes. It is considered appropriate that the applicant should be required to engage with the NTA in relation to securing/ safeguarding the planning provision of Metro North by way of condition.

4.2.22. The applicant’s response regarding proposed capacity enhancements at Airport Roundabout and the provision of new traffic signal controls is considered acceptable subject to condition.

- 4.2.23. A calibration and validation report has been submitted by the applicant. It is noted that the impact of the proposed development on the M1 and M50 is based on a worst-case scenario. In addition, the calculation of modal splits is based on 50% of the number of car parking spaces and this provides a conservative estimate of public transport modal split. The applicant has provided additional information regarding the Level of Service on the M1 and M50 and trip distribution demonstrates a high proportion of trips using the M1 and M50, which is a conservative assumption that adds more traffic to motorways.
- 4.2.24. The Planning Authority concurs with Transport Infrastructure Ireland (TII) and with recommended limitations on the quantum of car parking for future developments. It is stated that a condition could give effect to the undertakings detailed by the applicant in response to Item 1 of the further information response. Finally, it is noted in response to third party submissions in relation to capacity enhancements that this issue will be assessed and will be central to the transport assessment for the future Dublin Airport LAP.
- 4.2.25. It is concluded that the proposed development accords with the policies and objectives of the current Development Plan and the requirements of the Dublin Airport Central Masterplan, 2016. It is noted that the scheme complies with the zoning objective for the site and would integrate with the existing built environment.

### 4.3. Prescribed Bodies

#### Iarnród Éireann

- 4.3.1. Iarnród Éireann is concerned that the proposed development could cut off the option of a future Dart connection to the airport and/ or could dictate an alignment and/ or method of construction that would severely undermine the economic viability of the service.
- 4.3.2. The Planning Authority states in response that adopted national policy with regard to connectivity between Dublin City and the airport continues to be centred on the delivery of a light rail metro system (Building on Recovery: Infrastructure and Capital Investment 2016-2021). This infrastructure is also included in the NTA's Transport Strategy for the Greater Dublin Area 2016-2035.



### National Transport Authority

- 4.3.3. The Authority considers that the proposed quantum of development, proximate to existing and future public transport, is acceptable in principle and consistent with the Transport Strategy for Greater Dublin Area, 2016-2035. However, the provision of car parking should be addressed within the ambit of Condition No. 23 of PL06F.220670 (Terminal 2).
- 4.3.4. Within correspondence received after the further information response, it is the view that any development within DAA lands falls within the terms and conditions of the Terminal 2 planning permission (PL06F.220670). It is recommended that no additional further development, above that set out in the current application, be permitted in advance of the preparation of a further transportation assessment study. It is also considered critical that a revised MMP is fully integrated with the existing Airport Campus MMP.

### Transport Infrastructure Ireland

- 4.3.5. It is stated in this submission that further assessment is required with respect to the protection of the function of the strategic national road network; the Transport Assessment as presented in the EIS; and compliance with the stated objectives of the Dublin Airport Central Masterplan.
- 4.3.6. Certain sections of the M50 and M1 corridors in the vicinity of the airport operate at or above capacity during peak hours and this is a significant concern for TII. It is noted that M50 southbound AM peak flows break down and this results in significant queuing and delay, thereby suppressing traffic throughput.
- 4.3.7. Clarification is required with respect to the EIS Transport Assessment in terms of modelling assumptions, trip generation and modal splits, consideration of the M50, trip distribution and VISSIM model outputs.
- 4.3.8. Highlighted issues with the Dublin Airport Central Masterplan include transport mitigation measures, relationship with the Dublin Airport MMP, and establishment of appropriate governance structures to monitor impacts on the airport and national road network.

4.3.9. Within correspondence received after the submission of further information by the applicant, TII takes a similar view to the NTA with respect to restrictions on additional floorspace and mobility management plan coordination.

#### 4.4. **Third Party Observations**

4.4.1. The Dublin Chamber of Commerce and the North Dublin Chamber fully support the proposed development.

### 5.0 **Planning History**

#### 5.1. **Appeal site**

*An Bord Pleanála Ref: PC0191*

5.1.1. The Board determined that the proposed development does not fall within the scope of the seventh Schedule of the P&D Act and is therefore not strategic infrastructure.

*Fingal County Council Reg. Ref:F14A/0260*

5.1.2. Permission granted on 22<sup>nd</sup> September 2014 for the temporary change of use for a maximum period of 5 no. years of the existing ancillary car park to provide a short-term public car park comprising 359 no. car parking spaces and all associated works.

5.1.3. The application site comprises an area of c.1.22 hectares located to the north-west of the current appeal site.

*Fingal County Council Reg. Ref:F14A/0436*

5.1.4. Permission granted on 28<sup>th</sup> January 2015 for refurbishment works to the existing 6-storey office building (c.10,836 sq.m gfa) in the centre of the site to include:

- Demolition of a single storey ground floor office annex (c.2,530 sq.m. gfa), adjoining the north of the existing building;
- Lowering of the ground floor podium by c.1.1m. to facilitated design revision to western and eastern building entrance at ground floor level;
- Internal refurbishment, reconfiguration and fit out of the existing office building as exempted development (c .8,170 sq.m. gfa excluding roof plant);

- Replacement of all external building facades;
- Consolidation of plant at roof level (c.136 sq.m.) and associated screening and new external terrace (c.150 sq.m.) adjoining the building to the east at surface level;
- 30 no. new bicycle parking spaces to the west of the building;
- Refurbishment of existing building curtilage including landscaped forecourt and entrance areas;
- Temporary builders compound and all associated site development works and landscaping.

5.1.5. A condition attached to this permission reduced the number of car parking spaces to 51 no. The applicant was also required to submit details of the occupants/ end users of the building and the proposed restaurant is to be restricted to use by the local working population only.

*Fingal County Council Reg. Ref: F98A/0629*

5.1.6. Permission granted in October 1998 for an extension to existing car park at the head office building.

*Fingal County Council Reg. Ref:F16A/0451*

5.1.7. ESB International applied for permission for the fixing non-illuminated signage (c.35 sq.m.) to the south elevation of the existing six storey office building. No decision on this application is available at the time of writing.

## 5.2. **Nearby sites**

*Fingal County Council Reg. Ref: F06A/1248 (PL06F.220670)*

5.2.1. Split decision issued in August 2007 granting permission for Phase 1 of the passenger terminal and all other elements of the proposed development and refusing permission for Phase 2 of the passenger terminal.

5.2.2. Condition 16 required the developer to liaise with the RPA on an ongoing basis and to ensure that the Metro North tunnel alignment and station box is preserved and made available when required.

5.2.3. Condition 23 states that the provision of car parking to serve the permitted development shall be the subject of separate planning applications, as required, and any additional parking provided shall have regard to the mode share targets established by the Mobility Management Plan and the growth of passenger numbers using the Airport. In addition, the total number of long-term public car parking spaces serving the Airport shall not exceed 26,800; the total number of short-term public car parking spaces shall not exceed 4,000; and there shall be no material increase in the number of employee car parking spaces at the airport.

5.2.4. It was considered that Phase 2 of the terminal building “*would be premature pending the determination by the road authority of the detailed road network to serve the area and the commitment by the planning authority to design and fund all the external transport elements detailed in the Environmental Impact Statement to facilitate Phase 2. In these circumstances, to expand further the terminal capacity at this location would contravene the objectives EA2, EA3 and TP10 of the Dublin Airport Local Area Plan, which seek to provide balanced road infrastructure to manage traffic and to cater for the comprehensive development of the airport.*”

An Bord Pleanála Ref: PL06.PA0008

5.2.5. Application under Section 37E of the Planning and Development Act, 2000 (as amended) granted in March 2009 for a multi-storey car park over 7 levels (2,562 spaces) and a 400-bedroom terminal linked hotel over 11 storeys at a site adjacent to the terminal.

Fingal County Council Reg. Ref: F08A/1025

5.2.6. Permission granted in November 2008 for alterations to the alignment of the campus roads and coach park location, previously approved as part of the development known as Terminal 2 (F06A/1248 & PL06F.220670). The development consisted of:

- Realignment of c. 350m of Corballis Road North between Car Park Block C and its junction with Castlemoate Road, together with associated alterations to the car parking area on the northern edge of this section of Corballis Road North;
- Realignment of c. 180m of the Terminal 2 exit road to accommodate the proposed multi-storey car park and the proposed Metro North station box

construction zone, together with an associated relocation of the traffic signal junction of this road and Corballis Road North;

- Relocation of the coach park area to the north of the church to accommodate the proposed Metro North box construction zone, together with some minor alterations to the bus drop-off areas/roadways to the south of the church;
- Rationalization of access/egress from the Aer Lingus office and Clarion Hotel sites, including the closure of the existing Aer Lingus car park access on Corballis Road North, the conversion of the existing garden centre access road junction to an egress only traffic signal junction for Aer Lingus office and Clarion Hotel traffic incorporating a pedestrian crossing, the closure of the existing Clarion Hotel access/egress on East Link Road, and the provision of an improved access to the Clarion and Aer Lingus sites on East Link Road;
- Provision of a new bus stop and drop-off island opposite the existing Esso petrol station;
- Closure of egress at the Esso petrol station and its replacement with a new egress onto Castlemoate Road; and
- All associated infrastructure and site development works above and below ground required to facilitate the development, including landscaping and boundary treatments.

*An Bord Pleanála Ref: F06F.PM0005*

5.2.7. The Board was asked to exercise its powers under Section 146B of the Planning and Development Act, 2000 (as amended) to alter the terms of the permission granted to Dublin Airport Authority for the development of a 4 star hotel and multi-storey car park. The alteration sought the change of use of the 400 no. car parking spaces, which were proposed within the multi storey car park (MSCP) to serve the hotel use, to be made available for general use as short stay airport parking pending construction of the hotel. It is proposed that on completion of the hotel development that parking to serve the needs of the hotel would be provided within the overall permitted MSCP, rather than on one designated floor.

5.2.8. The Board refused to make the alteration firstly for reasons relating to existing capacity issues of the national routes in the vicinity, in particular the M50, to the current and projected future increase in traffic volumes and congestion on these routes

and to the level of information presented with the application particularly parking space turnover rates and occupancy levels, and to the lack of clarity with regard to the completion of the hotel element of the permitted development.

- 5.2.9. Under the second reason, reference is made to Condition 23 of PL06F.220670, which restricted the number of short term car parking spaces to 4,000. The proposal would have resulted in the number of spaces exceeding the 4,000 limit without a clear justification in terms of airport terminal capacity or mobility management to support the exceedance of the specified number of spaces.

*Fingal County Council Reg. Ref: F16A/0081 (PL06F.246975)*

- 5.2.10. Permission is sought for the provision of apron bus access facilities comprising 2 circulation cores c. 10.5m and 11.0m high to the south of Terminal 2 linking to Terminal 2 via c. 4.4m long elevated passenger bridges.

- 5.2.11. Fingal County Council's notification of decision to grant permission has been appealed by the Irish Airline Pilots Association and no decision is available at the time of writing.

*Fingal County Council Reg. Ref: F16A/0200 (PL06F.247135)*

- 5.2.12. Permission sought for a Passenger Transfer Facility comprising a 3-storey extension to the south-eastern elevation of Pier 4 with 2 no. c. 10.2m long internal link bridges.

- 5.2.13. The notification of decision to grant has also been appealed by the Irish Airline Pilots Association and no decision is available at this time.

## **6.0 Policy Context**

### **6.1. Fingal Development Plan, 2011-2017**

- 6.1.1. The site has a zoning objective HT (High Technology) which seeks to *“provide for office, research and development and high technology/ high technology manufacturing type employment in a high quality built and landscaped environment.”* The vision for this zoning objective is to *“facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high quality, value added businesses and corporate headquarters. An emphasis on exemplar*

*sustainable design and aesthetic quality will be promoted to enhance corporate image and identity.”*

- 6.1.2. In terms of Enterprise and Employment, Objective EE30 seeks to *“encourage the development of corporate offices and knowledge based enterprise in the County on HT zoned lands and work with Government agencies, and other sectors to achieve such development.”*
- 6.1.3. Enterprise and Employment Objectives EE46 to EE50 refer to the operation of Dublin Airport. Objective EE61 to EE63 relate to air and water quality management in Dublin Airport. Design quality within the airport is addressed under Objectives EE64 and EE65. Objectives EE66 to EE69 deal with accessibility at the airport and specifically the control of car parking to maximise public transport usage, facilitation of integrated public transport; protection and enhancement of transport capacity; and maintenance and protection of accessibility to the airport.
- 6.1.4. The site is also within a masterplan area and there is a Local Objective (378) for these lands to *“consider within the context of the Masterplan, the nature and scale of appropriate HT uses and enterprise centre related to aviation and airport business, research and development associated with airports or aviation and Air Transport Infrastructure, having regard to the sites strategic location within the Dublin Airport Authority lands.”*
- 6.1.5. Within the Draft Fingal Development Plan, 2017-2023 Local Objective 57 is to *“consider within the context of the Masterplan, the nature and scale of appropriate HT uses having regard to the sites strategic and unique location in proximity to an international airport within the Dublin Airport Authority lands.”*

## **6.2. Dublin Airport Central Masterplan, March 2016**

- 6.2.1. This masterplan has been prepared for two parcels of land at Dublin Airport referred to as Zone 1 and Zone 2. The subject site comprises the first of two phases of development within Zone 1. The masterplan sets out guiding principles relating to urban design and quality space making; movement and circulation; economic conditions; and environmental and building sustainability.
- 6.2.2. It is stated that the masterplan lands have been identified as being most suitable for corporate type headquarters, i.e. office with floorspaces in excess of 1,000 sq.m.

Uses not considered appropriate are high technology, manufacturing, hospital and light industry. Only Phase 1 with office space up to a maximum of 41,677 sq.m. is provided for in the context of this masterplan on the basis of the transport assessment undertaken.

### **6.3. Natural Heritage Designations**

- 6.3.1. There are nine Special Area of Conservation within 15km of the appeal site. These are Baldoyle Bay SAC (site code: 000199), Howth Head SAC (site code: 000202), Lambay Island SAC (site code: 0002041), Malahide Estuary SAC (site code: 000205), North Dublin Bay SAC (site code: 000206), Rogerstown Estuary SAC (site code: 000208), South Dublin Bay SAC (site code: 000210), Ireland's Eye SAC (site code: 002193) and Rockabill to Dalkey Island SAC (site code: 003000). The Malahide Estuary is the closest SAC at a distance of approximately 4.5km north-east of the appeal site.
- 6.3.2. Within the 15km buffer there are also seven Special Protection Areas, i.e. North Bull Island SPA (site code: 004006), Rogerstown Estuary SPA (site code: 004015), Baldoyle Bay SPA (site code: 004016), South Dublin Bay and River Tolka Estuary SPA (site code: 004024), Malahide Estuary SPA (site code: 004025), Howth Head Coast SPA (site code: 004113), and Ireland's Eye SPA (site code: 004117). The closest SPA is also at a distance of 4.5km north-east of the site (Malahide Estuary SPA).

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

- 7.1.1. A third party appeal against the Council's decision was lodged by the Irish Airline Pilots Association. The grounds of appeal and main points raised in this submission can be summarised as follows:

- In supporting Dublin Airport Central Phase 1, the NTA stated its reservations in relation to Condition 23 of PL.06F2670 and TII included stringent conditions to mitigate against further development without an additional transport assessment.



- Review of the decision gives the Board an opportunity to give guidance to the Council in its preparation of the 2017-2023 County Development Plan and preparation for a revised Dublin Airport Local Area Plan supplemented by recent proposals from the Minister to review airport capacity/ congestion.
- Board is asked to scrutinise *de novo* appellant's following key points of objection:

*An inappropriate land use zone development*

- Condition 4 of the Council's decision would enable the capture of IFSC type financial service providers relocating from the City of London to the inner core of Dublin Airport to avail of direct office link/ access to Terminal 2 – Board is asked to consider if this high technology type development is appropriate to the inner core and whether the Board is minded to contravene the development plan.

*Conflicts with An Bord Pleanála requirements that restricted the Phase 2 development of Terminal 2*

- Board is asked to clarify to all parties on this key critical point, namely the preservation of passenger access to the inner core of Dublin Airport.
- Developer seeks exclusion and exemption from a previous Board ruling associated with Terminal 2.

*Is premature as the Dublin Airport LAP, DAA Airport Masterplan and a revised County Development Plan remain outstanding*

- Objection highlighted the flawed "Possible Dublin Airport layout circa 2035" which omitted an Irish Aviation Authority requirement to retain the cross runway 34/16. IALPA has indicated its proposed pier masterplan to DAA which (a) overcomes the current critical lack of Apron space for wide bodied transatlantic aircraft on the eastern campus and (b) allows the DAA to realistically develop Dublin Airport as a "secondary hub". DAC Phase 1 lands may be vital to long term strategic integrated airfield transport development.

*Has Dublin Airport Integrated Transport Hub been protected?*

- It is IALPA's view that Metro North should ideally be no more than a two escalators ride from the terminal – appears there is no detailed design/ blueprint for the Dublin Airport stop nor integration with requirements contained in the 2006 LAP.
- Why develop DAC Phase 1 now and solve outstanding issues in a revised LAP? Development will compromise future planning and design of the airport stop.
- Any development on DAC Masterplan lands must not jeopardise the design and final location of the new Metro North box – in the event of a grant of permission, Board should attach a condition whereby enabling works could be incorporated into DAC Phase 1 lands that incorporates Metro North and links into an overall agreed DAA revised transport masterplan.
- DAC development is premature pending a revised airfield and local area development masterplan. Appellant's preference is that section north of Dardistown be developed first.
- Board is requested to reference the 2006 Local Area Development Masterplan and LAP Internal Access IA2 objectives during its deliberations in protecting the inner core.

*Environmental Impact Assessment*

- Section 3.2 refers to Schipol, Dusseldorf, Frankfurt and Zurich as precedents – commercial zone at Schipol and Zurich have similar proximity to terminal buildings, however, these airports are served by underground heavy rail and light rail systems.
- Frankfurt and Dusseldorf commercial zones don't materially affect their respective inner core terminal access.
- Board should review the similar challenges at Zurich Airport in expanding the area of apron space – Zurich overcame its airfield problems by tunnelling under its cross runway to successfully integrate main terminal to the Satellite Dock E.

- Zurich Airport would provide an opportunity to experience appellant's vision for a possible template for Dublin Airport thus ensuring that decisions made now take cognisance of a long term DAA integrated airport transport network.
- Appellants seek to enlighten all strategic stakeholders that DAC Phase 1 is premature pending an agreed long term airfield masterplan that links both air campuses and the airport to Dublin City.
- Alternatives considered - Section 3.3 states that selection of preferred site has been informed by the masterplan – Section 1.1.2 of the Masterplan states that adjacent lands did not form part of the Masterplan development framework. DAA preferred option is to develop on the western side as opposed to the eastern side of Local Objective 378.
- Other HT zoned sites, e.g. south of the airport adjacent to Dardistown Metro stop and north of the N32 were apparently not considered.
- Appellants bring their experience and exposure to various airport layouts and trust that they are seen as having made a positive contribution to the long term development of Dublin Airport as a designated secondary hub.
- Board should be mindful of the intended review by the Minister of a possible third terminal requirement and the implications such a plan may have on the proposed development.
- Board is requested to refuse permission for the DAC1 development within the inner core pending a review of the overall infrastructural passenger access requirements and the provision of a revised masterplan and LAP.

## 7.2. Applicant Response

7.2.1. The applicant's agent responded to the third party appeal with the following comments:

- Subject lands are not integral to the day to day operation of Dublin Airport and comprise underdeveloped brownfield lands in need of redevelopment and

regeneration – lands are zoned for high-quality corporate headquarter type office space and are not airport related lands.

- Proposal seeks to create Ireland’s best connected business destination with immediate access to international destinations and connectivity that an airport brings at national, regional and local level.
- Employment trends at international airports are changing with airlines no longer requiring an on-site airport location and non-aviation firms replacing those previous tenants at airports, e.g. Ryanair and Stobart, and ESB International.
- Dublin is home to some of the world’s top multi-national corporations – a solid synergy between airport and Dublin will further improve the attractiveness as an international business location.
- Dublin Airport acts as a secondary hub and is the 5<sup>th</sup> largest European hub to the USA. There are 580 flights per day to 180 global destinations. 82% of visitors to the Republic of Ireland go through Dublin Airport. The second busiest international route in the world operates between Dublin Airport and London. There are up to 1,500 daily bus movements in and out of the airport and the proposed development will be proximate to the Ground Transportation Centre.
- Proposed development has the potential to contribute €1.3 billion annually to national output.
- Dublin Airport Central Masterplan provides a framework for the provision of high quality office floorspace at this location – this masterplan was subject to a full public consultation process. Proposal is based on a plan-led approach in accordance with national, regional and local planning policy. Development strategy for the masterplan combines the requirements of the HT zoning and Local Objective 378.
- The subject lands are zoned as High Technology (HT) in the current Development Plan and this supersedes the Dublin Airport LAP (which expires this year), in which the lands are zoned Core Aviation. Draft 2017-2023 Development Plan retains the HT zoning and associated local objective. It is

not within the remit of the Board to comment on the land use zoning of these lands which is a reserved function of Fingal County Council.

- National Aviation Policy for Ireland and the Regional Planning Guidelines for the Greater Dublin Area support the potential of land in the vicinity of the airport to promote economic development and to act as an important employment hub.
- The NTA and TII do not object to the delivery of this scheme.
- Proposal has had due regard to PL06F.220670 and does not conflict with any of the Board's reasons and considerations or conditions.
- Proposed development will not significantly interfere with the free flow of traffic in the local vicinity or on passenger access to the airport – local road network has sufficient capacity to accommodate the proposed development and the continued growth in passenger traffic to the airport.
- Projected increase in traffic in 2033 will be less than 5% save for the M1 link road – capacity of this road remains well within its limits.
- Metro box has been safeguarded within the airport and the proposed development will not interfere with the construction or operation of Metro North.
- Mobility Management Plan will provide for a modal shift away from private car use and Dublin Airport Central will seek to implement similar proposals. 1 parking space will be provided per 3 employees to accommodate a modal share for car uses (driver and passenger) of 46%. Dublin Airport MMP (update 2015) demonstrates that mode share for private car use for passengers has reduced to 33% (2014). Proposal will result in the loss of the existing 360 no. car parking spaces (382 no. net increase).
- Proposed development will not impact on the airside operation of the airport and does not impact on Runway 16/34.
- In terms of architectural design rationale, this represents a unique economic proposition that will provide a strong first impression of Ireland. Landscaped elements provide for shared courtyards, a new city square and city gardens.

- Issues raised in the third party appeal relate to concerns that are not relevant to the proposed development or which are not within the remit of the Board to determine.
- Proposed development does not rely on the delivery of transport infrastructure discussed in the reason for refusal of Phase 2 of Terminal 2 – existing roads at the airport have necessary capacity to accommodate the proposed development. Significant development plan changes have occurred since the granting of this permission.
- Preservation of passenger access to the Inner Core of the airport is an integral part of the plan-led approach to the subject lands.
- It is stated in the masterplan that *“a local area model was developed to inform the Masterplan proposals and the key findings from this analysis are that the local road system will be capable of accommodating the first phase of development (up to 41,677 sqm of office development) without any significant upgrades to the local road network.”*
- Airport Roundabout will have traffic signals upgraded and R132 Swords Road/ Corballis Road South junction will have sufficient capacity to accommodate the proposed increase in traffic. Corballis Road South and the East Link Road are well within capacity following the opening of the development and the Corballis Road North/ Development Exit is within capacity for all future assessment years.
- The projected increase in traffic from the proposed development in Year 2033 (AM peak) will be 1% at the M50 west of Ballymun interchange, 2% at the M1 south of the airport interchange, and 6% at the M1 link road. Increase on M50 and M1 is relatively modest and M1 link road is well within capacity.
- Volume of traffic travelling northbound on the M50 to the proposed development during morning peak is much less than traffic travelling southbound – there is greater reserve capacity to accommodate traffic growth.
- Main access to Dublin Airport Central does not interfere with the inner core of Dublin Airport – passengers accessing drop-off and set-down facilities would be unaffected.

- NTA considers that the proposed quantum of development, proximate to existing and future public transport, is acceptable in principle and is consistent with the Transport Strategy for the Greater Dublin Area, 2016-2035.
- Condition 23 of PL06F.220670 relates to a cap on Dublin Airport related car parking – proposal does not provide short-term or long-term car parking or parking to existing Dublin Airport employees. The fact that the proposed development is unrelated to Schedule 7 airport activities was confirmed by the Board (PC0191).
- Proposed car parking is fully in accordance with Objective MP8 of the masterplan which seeks *“to provide for ancillary car parking generally with the associated multi-storey car parks”*.
- Subject lands are not required for the operation of Dublin Airport and are not “vital to the long term” strategy for the operation of the airport.
- Proposed development does not impact on the alignment of the permitted Metro North and the preferred new Metro North route follows the same alignment and runs through the “Metro Box” in the airport campus.
- Proposed development does not relate to airside development and does not impact on the layout or future layout of the airfield at Dublin Airport.
- Subject lands are more accessible to public infrastructure and are brownfield in nature, compared to the greenfield sites at Dardistown identified by the appellant.

### 7.3. Planning Authority Response

- 7.3.1. The Planning Authority refers the Board to its reports prepared during the assessment of the planning application.
- 7.3.2. It is noted that a condition is recommended that requires engagement with the NTA to ensure the safeguarding of Metro North. However, this condition was not ultimately included as it was deemed unnecessary as the NTA did not raise concerns in relation to the potential impacts on the proposed light rail infrastructure resulting from the proposed development. It is also noted that DAA is a vital stakeholder in the delivery of Metro North within the airport campus.

7.3.3. The Planning Authority considers that the proposal complies with the policies and objectives of the Development Plan and is in compliance with the masterplan. It is stated that the scheme, incorporating high quality office development, accords with the zoning objective and would integrate with the existing built environment. The Board is requested that Condition 23 be included in its determination.

## 8.0 Assessment

8.1.1. Planning permission is sought for the construction of 4 no. office blocks (41,677 sq.m.) and a multi-storey car park (694 no. spaces) at a site within Dublin Airport adjacent to Terminal 2, currently being used predominately for short-term and staff surface level car parking.

8.1.2. Fingal County Council issued notification of decision to grant permission for the proposed development and a third party appeal has been lodged by the Irish Airline Pilots Association.

8.1.3. Having considered the contents of the planning application, grounds of appeal and observations from my site visit, I consider that this appeal should be assessed under the following headings:

- Development principle;
- Environmental Impact Assessment;
- Layout, design and visual impact;
- Transport and access; and
- Appropriate Assessment

## 8.2. Development Principle

8.2.1. Within the Fingal County Development Plan, 2011-2017, the majority of the appeal site is zoned HT (High Technology) where the objective is to *“provide for office, research and development and high technology/ high technology manufacturing type employment in a high quality built and landscaped environment.”* The vision for this zoning objective is to *“facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development based*



*employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high quality, value added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity.”*

- 8.2.2. Local Objective 378 contained within the current Development Plan also covers all of the appeal site and lands to the east including the Maldron and Radisson Hotels. This Local Objective seeks to *“consider within the context of the Masterplan, the nature and scale of appropriate HT uses and enterprise centre related to aviation and airport business, research and development associated with airports or aviation and Air Transport Infrastructure, having regard to the sites strategic location within the Dublin Airport Authority lands.”*
- 8.2.3. The Dublin Airport Central Masterplan was released in March 2016 and this document sets out guiding principles for the lands in relation to urban design and quality space making; movement and circulation; economic conditions; and environmental and building sustainability. The DAC Masterplan covers an area of 21.7 hectares; however; the Masterplan focuses on the development framework of Zone 1, the 9.5 hectare area to the east of the main airport entrance road. Zone 1 is divided into two phases of development. The first phase shows four block of office development and a multi-storey car park block in what appears to be an identical layout to the proposed development.
- 8.2.4. Condition 4(a) of the Council's notification of decision to grant permission states that *“the use of the proposed office floor space shall be restricted to uses which are governed by Schedule 2, Part 4, Class 3 of the Planning and Development Regulations, 2001 (as amended), and to use as office for the provision of financial and professional services only where such services are not provided principally to visiting members of the public”*. The developer is required to submit details of the occupier and floor area of each unit ( $\geq 1,000$  sq.m.) to the Planning Authority prior to occupation. Class 3 of Part 4 of Schedule 2 is for *“use as an office, other than a use to which class 2 of this Part of this Schedule applies.”* Class 2 relates to financial/professional services, etc. that are provided principally to visiting members of the public.

- 8.2.5. The appellant submits that Condition 4 of the Council's decision would enable the capture of IFSC type financial service providers relocating from the City of London to the inner core of Dublin Airport to avail of direct office link/ access to Terminal 2. The Board is asked to consider if this type development is appropriate to the inner core of the airport and whether it contravenes the Development Plan.
- 8.2.6. In some respects, there would appear to be a conflict between what is permitted in principle under the zoning objective for the site and the intended use under the Map Based Local Objective. Under the Local Objective, consideration should be given to *"...appropriate HT uses and enterprise centre related to aviation and airport business, research and development associated with airports or aviation and Air Transport Infrastructure..."*. The zoning objective and the uses permitted under Condition 4 are more general and do not necessarily need to be related to aviation and airport business and research. Moreover, the applicant's intention at this location is to create Ireland's best connected business district that will have immediate access to international destinations. It is submitted that the subject lands are not integral to the operation of the airport and are zoned to provide commercial development.
- 8.2.7. It is stated in Section 6.1 of the DAC Masterplan that *"in determining the appropriate nature of uses in the Masterplan, the lands, in particular Zone 1 are considered to be suitable for business requiring and/ or preferring an airport location for the reasons outlined in the economic analysis in Chapter 4 rather than relating to reasons associated with the function and operation of an airport."* It is stated within Chapter 4 that *"due to the requirement in Local Objective 378 for permissible HT uses to also be related to aviation and airport business, the focus of the analysis has identified and targeted towards corporate head quarter office based activities and services of international businesses which include professional, financial and insurance services; information and communication technologies; and administrative and support services."*
- 8.2.8. It should be noted that the subject lands previously had a "DA" zoning objective in the 2005-2011 Development Plan which was *"to ensure the efficient and effective operation of the airport in accordance with an Airport Action Plan"*. It would appear that these lands are no longer required for the operation of the airport itself and this is reflected in the change of zoning within the 2011-2017 Development Plan.

Moreover, the HT zoning is held within the Draft 2017-2023 Development Plan and the Map Based Local Objective has changed to *“consider within the context of the Masterplan, the nature and scale of appropriate HT uses having regard to the sites strategic and unique location in proximity to an international airport within the Dublin Airport Authority lands.”*

- 8.2.9. Having regard to the above, I would be satisfied that the proposed uses are appropriate for this location having regard to the shift in policy and the desire to accommodate international corporate headquarter based businesses. It is noteworthy that the applicant itself is Dublin Airport Authority who are best placed to guide the future development of the airport having regard its function and operation. I therefore accept that the appeal site is suitable for businesses requiring and/ or preferring an airport location for economic reasons and is not essential for airport operations.
- 8.2.10. Finally, I would be of the opinion that the zoning objective for the site should prevail over a map based local objective and masterplan. The proposed uses are permitted under the HT zoning objective for the site and therefore I consider that the proposed development is acceptable in principle.

### **8.3. Environmental Impact Assessment**

- 8.3.1. Section 172(1) of the Planning and Development Act, 2000 (as amended) requires that an EIA must be carried out by the Board in respect of an application for consent for a proposed development of a class specified in Schedule 5 of the Planning and Development Regulations, 2001 which exceeds a quantity, area or other limit specified in that schedule.
- 8.3.2. The applicant states that the proposal does not fall under a category that requires EIA under the fifth schedule of the Planning and Development Regulations, 2001 (as amended). However, mandatory EIA is required for infrastructural projects comprising urban development involving an area greater than 2 hectares in the case of a business district and 10 hectares in the case of other parts of a built up area. The area of the appeal site is approximately 4.58 hectares and an EIS has been submitted with the planning application.

8.3.3. Section 172(1G) of the Act sets out a number of items that the Board must consider in carrying out an EIA, including the EIS, any further information submitted by the applicant, and submissions or observations made in relation to environmental effects. The Environmental Impact Assessment must identify, describe and assess in an appropriate manner, in light of each individual case and in accordance with Articles 4 to 11 of the EIA Directive, the direct and indirect effects of a proposed development on human beings, flora and fauna; soil, water, air, climate and the landscape; material assets and the cultural heritage; and the interaction between these factors.

*Compliance with Article 94 of the Planning and Development Regulations, 2001 (as amended)*

8.3.4. The EIS accompanying the planning application includes a non-technical summary, main report and annexes, and figures and visuals. Having regard to Article 94(a) of the Regulations, I am satisfied that the EIS adequately describes the proposed development to include information on the site, design and size of the site and proposed development. Avoidance, remedial and reductive of significant adverse impacts are outlined for each factor, as well as the data required to identify and assess the main effects. The applicant has also carried out an assessment of the main alternatives based on the section of the preferred site, proposed arrangements of the site and preferred processes.

8.3.5. With respect to Article 94(b) and Paragraph 2 of Schedule 6 of the Regulations, I consider that the relevant information has been provided to describe the main characteristics of the construction and operational phases; production processes and expected residues and emissions. Furthermore, the aspects of the environment likely to be significantly affected by the proposed development are set out, together with a description of the likely significant effects, and description of the forecasting methods and any difficulties encountered.

8.3.6. Finally, as required under Article 94(c), the EIS provides a summary in non-technical language of the information provided under Article 94 (a) & (b).

8.3.7. Overall, and having regard to Article 111, I consider that the EIS and supplementary information received by the Board in connection with the appeal complies with Article 94 and the EIS is therefore adequate.

Likely significant effects arising from the proposed development

8.3.8. The main body of the EIS sets out an assessment of the impact on environmental aspects associated with the proposed development. Section 3 above identifies and describes the main likely significant effects arising from the proposed development and regard should be had to this section of the report. The likely significant effects are identified as follows:

*Human beings*

8.3.9. There are no dwellings within 600m of the site and therefore any adverse impacts during the construction phase are likely to be limited to private or commercial properties and users of the airport. There will also be positive economic and employment impacts on the population during construction from direct, indirect and induced employment. It is estimated in the EIS that 1,635 jobs (job years) could be created during the construction phase, with a peak number of 400 construction employees on site.

8.3.10. There are approximately 15,700 people employed in Dublin Airport with 69% originating from Dublin North and 17% from outside Dublin. It is considered in the EIS that this pattern is likely to be replicated for the anticipated 2,838 direct jobs that will be created by the proposed development. This will give rise to significant interaction in terms of transport and access. A further 2,325 indirect and induced jobs are also expected.

8.3.11. The employment generated by the proposed development is likely to have a short to medium term positive impact during the construction phase and a longer term positive impact during the operational phase of the proposed development.

8.3.12. There will also be positive interactions with other factors including landscape and visual through the provision of an improved and pedestrian friendly urban environment. The soils, water and geology environment is likely to benefit through improved permeability as the proposal will see a reduction of hard surfacing on the site.

8.3.13. No mitigation measures are proposed during the operation phase. However, during the construction phase, it is expected that avoidance and reductive measures will include adherence to health and safety guidelines, management of construction

traffic, provision of road maintenance and repair work and the use of plant and machinery in compliance with standards and during normal working hours.

- 8.3.14. In terms of residual effects, it is expected that the proposed development will bring about positive socio-economic benefits through the provision of highly accessible commercial floorspace and employment generation. It is also likely that the proposed development will act as a catalyst for the development of surrounding lands.

#### *Landscape and Visual*

- 8.3.15. A total of 12 photomontages were prepared at distances of between c.2km and 250m of the proposed office buildings. No photomontages have been prepared at the most prominent views directly to the north and south of the site. However, other 3D images and elevations give a good visual representation of the proposed buildings from these directions.
- 8.3.16. The area around the airport appears visually open and relatively flat. The landside of the airport comprises a mix of land uses and buildings of varying age, design and condition. The site itself comprises mostly of surface level car parking and existing service buildings currently not in use to the south of the site are proposed for demolition. There is also a belt of trees along the eastern boundary of the site.
- 8.3.17. Landscape and visual effects during the construction phase will include loss of trees, ground alterations, demolition of buildings and general construction activity. The visual impact of the proposed development during the construction phase will be short term and will give rise to a local moderate impact. Temporary hoardings will be used around all perimeters to minimize visual impact and appropriate site management procedures will be in place for the control of lighting, storage of materials, placement of compounds, vehicular access and dust and dirt control measures. There will be interaction in this regard in terms of impact on air quality.
- 8.3.18. During the operational phase, the proposed buildings will appear as new and prominent structures within a previously low level setting. Development of the airport has emerged over time and change in the magnitude of the proposed development becomes less stark in these circumstances. This is especially relevant with the recent construction of Terminal 2 adjacent the site. As noted in the EIS, the proposed development, when viewed together with Terminal 2, will come to

dominate the immediate central landscape and may provide a sense of enclosure to the airport environment. The overall landscape and visual impact of the proposed development will be of a positive nature. The proposal will have no discernible impact from longer distances, particularly when viewed within the context of the nearby permitted 13 storey hotel.

- 8.3.19. In terms of mitigation during the operational phase, the proposed development has been designed to integrate with its surroundings through height reduction, appropriate fenestration, colour and materials, and provision of significant pedestrian space and landscaping.
- 8.3.20. Overall, the proposed development will bring about significant improvements to the public realm and the degree of change from the proposed buildings will have impacts in terms of immediate physical and visual presence. Thus, there will be no adverse residual impacts on the visual or landscape characteristics of the area.

#### *Transportation*

- 8.3.21. The traffic impacts of the proposal were modelled using the NTA's SATURN model at a strategic level and the VISSUM microsimulation model at a more detailed level. Assessments were carried out for 2018, 2023 and 2033.
- 8.3.22. The proposal is for 41,677 sq.m. of office space to be served by 742 no. car parking spaces (1 space per 56 sq.m.). Within the EIS, the volume of traffic generated by the proposed development is based on the 742 no. spaces that will be provided. For the purposes of transport assessment, employment figures of between 2,000 and 2,400 were used, which is less than the 2,838 assumed for the purposes of economic assessment only.
- 8.3.23. A total of 371 no. vehicles are expected to arrive at the site between 8am and 9am. The trip distribution is assumed to be 38% from the M50 West; 33 % from the M1 South; 7% from the R132 North; and the remainder from R132 south, R139 East, R135 South and the M2 north.
- 8.3.24. The projected AM peak traffic flows on the surrounding strategic road network show a 3% increase on the M50, 4% on the M1 northbound, 5% on the R132, and 10% on the M1 link road. An assessment of link capacities indicates that the surrounding road network has capacity to accommodate the proposed development. The M1 north of the airport interchange will be closest to capacity. It should be noted that

AM peak traffic would travel towards the site northwards on the M1 and east on the M50 at a time when commuters would be travelling more on the opposite direction to Dublin City and along the M50. There are increases of around 11% on the M1 link road; however, this road has a low flow to capacity ratio. The M50 and M1 both north and south of the airport interchange are expected to be at or above capacity both with and without the proposed development in 2033.

- 8.3.25. The VISSIM model indicates that all 8 local junctions modelled during the AM and PM peaks operate within capacity, with additional queuing noted in some cases in the 'with development' scenario. Junction 3 which includes the new access to the proposed development off the R132 is modelled as a full signalised junction. New traffic signal controls will be provided at the Airport Roundabout on the northbound approach and it is considered that this will improve the overall operation of the roundabout and allow greater connectivity between the traffic signals.
- 8.3.26. In terms of mitigation measures, mobility management will form the main mechanism to reduce reliance on private car access to the site. This will be controlled through provision of limited car parking vis a vis the number of employees on site and Development Plan standards. With respect to concerns that employees may use other parking facilities in Dublin Airport, it is noted that the cost would be prohibitive and that the Automatic Number Plate System will ensure that there is no unauthorised use of these DAA facilities by staff of the proposed development. Notwithstanding, the applicant assessed a scenario whereby staff of the proposed development use 100 spaces within parking facilities outside the control of Dublin Airport Authority and also factoring in a 10% uplift in the number of staff arriving between 8am and 9am. This would give rise to what is considered to be a modest 0.8% increase along the M50 and a 1.1% increase along the M1.
- 8.3.27. Workplace Travel Plans (WTP) will be prepared for each organisation occupying the masterplan area and these will feed into the Mobility Management Plan for the airport. The WTP's will include cycling, walking and running initiatives; public transport initiatives; and car park management (car park access, car sharing, car pooling). There will also be promotion and marketing initiatives and mobility managers and travel plan co-ordinators will be appointed. A Travel Plan working group will be established and this will fall under the Dublin Airport Mobility Management Steering Group. As part of the WTP, it is proposed to provide traffic



count data to monitor parking accumulation. Staff surveys of travel patterns will also be carried out.

- 8.3.28. The transport impact of the proposed development will give rise to interactions with other factors in terms of air quality, noise, landscaping, public realm and pedestrian facilities, and the visual impacts of traffic movements.
- 8.3.29. The construction phase of the proposed development will generate approximately 40 two way trips to the site per day. Higher traffic flows will be generated during site excavation and during the construction of large concrete structures. A detailed construction management plan for the construction phase of the development will include a range of measures to minimise construction related parking and truck queuing.
- 8.3.30. In terms of residual impacts, the proposed development will increase the levels of traffic entering and egressing the airport at peak times. The volume of traffic will be mitigated through provision of limited car parking and implementation of Workplace Travel Plans. Traffic conditions on the M50 and M1 will continue to be busy with or without the proposed development. There should also be no issues with traffic movement within the airport complex.
- 8.3.31. Overall, a robust and conservative assessment of traffic generated by the proposed development and capacities of the surrounding road network has been carried out. It would appear that no account has been taken of existing spaces lost within the short term car park on site or of the fact that numbers of employees could arrive or depart from the site by air.

#### *Soils, Geology and Hydrogeology*

- 8.3.32. There is potential for significant impacts during the construction phase from preparatory works, construction of the main buildings and works to external areas.
- 8.3.33. Preparatory works will include demolition of existing structures, rationalisation of utilities and removal of hard surfacing. The construction of the buildings will include ground alteration, piling and installation of foundations. Works to external areas will involve importation and deposition of imported fill and reuse of materials from within the site.

- 8.3.34. Mitigation measures during the construction phase will include implementation of good construction practices to minimise water pollution, e.g. bunding for oil containers, wheel washers and dust suppression. Provision will be made for gas monitoring and appropriate foundation construction techniques will be adopted to comply with requirements in terms of noise, vibration, soil and groundwater contamination. Run off will be controlled through silt/ sediment traps and soil stripping, earthworks and stockpiling will be minimised. Overall, good housekeeping and prevention measures will be in place to ensure that potential impacts during the construction phase are minimised.
- 8.3.35. There will be no direct discharges to groundwater during the operational phase of the development and there will be an overall neutral impact on soil and water quality. Any hazardous or water polluting materials will be handled/ stored in a manner to prevent/ minimise any potential impact on soil and groundwater. Additional green areas will help to control run off from the site.
- 8.3.36. There should be no significant residual impact on soil, geological or hydrogeological conditions. Excavation material will be reused as far as possible on site.

#### *Flora and Fauna*

- 8.3.37. Irish Hares are likely to be displaced from the site during construction and this will have a significant and local impact. However, it is likely that this species will move around airport lands. Noise, vibration and increased human presence are also likely to result in disturbance to local breeding birds, although they are likely to be habituated to human activity to a certain degree.
- 8.3.38. There are no predicted impacts on habitats or fauna during the operational phase of the development.
- 8.3.39. Mitigation measures during the construction phase include the removal of vegetation during the non-breeding season or the requirement to obtain a licence from the NPWS where this is not possible.
- 8.3.40. No significant residual impacts are anticipated following implementation of mitigation measures.

### *Noise and Vibration*

- 8.3.41. Road and airside traffic are the dominant noise sources at all times of the day. No tonal or impulsive noise was identified.
- 8.3.42. Construction noise will be generated for the 2-3 year construction phase of the development and this has the potential to have a short-term adverse impact on ambient noise levels. The main sources of noise will be from the ground preparation phase (excavators, dump trucks, etc.), the structural phase (piling, use of tools, etc.), and from vehicular movements.
- 8.3.43. The main sources of noise activity during the operational phase are building services, car parking, delivery activity and additional traffic. The most obvious interaction with other factors will be the transport impacts associated with the proposal. However, the increase in noise associated with traffic will be imperceptible and not significant.
- 8.3.44. Mitigation measures for noise and vibration during the construction phase include limitation of hours, monitoring, regular maintenance of plant and erection of barriers. During the operational phase, attenuators, barriers and anti-vibration mounts will be used on plant.
- 8.3.45. It is not expected that the proposed development will have any significant adverse residual impacts with the employment of mitigation measures.

### *Surface Water and Drainage*

- 8.3.46. Impacts during the construction phase could arise from the disposal of demolition waste waste off site (e.g. asbestos); high levels of suspended solids as a result of silt/ mud being washed off site; discharge of raw or uncured concrete or washdown water from construction vehicles; and uncontained spillage or pollutants/ effluents.
- 8.3.47. During the operation phase, potential adverse impacts could arise from uncontained spillages, discharge of excessive surface water run-off; and flooding of the site.
- 8.3.48. A Construction Environmental Management Plan will be prepared in advance of construction activities to outline best practices and controls, including an Environmental Emergency Response Procedure. There will be appropriate management of any stockpiles and surface water flowing into the construction area will be minimised. Measures will be put in place to prevent contamination of surface

waters due to construction run-off. Routine monitoring of water quality will also be carried out.

- 8.3.49. Mitigation measures during the operational phase will include surface water being conveyed by gravity to a new underground surface water system. A reduction in the area of impermeable surfacing and rainwater harvesting will result in less surface water run-off. Only uncontaminated surface water will reach the drain and SuDS will be employed to treat and control run-off.
- 8.3.50. In terms of residual impacts, there will be a reduction in the quantity of surface water generated at the site, which should result in additional capacity being created at the attenuation tank at Eastlands car park. No residual impacts on water quality are envisaged with implementation of mitigation measures.

#### *Air Quality and Climate*

- 8.3.51. Dust can be generated on site from various construction activities including excavation, stockpiling and transportation of materials. The operation of equipment, plant and vehicles will also result in exhaust emissions and overall there could be a short-term adverse impact on ambient air quality from the construction phase of the proposed development.
- 8.3.52. Emissions during the operational phase would arise from the heating of the proposed buildings; however, this would be considered minor. Energy efficient equipment will also assist in reducing greenhouse gases.
- 8.3.53. A DMRB screening assessment was carried out to determine the impact of additional traffic on air quality. Predicted air emissions are all in compliance with Air Quality Standards for all pollutants in 2018 and 2023.
- 8.3.54. The CEMP will include necessary environmental controls and mitigation measures to minimise dust generation and emissions and to prevent/ minimise impacts on air quality. Other measures to be put in place during the construction phase include good housekeeping, use of road sweepers, speed limits, damping of roads, wheel washing, cleaning of roads and maintenance of equipment.
- 8.3.55. Operational emissions are not expected to significantly impact on air quality. However, measures will be put in place to minimise carbon emissions. There are interactions in this regard in terms of traffic generated by the proposed development.

8.3.56. Subject to mitigation measures, there are no predicted residual impacts from the construction or operational phases on ambient air quality or climate.

#### *Waste Management*

8.3.57. Buildings towards the south of the site will be demolished and this will generate demolition waste, which if incorrectly disposed of, could give rise to adverse impacts on the environment. Excavated material consisting mainly of asphalt surfacing will mostly have to be removed off site if not reused. Other waste materials during the construction phase include rubble, steel, timber, plastics, packaging, raw concrete, asbestos and other substances that could impact on soils and groundwater.

8.3.58. During the operational phase, the development will generate a range of general office/ domestic wastes.

8.3.59. Waste will be managed during the construction phase as part of a Construction and Demolition Waste Management Plan, which will include specific detail on waste segregation and disposal. This will include measures for demolition waste, excavated material and other construction wastes for the duration of the construction phase.

8.3.60. A Waste Management Strategy will be implemented for the operational phase of the development to provide strategies for waste management, minimisation, segregation and auditing within the proposed offices.

8.3.61. No residual impacts are predicted if waste is properly stored, managed and disposed of in accordance with waste management legislation.

#### *Material Assets*

8.3.62. There is potential for impact on materials assets such as public utilities and natural resources, water supply, surface water drainage, foul drainage and telecommunications. There is significant interaction in this regard with other assessment factors.

8.3.63. The exact locations of all underground services in the area will be confirmed and the project will be managed to ensure there will be no disruption to the local community.

8.3.64. There are no predicted residual impacts.

#### *Archaeology, Architecture and Cultural Heritage*

8.3.65. There are no areas of previously undisturbed ground on the site or the wider environs and therefore no impacts are predicted on archaeological heritage during the construction phase.

8.3.66. It is not anticipated that there will be any residual impact on the archaeological heritage of the area given that the surrounding lands have been built over in the last 30 years.

*Interaction between Environmental Factors*

8.3.67. Human beings:

- Landscape and visual impact
- Roads and traffic
- Noise and vibration
- Surface water and drainage
- Air quality
- Material assets

8.3.68. Landscape and visual impact:

- Human beings
- Flora and fauna
- Air quality
- Archaeology, architecture and cultural heritage

8.3.69. Roads and traffic:

- Human beings
- Noise and vibration
- Surface water and drainage
- Air quality

8.3.70. Soils, geology & hydrogeology:

- Flora and fauna
- Surface water and drainage

- Waste management
- Material assets

8.3.71. Flora and fauna:

- Landscape and visual impact
- Soils, geology and hydrogeology
- Noise and vibration
- Surface water and drainage
- Air quality
- Material assets

8.3.72. Noise and vibration:

- Human beings
- Roads and traffic
- Flora and fauna

8.3.73. Surface water and drainage:

- Human beings
- Roads and traffic
- Soils, geology and hydrogeology
- Flora and fauna
- Waste management

8.3.74. Air quality:

- Human beings
- Landscape and visual
- Roads and traffic
- Flora and fauna

8.3.75. Waste management:

- Surface water and drainage
- Soils, geology and hydrogeology
- Material assets

#### 8.3.76. Material assets:

- Human beings
- Waste management

#### 8.3.77. Archaeology, architecture and cultural heritage

- Landscape and visual

### 8.4. **Layout, Design and Visual Impact**

8.4.1. The Dublin Airport Central Masterplan, 2016 provides a framework for the future development of the subject lands. The masterplan is structured on four main guiding principles relating to urban design and quality place making, movement and circulation, economic conditions and environmental and building sustainability.

8.4.2. An important element of the masterplan is the creation of an east-west spine of quality open space (green lung). Clusters of buildings will then be organised along the length of this green lung, which will be connected by means of plazas and a hierarchy of green streets.

8.4.3. The masterplan provides an indicative layout for the positioning of blocks within the site and the proposed development emulates this layout. A section of the “green lung” is provided for to the south of the site between the proposed buildings and an area shown as “temporary landscape to future development site”. Four office blocks are proposed in a grid pattern with bisecting pedestrian space at surface level providing permeability through the site.

8.4.4. There will be a variety of surfaces including concrete slab paving in the areas around the buildings and surrounding planks to plaza areas in the centre. The temporary landscaped area to the south will comprise of a lawn with bisecting pathways following pedestrian desire lines. There will also be a grassed area within “City Square”, together with tree planting and hedgerow. The city garden to the south will consist of raised planters and lawn surrounded by stone setts in a more intimate



setting. Other street furniture includes bollards, benches and feature seating and litter bins.

- 8.4.5. There is a good mix of hard and soft surfacing and the centrally located food and beverage pavilion acts as a focal point for activity. Similarly, there will be opportunities for the ground floor café/ restaurant within Block A6 to “spill out” onto the pedestrian area to the south. Vehicle movement will be well segregated from pedestrian areas and pedestrian linkages to areas external to the site have been considered with the proposed link bridge to Terminal 2 and a designated pathway to the bus stop to the north-east. It is likely that the majority of pedestrians accessing the site will come from these directions and via the pedestrian crossing to the south-west. Within the site, recessed floor levels within the office blocks will provide protection from the elements.
- 8.4.6. A cycle connection to the central pedestrian area is proposed off the existing 2-way cycle-path to the south of the site. Cycle parking is situated convenient for external access. A hard surface should be provided to the north and south of the cycle store to the west of Block A2 to provide direct access onto the cycleway, and paving at this location should be flush with the cycleway. This can be provided by way of condition in the event of a grant of permission.
- 8.4.7. Overall, I would be satisfied that the area between buildings provides for a varied and interesting environment and one which is ordered in favour of the pedestrian and cyclist.
- 8.4.8. With respect to building design, the office blocks and ancillary ground level structures throughout the site will have a contemporary appearance. The north and west elevations of Block A1 will have an insulated render system between floors and elevations facing south and east into pedestrian areas will have full height glazing overhanging a recessed ground floor level. This elevational treatment is mirrored within Block A6. Blocks A2 and A5 have fully glazed elevations to the south only.
- 8.4.9. The southern elevation of the proposed MSCP will have an exposed pre-cast concrete appearance similar to the existing T2 MSCP. The northern elevation will have a metal fin cladding system that will also wrap around part of the side elevations. The fins will appear in two different colours depending on the direction of travel. Elevational treatments throughout will enhance the sense of place and will

help to emphasise the central square. Concrete cladding on externally facing elevations will reflect the existing MSCP and older modernist buildings throughout the airport complex.

8.4.10. Internally, all buildings will have an open plan layout with central service and access cores. Floor to ceiling heights are adequate to provide appropriate levels of natural lighting for occupants of the offices. There is also reasonable separation between buildings to allow daylight access.

8.4.11. It is noted in the masterplan that repeated building heights over a large area can result in a monotonous expression at an urban scale. The proposed development complies with the masterplan height stipulation of 6-7 storeys for the office buildings. Blocks A2 and A5 to the north step up in level from Blocks A1 and A6. The existing HOB building is 25.1m above ground level and Blocks A1 and A6 are 27.9m. Blocks A2 and A5 are 31.88m. The existing MSCP rises to a height of approximately 24m and the proposed MSCP will be 17.175m high. The overall building heights within the subject site and its immediate surroundings provide for some variation throughout the area and the permitted signature building above 12 storeys will be located within the wider cluster to provide a focal point. As noted in the masterplan, I would be in agreement that the collective composition of existing and proposed buildings communicates visually at an urban scale.

8.4.12. With respect to the overall visual impact, the proposal will see the redevelopment of an underutilised, strategically located and visually prominent site with contemporary office blocks that will appeal to corporate headquarter types of business. This will create a positive visual impression at the main gateway into the country. The site can be seen from the upper level within Terminal 2 and currently appears as a disorganised and unattractive panorama that can create a negative first impression.

8.4.13. At a more local level, the proposed development has been assessed within its immediate and wider context and is seen to be compatible and consistent with the established built form in terms of scale, materials and finishes and design.

8.4.14. Finally, the proposal will have the positive visual effect by generating activity and outdoor pedestrian space at a location where it would not otherwise be found. The public realm in this area will be animated by the provision of squares, gardens and cafes and this create a sense of place and an interesting urban setting.

## 8.5. Transport and Access

- 8.5.1. A number of issues have been raised by the third party appellant, the Irish Airline Pilots Association, with respect to transport and access at the airport. The Board is requested to refuse permission for the proposed development within the inner core of the airport pending a review of the overall infrastructural passenger access requirements. The IAPA has put forward its own proposal for a pier masterplan to include a satellite dock with Metro travelling underground and connecting to the terminal by no more than two escalator rides. It is considered that this proposal will overcome the current critical lack of apron space for wide bodied aircraft and allow for the realistic development of Dublin Airport as a secondary hub. The proposed development is considered to be premature pending an agreed long term airfield masterplan that links airport to Dublin city. The Board is also reminded of the intended review of a possible third terminal requirement and the implications this may have on the proposed development.
- 8.5.2. It would appear that the appellant's submission is based on the premise that the alignment for the proposed Metro North has not been finalised. The applicant was asked at further information stage to confirm that no aspect of the proposal prejudices the development and operation of Metro North within the airport campus. In response, it is noted that the permitted Metro route (PL06F.NA0003) and the preferred new route as identified in the Fingal North Dublin Transport Study (June 2015) follow the same alignment through the "Metro Box" to the west of T2 MSCP. Thus, the appeal site and the proposed metro station will be separated from one another by T2 MSCP. The applicant has indicated that they have no objection to the attachment of a condition requiring engagement with the NTA in relation to securing/safeguarding the planned provision of Metro North.
- 8.5.3. Iarnród Éireann is also concerned that the proposed development could cut off the option of a future Dart connection to the airport. However, the adopted national policy for connectivity between the airport and Dublin City continues to be centred on the delivery of a metro system. It should also be noted that the masterplan layout safeguards a transportation corridor to allow for the possibility that the metro stop will be near the R132. This route follows the path of the "green lung".

- 8.5.4. Concern was expressed within planning application documentation and the appeal that the proposed development will contravene Condition 23 of the Board's decision to grant permission for the first phase of the Terminal 2 development (PL06F.220670). Condition 23 stated that the provision of car parking to serve the permitted development under PL06F.220670 shall be the subject of separate planning applications, as required, and any additional parking provided shall have regard to the mode share targets established by the Mobility Management Plan and the growth of passenger numbers using the Airport. The total number of long-term public car parking spaces serving the Airport shall not exceed 26,800; the total number of short-term public car parking spaces shall not exceed 4,000; and there shall be no material increase in the number of employee car parking spaces at the airport. It should be noted that in refusing permission for the second phase of the Terminal 2 building (additional check in facilities, further security processing, expanded baggage hall, increased passenger circulation), the Board considered it premature pending the determination of the detailed road network to serve the area and commitment to design and fund all of the external transport elements required to facilitate Phase 2.
- 8.5.5. The applicant states in the third party appeal response that the proposed development does not rely on the delivery of transport infrastructure required for the second phase of Terminal 2, and as demonstrated in the EIS and masterplan, the existing roads infrastructure has the necessary capacity to accommodate the proposal. As noted in the EIA above, I am satisfied that a robust and conservative assessment of traffic generated by the proposed development and capacities of the surrounding road network has been carried out. It has been demonstrated that there is sufficient capacity to accommodate the additional traffic generated by the proposed development without the requirement for the additional transport infrastructure that was considered necessary for the second phase of Terminal 2. In this regard, it should be noted that the second phase of Terminal 2 would have generated a requirement for approximately 2,500 additional long term parking spaces and this figure would have been kept to a minimum with the provision of major public transport linkages yet to be delivered. This suggests that Phase 2 of Terminal 2 would be a significantly greater generator of trips than that proposed development. The proposed development will see the loss of 360 no. existing

parking spaces and an overall net increase of 383 no. spaces. I do not consider this increase to be significant within the context of the overall level of parking provision at the airport which amounts to c. 30,000 spaces.

8.5.6. In conclusion, I would be satisfied with the proposed transport and access arrangements to the proposed development site. The proposal fully accords with the Regional Planning Guidelines for the Greater Dublin Area, 2010-2022 which seek to promote higher densities for employment uses around public transport nodes. The appeal site is adjacent to the airport Ground Transportation Centre and is therefore well connected to local, regional and national public transport routes. In my opinion, this site is capable of achieving a more balanced modal share compared most other locations. In this regard, a car parking provision 1 space per 3 employees would be unrealistic elsewhere and this is reflected in Development Plan car parking standards which would require up to 1,667 no. spaces for this volume of office space. The proposal accords with Development Plan Objective EE66 which seeks to *“control the supply of car parking at the Airport so as to maximise as far as is practical the use of public transport by workers and passengers and to secure the efficient use of land.”*

8.5.7. In addition to the above, there is an established system of mobility management in place at the airport that has achieved credible reductions in private car use in recent times. It is the intention that each occupant of the proposed development will be required to prepare Workplace Travel Plans that will contribute towards the overall mobility management plan at the airport. Finally, it is an objective of the masterplan (MA4) *“to restrict any floorspace development at a level above the quantum of 41,677 sq.m of Phase 1 of Zone 1 in advance of a further transportation assessment study, which meets the requirements of statutory stakeholders.”* The aims of this objective are supported by the NTA and TII in its submissions on this planning application.

## 8.6. **Appropriate Assessment**

8.6.1. The EU Habitats Directive (92/43/EEC) requires competent authorities to review planning applications and consents that have the potential to impact on European designated sites, i.e. Special Protection Areas (SPA's) and Special Areas of

Conservation (SAC's). To assist this process, the applicant has provided information regarding Appropriate Assessment Screening.

#### Stage 1: Screening

- 8.6.2. The first stage of the Appropriate Assessment process is the screening exercise where it should be decided if the effects of a development on a European site are likely and whether or not the effects are significant in light of the Conservation Objectives for the site. It should also be determined if there are cumulative effects with other projects. The precautionary principle should apply if there are significant effects that cannot be excluded, or where the likelihood is uncertain.
- 8.6.3. There are nine SAC's within 15km of the site that could potentially be affected using the Source-Pathway-Receptor model. These are Baldoyle Bay SAC (site code: 000199), Howth Head SAC (site code: 000202), Lambay Island SAC (site code: 0002041), Malahide Estuary SAC (site code: 000205), North Dublin Bay SAC (site code: 000206), Rogerstown Estuary SAC (site code: 000208), South Dublin Bay SAC (site code: 000210), Ireland's Eye SAC (site code: 002193) and Rockabill to Dalkey Island SAC (site code: 003000). The Malahide Estuary is the closest SAC at a distance of approximately 4.5km north-east of the appeal site.
- 8.6.4. There are also seven Special Protection Areas within 15km of the appeal site, i.e. North Bull Island SPA (site code: 004006), Rogerstown Estuary SPA (site code: 004015), Baldoyle Bay SPA (site code: 004016), South Dublin Bay and River Tolka Estuary SPA (site code: 004024), Malahide Estuary SPA (site code: 004025), Howth Head Coast SPA (site code: 004113), Ireland's Eye SPA (site code: 004117). The closest SPA is also at a distance of 4.5km north-east of the site (Malahide Estuary SPA).
- 8.6.5. Having regard to the nature and scale of the proposed development, impact pathways would be restricted to hydrological pathways. Using the source-pathway-receptor risk assessment principle, the European sites that could potentially be affected by the proposed development are those closest to the appeal, i.e. Malahide Estuary SAC and SPA, and Baldoyle Bay SAC and SPA. The distance to all other European Sites is in excess of 7.2km. It can be reasonably concluded that the proposed development would not have a significant effect individually or in combination with other plans or projects on European sites in excess of 7.2km from

the site having regard to the conservation objectives for these European Sites and the source-pathway-receptor risk assessment principle.

8.6.6. The conservation objective of the Malahide Estuary SAC (000205) is to maintain or restore the favourable conservation status of the following habitats and species of community interest:

- 1140 - Mudflats and sandflats not covered by seawater at low tide
- 1310 - *Salicornia* and other annuals colonising mud and sand
- 1320 - *Spartina* swards (*Spartinion maritimae*)
- 1330 - Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- 1410 - Mediterranean salt meadows (*Juncetalia maritimi*)
- 2120 - Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)
- 2130 - Fixed coastal dunes with herbaceous vegetation (grey dunes)

8.6.7. For the Malahide Estuary SPA (004025) the conservation objective is to maintain or restore the favourable conservation status of the following habitats and species of community interest:

<b>Code</b>	<b>Common Name</b>	<b>Scientific Name</b>
A005	Great Crested Grebe	<i>Podiceps cristatus</i>
A046	Brent Goose	<i>Branta bernicla hrota</i>
A048	Shelduck	<i>Tadorna tadorna</i>
A054	Pintail	<i>Anas acuta</i>
A067	Goldeneye	<i>Bucephala clangula</i>
A069	Red-breasted Merganser	<i>Mergus serrator</i>
A130	Oystercatcher	<i>Haematopus ostralegus</i>
A140	Golden Plover	<i>Pluvialis apricaria</i>
A141	Grey Plover	<i>Pluvialis squatarola</i>
A143	Knot	<i>Calidris canutus</i>
A149	Dunlin	<i>Calidris alpina alpina</i>
A156	Black-tailed Godwit	<i>Limosa limosa</i>
A157	Bar-tailed Godwit	<i>Limosa lapponica</i>
A162	Redshank	<i>Tringa totanus</i>
A999	Wetlands	

8.6.8. The conservation objective for Balydoyle Bay SAC (000199) is to maintain or restore the favourable conservation status of the following habitats and species of community interest:

- 1140 - Mudflats and sandflats not covered by seawater at low tide
- 1310 - Salicornia and other annuals colonizing mud and sand
- 1330 - Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- 1410 - Mediterranean salt meadows (*Juncetalia maritimi*)

8.6.9. The conservation objective for Baldoyle Bay SPA (004016) is to maintain or restore the favourable conservation status of the following habitats and species of community interest:

<b>Code</b>	<b>Common Name</b>	<b>Scientific Name</b>
A046	Brent Goose	<i>Branta bernicla hrota</i>
A048	Shelduck	<i>Tadorna tadorna</i>
A137	Ringed Plover	<i>Charadrius hiaticula</i>
A140	Golden Plover	<i>Pluvialis apricaria</i>
A141	Grey Plover	<i>Pluvialis squatarola</i>
A157	Bar-tailed Godwit	<i>Limosa lapponica</i>
A999	Wetlands	

8.6.10. Surface water run-off from the site will be discharged to Kealy's Stream and ultimately to the Irish Sea. However, SuDS will be employed to treat and control run-off and only uncontaminated surface water will reach the stream. Having regard to the distance between the site and nearest European sites, and the fact that any pollution events occurring during the construction phase are likely to result in very small concentrations of contaminants reaching the European Sites, there is little risk of significant impacts during the construction phase. Any proposed construction works occurring in proximity to Kealy's Stream will adhere to best practice construction guidelines to reduce risk of contamination.

8.6.11. It is therefore reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites No's: 000205, 004025, 000199 and 004016, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.



## 9.0 Conclusion

- 9.1. The proposed development complies with the HT zoning objective and is consistent with the vision and principles and the development strategy set out for the site in the Dublin Airport Central Masterplan. The proposal has been formulated under a masterplan-led approach with layouts, heights and uses replicating those indicated for the site.
- 9.1.1. The appeal site is strategically and prominently located adjacent Terminal 2 but is currently underutilised. Its redevelopment in the form of contemporary office blocks for corporate headquarter business use will create a positive visual impression at the main gateway into the country. The proposal will also provide for high quality open space and good pedestrian linkages to external areas. The public realm will be animated through provision of squares, gardens and cafes and this will create a sense of place and an interesting urban setting.
- 9.1.2. Finally, the site is located in proximity to the Airport Ground Transportation Centre and can therefore benefit from existing and future public transport connections. Car parking provision at the site will be limited and a more balanced modal share can be achieved at this location that would be unrealistic elsewhere. In this regard, the proposal will comply with the policy to promote higher employment densities in proximity to public transport nodes. There will also be a unique ability to access the site by air, on foot or via ground transport and this will appeal to the type of businesses that the proposed development will attract.

## 10.0 Recommendation

- 10.1. I recommend that planning permission should be granted for the reasons and considerations and subject to the conditions set out below.

## 11.0 Reasons and Considerations

Having regard to the “HT” (High Technology) zoning objective applicable to the site, and to the vision and principles and development strategy for the site as set out in the Dublin Airport Central Masterplan, 2016, together with the strategic nature of the proposed office use at its prominent and highly accessible location within Dublin

Airport, it is considered that, subject to compliance with the conditions set out below, the proposal for contemporary offices and improvements to the public realm would be consistent with the established pattern of development in the area, would not be injurious to the amenities of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The propose development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1. The 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 submitted the 8<sup>th</sup> day of July 2016, 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. All of the environmental, construction and ecological mitigation measures set out in the Environmental Impact Statement accompanying the application and other particulars submitted with the application to the planning authority and to An Bord Pleanála shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.

**Reason:** In the interest of clarity and the protection of the environment during the construction and operation phases of the development.

3. The permission shall be for a period of eight years from the date of this

order.

**Reason:** In the interests of clarity.

4. No additional floor space within the Dublin Airport Central Masterplan lands shall be permitted in advance of the preparation of a further transportation assessment study that shall comply with the requirements of statutory stakeholders and shall form part of the future statutory Dublin Airport Local Area Plan.

**Reason:** In the interests of traffic safety and convenience.

5. Prior to occupation of any of the office units, the developer shall submit details of the end user of each unit to the Planning Authority for written agreement. No single office unit shall be less than 1,000 sq.m. net floor area.

**Reason:** In the interests of clarity.

6. Prior to occupation of any of the office units, the developer shall submit full details of the signalisation of the fourth arm of the Airport Roundabout to the Planning Authority for written agreement. These works shall be carried out at the developer's expense.

**Reason:** In the interests of traffic safety and convenience.

7. Bicycle parking shall be provided on a phased basis to include 240 no. spaces completed prior to first occupation of the proposed development and up to 353 no. additional spaces when requested by the Dublin Airport Central Steering Group. The cycle store to the west of Block A2 shall have a hard surface and flush access onto the adjoining cycle track.

**Reason:** In the interests of cycle safety and convenience.

8. A revised Dublin Airport Central Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the Planning Authority following consultation with the National Transport Authority and Transport Infrastructure Ireland. The Plan shall be submitted within six months of the date of this order and shall include the following at a minimum:
  - A. The full integration of the Dublin Airport Central MMP with the existing Airport Campus MMP;
  - B. Details of appointment of a suitably qualified Mobility Manager;
  - C. The establishment and operation of the Dublin Airport Central Steering Group;
  - D. Comprehensive details of a car parking operation and monitoring regime;
  - E. Full details of the monitoring arrangements of the Dublin Airport Central MMP;
  - F. Confirmation within leasing/ letting arrangements that tenants will comply with the requirements of the MMP;
  - G. Details of publication of the MMP; and
  - H. Review arrangements

**Reason:** In the interests of sustainable transport.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and amenity.

10. The landscaping scheme shown on drg no. HED.1170.100.001, as submitted to the planning authority on the 15<sup>th</sup> day of April, 2016 shall be carried out within the first planting season following substantial completion of external construction works. 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 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.

11. Details including samples of the materials, colours and textures of all the external finishes to the proposed buildings and surfaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the visual amenities of the area.

12. The applicant shall engage with the National Transport Authority on an ongoing basis and shall ensure that the Metro North alignment and station box is secured/ safeguarded.

**Reason:** In the interests of orderly development.

13. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interests of public health.

14. No advertisement or advertisement structure shall be erected or displayed

on the buildings or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

15. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. The agreed lighting system shall be fully implemented and operational, before the proposed development is made available for occupation.

**Reason:** In the interest of public safety and visual amenity.

16. The development shall be managed in accordance with a management scheme which shall be submitted to, and agreed in writing with, the planning authority, prior to the occupation of the development. This scheme shall provide adequate measures relating to the future maintenance of the development; including landscaping, roads, paths, parking areas, cycle facilities, lighting, waste storage facilities and sanitary services together with management responsibilities and maintenance schedules.

**Reason:** To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

17. No fans, louvres, ducts or other external plant other than those shown on the drawings hereby permitted shall be installed unless authorised by a prior grant of planning permission.

**Reason:** In the interests of visual amenity.

18. The existing monument/ sculpture to the north of the site addressing Corballis Road North shall be re-located to a suitable location within the

airport campus.

**Reason:** In the interests of visual amenity.

19. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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. Donal Donnelly  
Planning Inspector

23<sup>rd</sup> December 2016