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<b>Proposed Development</b>	Continued use of existing car park (permitted case ref. 06F.PA0023) and new part three-storey car park entrance building.
<b>Location</b>	Lands at Quickpark Long Stay Carpark, Turnapin Great, Swords Road, Santry, County Dublin.
<b>Planning Authority</b>	Fingal County Council
<b>Prospective Applicant</b>	Gerard Gannon
<b>Type of Application</b>	Pre-application consultation
<b>Issue</b>	Whether the proposed project is or is not strategic infrastructure development.
<b>Consulted Bodies by the Board</b>	None
<b>Inspector</b>	Suzanne Kehely

## 1.0 Introduction

- 1.1. The prospective applicant is seeking permission for continuance of use on a permanent basis for an existing long-term car park as part of the airport operation at Dublin Airport. The existing car park provides about 6,240 car park spaces solely for passengers using Dublin Airport. The current permission is temporary and is due to expire in October 2018. As the previous application was deemed to be strategic infrastructure the applicant anticipates similar application process applies.
- 1.2. The car parking is part of overall car parking supply regulated in the permission for Terminal 2 (T2) which opened in 2010. In that case, car parking was addressed comprehensively both in terms of quantity and type and was subject of detailed conditions.
- 1.3. The first consultation meeting was held on 5<sup>th</sup> April 2018 with agents for the applicant. The proposal and its context were explained in detail. The agent is of the opinion that it does constitute strategic infrastructure. A second and final meeting was held on 4<sup>th</sup> July 2018 and in this subsequent meeting the proposal for car parking was revised from temporary to permanent.
- 1.4. The prospective applicant consulted with Fingal county Council, the Dublin Airport Authority and the Irish Aviation Authority as part of its consultation process and matters raised are set out in the minutes of the second meeting. In view of the consultative process by the Board and the similarity of issues, such as strategic implications for integrated transport and land-use in the airport region, associated with the recent case PC0250, further consultations by the Board with other bodies such as Fingal County Council or transport related bodies were not considered advantageous and were not held.

## 2.0 Site Description

- 2.1. The site has an area of around 17 hectares and is occupied by one extensive surface car park. It used for long-term parking and is serviced by shuttle buses to and from the airport. Vehicular access is at the western side of the R132 Swords Road. The road frontage is comparatively narrow (55m) and is flagged by a signage to multiple barrier controlled entry/exits points. There is a small office at the entrance.

2.2. The layout comprises a parking area organised in blocks with gravel surfaces served by a surfaced spine road looping around the site. A small area near the entrance is tarmac surfaced and painted. A coach parking area is also hard surfaced. The car park blocks nearer the entrance are more tightly packed than the parking layout delineated in the plans, whereas the parking is more scattered in the peripheral areas.

### 3.0 The proposed development

3.1. The prospective applicant is seeking permanent permission for continuance of the existing temporary car park. A permission would reverse condition 2 attached in the case of PA0023 which restricts permanent use of these spaces. The proposed number of car parking spaces is below the maximum number permitted 26,800 for Long-term car-parking spaces at the airport. The proposed development does not seek to increase the car parking provided at the airport.

3.2. Offices: It is proposed to replace the small office building at the entrance with a multi-storey office building spanning across 3 no. entrance/exit lanes. The entrance/building will be recessed further into the site. The design is cognisant of its airport and flight path context in terms of building features and format. Ground floor area is 180 sq.m. and upper levels amount to 400 sq.m.

3.3. The development description as drafted at time of meeting states:

Permission for the continuation of use of at-grade long term car park (comprising 6286 car parking spaces), demolition of existing single storey office, canopy structure and maintenance shed, construction of new part three-storey car park entrance building comprising office space with new car park barriers and ticket machines together with premium car parking on lands known as the Quickpark Car Park, Turnapin Great, Swords Road (od Airport Road), Santry, Co. Dublin. The lands are currently used for the same purpose under and in accordance with temporary planning permission ABP Ref.06F.PA0023, Reg Ref F99A/376/PLof.112955, F02A/110, F05A/1464 and Reg ref. F06A/1746. The proposed development includes ancillary infrastructure and facilities, as follows: existing internal circulation road; hard-standing; lighting; boundary fencing; bus shelters; CCTV cameras; signage ; culverts; biocycle waste water treatment system and percolation area; landscaping; works and all ancillary works necessary to facilitate the development erected under and in accordance with ABP Ref 06F.PA0023, Reg Refs , Reg Ref F99A/376/PLof.112955, F02A/110, F05A/1464 and Reg

ref. F06A/1746. Access to the site is from previously permitted signal controlled junction on the Swords road (Old Airport Road) with turning lanes and directional signs. The total site area for the proposed development is 16.9 hectares (41.8 acres). this application is for a temporary permission for a period of 7 years. [Revised to permanent permission in 2<sup>nd</sup> meeting]. This application is accompanied by an Environmental Impact Assessment Report.

#### 4.0 Planning History

##### The site

- 4.1.1. PA0023 refers to grant of permission in 2011 by An Bord Pleanala for continuance of use of long term car park for (6240 spaces) for 7 years. This followed permission granted under F06/1746, F05A/1464 F02A/110 and F99A/0376 for car parking in amount ranging from 3500 spaces. Details set out in Pre-Planning report prepared by consultants.

##### Airport Car Parking

- 4.1.2. Parent Permission for Terminal 2 and car parking for Dublin Airport generally F06A/1248/ An Bord Pleanala Ref. PL06F.220670 refers to a 10-year permission for construction of Terminal 2 in 2007. This case sets out the parameters for car parking for the airport operation at a strategic level particularly by way of the Mobility Management Plan and maximum limits. More specifically:
- **Condition 12** relates to Airport Mobility Management, including the provision, management and monitoring of parking;
  - **Condition 23** specifies that the provision of parking to serve the development shall be the subject of separate planning applications, as required. It also states that any additional parking provided shall have regard to mode share targets established by the MMP and the growth of passenger numbers. Restrictions, or caps are then specified for all categories of parking, having regard to the assumptions made in the EIS, the MMP and the capacity of Phase 1 of the T2 development;
  - **Condition 24** which requires that charges for public car parking serving the development shall be agreed, having regard to the mode share targets established in the MMP, the availability of parking and the ongoing implementation of public transport services & infrastructure.

A note summarising key points in the transport element of the EIS and its assessment and underlying assumptions is attached to the file for the Board's convenience.

## **5.0 Policy Context**

### **5.1. National Planning Framework**

5.1.1. High Quality International Connectivity is a Strategic Objective. The development and enhancement of Dublin airport is identified as an objective. In particular, the focus is on development of an additional runway, enhancing access with a particular emphasis on public transport e.g. metro link and careful land use management on land-side

- Enhanced airport access together with improvements in bus, DART and LUAS/Metro network as part of Metropolitan Area Strategic Plan for Dublin,
- Improving access to Dublin airport to include improved public transport access, connections from road and consideration of heavy rail access.
- Dublin -Belfast identified as economic corridor - airports identified as having 35 million passengers per annum

5.1.2. Sustainable Mobility is a strategic objective to provide a well-integrated public transport. Private Car dependency and high road usage is identified as an issue.

### **5.2. Fingal County Development Plan 2017-2023**

5.2.1. The site is zoned GE – 'General Employment' where it is an objective to Provide opportunities for general enterprise and employment. Car Parking is neither permitted nor not permitted class but the site is indicated as car park in development Plan Map.

5.2.2. The Site is part of a larger tract of GE land which forms part of a large area subject to an LAP objective. A small tract of land to the south and larger tract to the south west are zoned 'High Technology'.

5.2.3. The site is outside the airport LAP lands. However, the site is substantially within the Airport Red Approach Area and the Inner Airport Noise Zone and in the inner and outer public safety zones.

5.2.4. The planned Metro line and its planned Dardistown station lie west of the site

5.2.5. Chapter 7 sets out a comprehensive range of specific objectives, 28 in total, in consideration of development in lands near or within Dublin Airport.

- DA01 Facilitate the operation and future development of Dublin Airport in line with Government policy, recognising its role in the provision of air transport, both passenger and freight.
- DA03 Safeguard the current and future operational, safety, technical and developmental requirements of Dublin Airport and provide for its ongoing development within a sustainable development framework having regard to both the environmental impact on local communities and the economic impact and business within the area.
- DA22 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
- DA24 protect and enhance the transportation capacity required to provide surface access needs of the airport.
- DA25 Maintain and protect accessibility to the airport as a priority.

### 5.3. **Dublin Airport Plans**

5.3.1. Airport lands are to the north of the site. There is no Local Area Plan at present – the previous LAP expired in 2015.

5.3.2. Dublin Airport Central Masterplan 2016 refers to the core aviation development zone within the designated LAP airport lands as delineated in the current development Plan. This plan is cognisant of the transport and land use policies of the Development Plan.

## 6.0 Consultations – Key Issues Arising

6.1. No objections in principle were raised by the respective divisions of the planning authority or by the DAA or Irish Aviation Authority. Details of conditions of permission for development and useful information to aid an informed decision were highlighted to the prospective applicant and are flagged in the minutes. The key issues arising during the consultation process may be summarised as follows:

- 6.1.1. **Context of T2:** The Board emphasised the importance of demonstrating that the proposed car parking facility operates within the parameters of the EIA process for Terminal 2 particularly in regard to matters of traffic management and capacity and drainage.
- 6.1.2. **Justification for Car Park and Related Issues:** The prospective applicant was advised that the application for a permanent car park was significantly different from an application for a temporary car park as it had strategic implications for the long-term provision of public transport and airport accessibility as well as sustainable land-use and that the application for such would be assessed in this context, notwithstanding the local development plan objectives. In this context a strong case would have to be made to justify the volume of car parking by reference to compliance with the cap set in the Terminal 2 permission having regard to overall car parking supply in the area serving the airport.
- 6.1.3. The representatives of the Board further raised:
- Land-use efficiency of surface parking as compared to alternatives such as multi-storey parking.
  - Impact on car parking supply and traffic generation over the longer-term on provision and viability of public transport projects such as the planned Metro service, bus connect and other measures advocated by the National Transport Authority.
- 6.1.4. The Board emphasised that **the EIAR** should review the original EIS and its assumptions to consider if anything of significance has changed in the intervening period that would be relevant to the car parking cap. Critically, the proposed development should be considered in the context of whether the level of car parking is reasonable based on overall airport passenger parking (including that outside the direct control of the DAA), current and proposed public transport provision,

infrastructure, mobility management, traffic capacity and the need for the airport to operate efficiently in light of demands for road space, e.g. Bus Connect/cycleway.

- 6.1.5. **Water Quality:** The prospective applicant emphasised that the Water Services Division (FCC) generally has no objections to the SuDs measures and has had no issue in terms of water quality with the retention of the existing culvert running through the site in an east west direction notwithstanding previous intentions to re-open this culvert. Furthermore, the applicant has been carrying out water quality test which will inform the EIAR which will in turn take account of parameters in previous EIS.
- 6.1.6. The Board representatives highlighted the importance of demonstrating that the current development has adhered to the principle of SuDs, cognisant of the environmental sensitivities, as set out in the previous application and that more permanent drainage arrangements will be to current standards which are anticipated to be higher. For example, flood risk and climate change should be based on up to date data and assessment criteria.
- 6.1.7. **Office:** The use of the building was confirmed to be ancillary use for the car park operation. In term of design and 'green' features the Board representatives said this was a matter of design detail for the applicant but the overall aim should be to achieve a sustainable building and site development using best practice for SuDs and energy efficiency but also relevant to the site constraints.

## 7.0 **Prospective Applicant's Case – It is Strategic Infrastructure.**

7.1. It is submitted that the proposed car park use is strategic infrastructure as it satisfies criteria in S37A in terms of scale and strategic importance to the State and to achievement of regional or national spatial objectives. This is based on the following submissions during the pre-application process:

- The previous application for car parking on the site was deemed by the Board to fall under the Strategic Infrastructure provisions as it was deemed to 'fall within the scope of Section 37A(2)(a) and (b) of the Act and would be strategic infrastructure within the meaning of section 37A of the Act'.



- The prospective applicant explains the context of the car park by reference to existing long-term car park permitted for Dublin Airport. It is submitted that the Quickpark site solely provides car parking for Dublin Airport
- The long-term car parks facilitate access for 1 in 3 passengers, particularly during early morning periods where public transport is limited or unavailable.
- Car parking resources exclusively available to the airport will safeguard its efficient operation bearing in its national role and that public transport to the airport is not feasible from all counties.
- The Quickpark Car Park provides necessary and key supporting infrastructure to Dublin Airport and has done so for nearly 20 years. Dublin Airport is of strategic long term economic importance and requires safeguarding. The existing Quickpark car park provides additional supporting uses to the airport itself.
- In support of the demand it is submitted that passenger numbers at Dublin Airport have risen year on year, and over the coming years, Dublin Airport is expected to expand its operational capacity with the construction of an additional runway (capacity of 32million passengers). This will create a need for additional long term car parking facilities. The Quick-Park facility currently provides c.6,240 long term car parking spaces to this requirement. The demand for long term car parking has increased in the period since the granting of permission and Quickpark provides essential services for the efficient use of Dublin Airport.
- It is in keeping with strategic provision of car parking as set under Condition 23 of Ref. PL06F.220670/F06A/1248.
- The Development Plan support the use of the site for long-term airport related car parking.

## 8.0 Strategic Infrastructure – Legal Provisions

8.1. The Board is asked to decide if the proposal is or is not Strategic Infrastructure Development as defined by Section 37A of the Planning and Development Planning Act 2000 as amended by Section 5 of the Planning and Development (Strategic Infrastructure) Act 2006 and by Section 78 of the Planning and Development (Amendment) Act 2010. Strategic Infrastructure is defined in the Seventh Schedule of the 2006 Act and outlines “Transport Infrastructure” as follows:

“An airport (with not less than 2 million instances of passenger use per annum) or any runway, taxiway, pier, car park, terminal or other facility or installation related to it (whether as regards passenger traffic or cargo traffic).”

8.2. Section 37A(1), states that an application for permission for any development specified in the Seventh Schedule shall, if the following condition is satisfied, be made to the Board under section 37E and not to a planning authority. Section 37A (2) (as amended most recently by the Local Government Reform Act 2014), states

That condition is that, following consultation under section 37B, the Board serves on the prospective applicant a notice in writing that, in the opinion of the Board, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely –

- (a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,
- (b) the development would contribute substantially to the fulfilment of any of the objectives in the National Spatial Strategy or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate,
- (c) the development would have a significant effect on the area of more than one planning authority.

## 9.0 **Assessment**

- 9.1. As has been previously determined on the site in respect of its car parking development and nature of use, the proposed continuance of car parking on a permanent basis for the purpose of providing facilities necessary for the airport operation would I accept, constitute strategic infrastructure for the purposes of the Act insofar as it falls within the relevant class of development in the Seventh Schedule 'Transport Infrastructure' and insofar as it satisfies the requirements of Section 37(2)(a) and (b) given its economic and social importance and its role in achieving a strategic objective. In consideration of this case a key objective is the achievement of high quality international connectivity as set out in the National Planning Framework which specifically refers to the enhancement of Dublin Airport and access to delivery of this infrastructure. This framework plan also highlights the importance of the economic and social aspects of the global connection particularly in light of the altered and emerging international trade, movement and relations pursuant to Brexit.
- 9.2. In a regional context the NPF places Dublin Airport together with both Belfast airports as being significant in the consolidation of the M1 Corridor insofar as they carry 35 million passengers per annum and accordingly can shape and influence a significant corridor catchment.
- 9.3. As a sole airport- carparking operation it can be reasonably considered to be an integral element of a multi-pronged approach to providing access to local regional and national flight catchments. The management of this parking may arguably serve to compromise the efficiency of the airport by way of traffic congestion, by itself and arising from increased car dependency – an issue also highlighted in the NPF – when considered in the context of emerging transport and land-use developments. However, the merits of this are for individual appraisal at application stage. In this regard the attention of the applicant has been drawn to the need to address the underlying issues so as to demonstrate adherence to sustainable land use and transport objectives at a more strategic level. In this regard, the EIAR will need to review the underlying assumptions in the original EIS that informed the cap limit and change in current conditions that shape the supply and demand for car parking and modal split.

- 9.4. In terms of scale, the proposal relates to a large volume of car parking, more than 6000 long-term car parking spaces, which amounts to a significant portion of total permissible long-term spaces (26,800) as stipulated in the governing grant of permission for the Terminal 2 facility.
- 9.5. Finally, the offices as an ancillary use to the car parking operation and as a gateway structure are an integral part of the car park development and operation and in these circumstances, can also be considered to constitute Strategic Infrastructure.

## 10.0 Recommendation

- 10.1. I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 37(B)(4) Planning and Development Act 2000, as amended, stating that the proposed development constitutes strategic infrastructure on the following basis.
- 10.2. It is considered that the continuance of the use of long term parking on the scale and extent proposed and on a permanent basis for the purpose of airport parking falls within the 7<sup>th</sup> Schedule as it is development for the purposes of and relates to an airport (with not less than 2 million instances of passenger use per annum). Having regard to the nature, scale and location of the proposed development, such development meets the criteria set out in section 37A (2) (a) and (b) for strategic infrastructure development, therefore, a planning application for such development should be made in the first instance to an Bord Pleanála under S37E of the Act.

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Suzanne Kehely

Senior Planning Inspector

4<sup>rd</sup> September 2018

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## **Appendix I**

### **Recommended Proscribed Bodies to be notified.**

Prescribed bodies under Article 213 (1), for the purposes of section 37E(3)(c), as follows:

- The Minister for Housing, Planning, Community and Local Government.
- The Minister for Communications, Climate Action and the Environment.
- Department of Transport Tourism and Sport
- Environmental Protection Agency
- Irish Aviation Authority
- Fingal Co Council
- Dublin City Council
- National Transport Authority.
- Transport Infrastructure Ireland
- Dublin Regional Authority.
- Failte Ireland
- The Health and Safety Authority
- An Taisce - the National Trust for Ireland.
- Inland Fisheries Ireland.